# LAWS

## OF THE

# STATE OF MAINE

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**
**FIRST REGULAR SESSION**
**NON-EMERGENCY LAWS IS**
**SEPTEMBER 28, 2011**

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

**Augusta, Maine**
**2011**

# TABLE OF CONTENTS

## VOLUME 1


Preface ..... V
Legislative Statistics ..... VI
Directory of Civil Government:
Constitutional Officers ..... VII
Executive Branch ..... VIII
Judicial Branch ..... IX
Legislative Branch ..... XI
Public Laws of 2011 Passed at the First Regular Session,
Chapters 1-378 ..... 1


## VOLUME 2


Public Laws of 2011 Passed at the First Regular Session,
Chapters 379-464 ..... 581
Private and Special Laws of 2011 Passed at the First Regular Session,
Chapters 1-18 ..... 1123
Resolves of 2011 Passed at the First Regular Session,
Chapters 1-113 ..... 1143
Constitutional Resolutions of 2011 Passed at the First Regular Session,
Chapter 1 ..... 1209

Initiated Bill Referred to the Voters by the 124th Legislature and Approved at Referendum, Chapter 2 ..... 1213
Joint Study Orders of 2011 Passed at the First Regular Session, None ..... 1223
Revisor's Report 2009, Chapter 2 ..... 1225
Selected Memorials and Joint Resolutions ..... 1249
Budget Address by Governor Paul R. LePage, February 10, 2011 ..... 1253
State of the Judiciary Address by Chief Justice Leigh Ingalls Saufley, March 24, 2011 ..... 1257
Cross-reference Tables ..... 1263
Subject Index ..... 1295

## CHAPTER 379

## S.P. 264 - L.D. 860

### An Act To Reduce Student Hunger

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

**Sec. 1. 20-A MRSA §6601, sub-§1,** as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**1. The National School Lunch Program Act.** The National School Lunch Program Act, enacted June 4, 1946, and applicable amendments; ~~and~~

**Sec. 2. 20-A MRSA §6601, sub-§2,** as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**2. The Child Nutrition Act.** The Child Nutrition Act, enacted October 11, 1966, and applicable amendments~~.~~; and

**Sec. 3. 20-A MRSA §6601, sub-§3** is enacted to read:

**3. Summer food service program for children.** The federal summer food service program for children, as established by 42 United States Code, Section 1761.

**Sec. 4. 20-A MRSA §6602, sub-§1, ¶C** is enacted to read:

C. A school administrative unit may participate in the federal summer food service program for children established in 42 United States Code, Section 1761. The commissioner shall assist school administrative units subject to the requirements of this paragraph in developing a plan to participate in the federal summer food service program for children and in obtaining federal, state and private funds to pay for this program. Beginning with the 2011-2012 school year, a school administrative unit with at least one public school in which the percentage of students who qualify for a free or reduced-price lunch is determined to be equal to or greater than the minimum percentage established for eligibility under the National School Lunch Program described in paragraph A may participate in the federal summer food service program for children in accordance with 42 United States Code, Section 1761, subject to the following phase-in schedule:

(1) For the summer following the 2011-2012 school year, a school administrative unit with at least one public school in which at least 75% of students qualified for a free or reduced-price lunch in the 2011-2012 school year may participate in the federal summer food service program;

(2) For the summer following the 2012-2013 school year, a school administrative unit with at least one public school in which at least 65% of students qualified for a free or reduced-price lunch in the 2012-2013 school year may participate in the federal summer food service program; and

(3) For the summer following the 2013-2014 school year and each subsequent school year, a school administrative unit with at least one public school in which at least 50% of students qualified for a free or reduced-price lunch in that school year may participate in the federal summer food service program.

**Sec. 5. 20-A MRSA §6602, sub-§2,** as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**2. Exceptions.** The following ~~shall be~~ are exempt from subsection 1, paragraphs A and B:

A. All secondary schools limited to students in grades 9, 10, 11 and 12; and

B. A school administrative unit authorized by the commissioner under subsection 9 to postpone the establishment of the program.

**Sec. 6. 20-A MRSA §6602, sub-§5,** as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**5. Rules.** The commissioner shall adopt or amend, with the state board's approval, rules under this subchapter, including rules about the qualifications of food service programs' personnel and rules to implement the federal summer food service program for children under subsection 1, paragraph C.

**Sec. 7. Participation in the summer food service program.** Each public school shall develop a written plan to enroll students who are eligible to participate in the federal summer food service program pursuant to the Maine Revised Statutes, Title 20-A, section 6602, subsection 1, paragraph C.

See title page for effective date.

# CHAPTER 380

## H.P. 778 - L.D. 1043

## An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General 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, 2011, 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

### Accident - Sickness - Health Insurance 0455

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.500 | 0.500 |
| Personal Services | $20,507 | $21,607 |
| All Other | $780,638 | $780,638 |
| GENERAL FUND TOTAL | $801,145 | $802,245 |

| RETIREE HEALTH INSURANCE FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,400,235 | $48,400,235 |
| RETIREE HEALTH INSURANCE FUND TOTAL | $48,400,235 | $48,400,235 |

| ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $939,761 | $969,705 |
| All Other | $935,213 | $935,213 |
| ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL | $1,874,974 | $1,904,918 |

| FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $59,827 | $61,250 |
| All Other | $53,821 | $53,821 |
| FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL | $113,648 | $115,071 |

### ACCIDENT - SICKNESS - HEALTH INSURANCE 0455

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.500 | 0.500 |
| Personal Services | $20,507 | $21,607 |
| All Other | $780,638 | $780,638 |
| GENERAL FUND TOTAL | $801,145 | $802,245 |

| RETIREE HEALTH INSURANCE FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,400,235 | $48,400,235 |

| | | |
|---|---|---|
| RETIREE HEALTH INSURANCE FUND TOTAL | $48,400,235 | $48,400,235 |

| **ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $939,761 | $969,705 |
| All Other | $935,213 | $935,213 |
| ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL | $1,874,974 | $1,904,918 |

| **FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $59,827 | $61,250 |
| All Other | $53,821 | $53,821 |
| FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL | $113,648 | $115,071 |

### Administration - Human Resources 0038

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.500 | 21.500 |
| Personal Services | $1,782,102 | $1,835,127 |
| All Other | $300,434 | $300,434 |
| GENERAL FUND TOTAL | $2,082,536 | $2,135,561 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.500 | 2.500 |
| Personal Services | $245,427 | $254,595 |
| All Other | $256,271 | $256,271 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $501,698 | $510,866 |

### Administration - Human Resources 0038

Initiative: Eliminates 3 Public Service Coordinator I positions, 2 part-time Public Service Coordinator I positions, one Public Service Manager II position and one Office Associate II position to reorganize the state training and development office.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.500) | (3.500) |
| Personal Services | ($244,637) | ($253,505) |
| GENERAL FUND TOTAL | ($244,637) | ($253,505) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.500) | (2.500) |
| Personal Services | ($245,427) | ($254,595) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($245,427) | ($254,595) |

### Administration - Human Resources 0038

Initiative: Establishes 3 Public Service Coordinator I positions to reorganize the state training and development office.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $165,416 | $227,188 |
| GENERAL FUND TOTAL | $165,416 | $227,188 |

### Administration - Human Resources 0038

Initiative: Provides funding for All Other costs associated with the reorganization of the state training and development office to support an Adult Education Consultant for program evaluation.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $79,221 | $26,317 |
| GENERAL FUND TOTAL | $79,221 | $26,317 |

## ADMINISTRATION - HUMAN RESOURCES 0038

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,702,881 | $1,808,810 |
| All Other | $379,655 | $326,751 |
| GENERAL FUND TOTAL | $2,082,536 | $2,135,561 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $256,271 | $256,271 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $256,271 | $256,271 |

### Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,226,519 | $1,257,472 |
| All Other | $87,233 | $87,233 |
| GENERAL FUND TOTAL | $1,313,752 | $1,344,705 |

## BUDGET - BUREAU OF THE 0055

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,226,519 | $1,257,472 |
| All Other | $87,233 | $87,233 |
| GENERAL FUND TOTAL | $1,313,752 | $1,344,705 |

### Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 102.000 | 102.000 |
| Personal Services | $5,682,702 | $5,885,563 |
| All Other | $6,966,192 | $6,966,192 |
| GENERAL FUND TOTAL | $12,648,894 | $12,851,755 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $464,400 | $464,400 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $464,400 | $464,400 |

| REAL PROPERTY LEASE INTERNAL SERVICE FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $269,736 | $278,528 |
| All Other | $25,596,603 | $25,596,603 |
| REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL | $25,866,339 | $25,875,131 |

## BUILDINGS AND GROUNDS OPERATIONS 0080

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 102.000 | 102.000 |
| Personal Services | $5,682,702 | $5,885,563 |
| All Other | $6,966,192 | $6,966,192 |
| GENERAL FUND TOTAL | $12,648,894 | $12,851,755 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $464,400 | $464,400 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $464,400 | $464,400 |

| REAL PROPERTY LEASE INTERNAL SERVICE FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $269,736 | $278,528 |
| All Other | $25,596,603 | $25,596,603 |

| | | |
|---|---|---|
| REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL | $25,866,339 | $25,875,131 |

### Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $15,000 | $15,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $15,000 | $15,000 |

### Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: Reduces funding to zero for several inactive accounts within the Department of Administrative and Financial Services, Bureau of General Services.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($10,000) | ($10,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($10,000) | ($10,000) |

## BUREAU OF GENERAL SERVICES - CAPITAL CONSTRUCTION AND IMPROVEMENT RESERVE FUND 0883

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,000 | $5,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,000 | $5,000 |

### Bureau of Revenue Services Fund 0885

Initiative: BASELINE BUDGET

| BUREAU OF REVENUE SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $151,720 | $151,720 |
| BUREAU OF REVENUE SERVICES FUND TOTAL | $151,720 | $151,720 |

## BUREAU OF REVENUE SERVICES FUND 0885

## PROGRAM SUMMARY

| BUREAU OF REVENUE SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $151,720 | $151,720 |
| BUREAU OF REVENUE SERVICES FUND TOTAL | $151,720 | $151,720 |

### Capital Construction/Repairs/Improvements - Administration 0059

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $94,405 | $94,405 |
| GENERAL FUND TOTAL | $94,405 | $94,405 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $948,359 | $948,359 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $948,359 | $948,359 |

## CAPITAL CONSTRUCTION/REPAIRS/ IMPROVEMENTS - ADMINISTRATION 0059

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $94,405 | $94,405 |
| GENERAL FUND TOTAL | $94,405 | $94,405 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $948,359 | $948,359 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $948,359 | $948,359 |

### Central Fleet Management 0703

Initiative: BASELINE BUDGET

| CENTRAL MOTOR POOL | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 17.000 | 17.000 |
| Personal Services | $1,046,074 | $1,086,368 |
| All Other | $8,443,893 | $8,443,893 |

| | | |
|---|---|---|
| CENTRAL MOTOR POOL TOTAL | $9,489,967 | $9,530,261 |

### Central Fleet Management 0703

Initiative: Provides funding for increased costs associated with invoices paid to the Office of Information Technology related to Centralized Integrated Management System (CIMS) interfaces.

| CENTRAL MOTOR POOL | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,653 | $0 |
| CENTRAL MOTOR POOL TOTAL | $4,653 | $0 |

## CENTRAL FLEET MANAGEMENT 0703

## PROGRAM SUMMARY

| CENTRAL MOTOR POOL | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 17.000 | 17.000 |
| Personal Services | $1,046,074 | $1,086,368 |
| All Other | $8,448,546 | $8,443,893 |
| CENTRAL MOTOR POOL TOTAL | $9,494,620 | $9,530,261 |

### Central Services - Purchases 0004

Initiative: BASELINE BUDGET

| POSTAL, PRINTING AND SUPPLY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 40.000 | 40.000 |
| POSITIONS - FTE COUNT | 0.375 | 0.375 |
| Personal Services | $2,280,663 | $2,383,502 |
| All Other | $1,554,913 | $1,554,913 |
| POSTAL, PRINTING AND SUPPLY FUND TOTAL | $3,835,576 | $3,938,415 |

### Central Services - Purchases 0004

Initiative: Provides funding for increased costs associated with invoices paid to the Office of Information Technology related to Centralized Integrated Management System (CIMS) interfaces.

| POSTAL, PRINTING AND SUPPLY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,106 | $0 |
| POSTAL, PRINTING AND SUPPLY FUND TOTAL | $35,106 | $0 |

### Central Services - Purchases 0004

Initiative: Eliminates one vacant Central Services Supervisor position and one vacant intermittent Office Assistant II position and reduces funding for All Other funds associated with these positions in the Bureau of General Services, Central Services Internal Service Fund.

| POSTAL, PRINTING AND SUPPLY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| POSITIONS - FTE COUNT | (0.375) | (0.375) |
| Personal Services | ($58,405) | ($62,092) |
| All Other | ($3,817) | ($3,817) |
| POSTAL, PRINTING AND SUPPLY FUND TOTAL | ($62,222) | ($65,909) |

## CENTRAL SERVICES - PURCHASES 0004

## PROGRAM SUMMARY

| POSTAL, PRINTING AND SUPPLY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 39.000 | 39.000 |
| POSITIONS - FTE COUNT | 0.000 | 0.000 |
| Personal Services | $2,222,258 | $2,321,410 |
| All Other | $1,586,202 | $1,551,096 |
| POSTAL, PRINTING AND SUPPLY FUND TOTAL | $3,808,460 | $3,872,506 |

### County Tax Reimbursement 0263

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,243,895 | $1,243,895 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,243,895 | $1,243,895 |

### County Tax Reimbursement 0263

Initiative: Provides funding for anticipated excise tax reimbursements.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $127,505 | $196,105 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $127,505 | $196,105 |

## COUNTY TAX REIMBURSEMENT 0263

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,371,400 | $1,440,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,371,400 | $1,440,000 |

### Debt Service - Government Facilities Authority 0893

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $19,745,063 | $19,745,063 |
| GENERAL FUND TOTAL | $19,745,063 | $19,745,063 |

### Debt Service - Government Facilities Authority 0893

Initiative: Reduces funding as a result of the Maine Governmental Facilities Authority refinancing efforts in fiscal year 2010-11.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,455,000) | ($2,078,000) |
| GENERAL FUND TOTAL | ($1,455,000) | ($2,078,000) |

## DEBT SERVICE - GOVERNMENT FACILITIES AUTHORITY 0893

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $18,290,063 | $17,667,063 |
| GENERAL FUND TOTAL | $18,290,063 | $17,667,063 |

### Elderly Tax Deferral Program 0650

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $28,000 | $28,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $28,000 | $28,000 |

### Elderly Tax Deferral Program 0650

Initiative: Reduces funding to an anticipated level for the Elderly Tax Deferral Program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($6,000) | ($6,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($6,000) | ($6,000) |

## ELDERLY TAX DEFERRAL PROGRAM 0650

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $22,000 | $22,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $22,000 | $22,000 |

### Financial and Personnel Services - Division of 0713

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $497,302 | $497,302 |
| FEDERAL EXPENDITURES FUND TOTAL | $497,302 | $497,302 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $30,000 | $30,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $30,000 | $30,000 |

| FINANCIAL AND PERSONNEL SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 299.000 | 299.000 |
| Personal Services | $20,739,589 | $21,515,111 |
| All Other | $1,942,811 | $1,942,811 |

| | | |
|---|---|---|
| FINANCIAL AND PERSONNEL SERVICES FUND TOTAL | $22,682,400 | $23,457,922 |

**Financial and Personnel Services - Division of 0713**

Initiative: Transfers one Public Service Coordinator I position and one Planning and Research Associate I position to the Department of Administrative and Financial Services, Transportation Service Center account from the Department of Transportation to reflect the work the individuals are performing in the most appropriate organizational structure.

| **FINANCIAL AND PERSONNEL SERVICES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $137,586 | $140,720 |
| FINANCIAL AND PERSONNEL SERVICES FUND TOTAL | $137,586 | $140,720 |

**Financial and Personnel Services - Division of 0713**

Initiative: Provides funding in fiscal year 2011-12 only for anticipated expenses of interfacing invoices processed by the Centralized Integrated Management System (CIMS) to the Advantage accounting system.

| **FINANCIAL AND PERSONNEL SERVICES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $84,592 | $0 |
| FINANCIAL AND PERSONNEL SERVICES FUND TOTAL | $84,592 | $0 |

## FINANCIAL AND PERSONNEL SERVICES - DIVISION OF 0713

### PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $497,302 | $497,302 |
| FEDERAL EXPENDITURES FUND TOTAL | $497,302 | $497,302 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $30,000 | $30,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $30,000 | $30,000 |

| **FINANCIAL AND PERSONNEL SERVICES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 301.000 | 301.000 |
| Personal Services | $20,877,175 | $21,655,831 |
| All Other | $2,027,403 | $1,942,811 |
| FINANCIAL AND PERSONNEL SERVICES FUND TOTAL | $22,904,578 | $23,598,642 |

**Homestead Property Tax Exemption Reimbursement 0886**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $16,157,593 | $16,157,593 |
| GENERAL FUND TOTAL | $16,157,593 | $16,157,593 |

**Homestead Property Tax Exemption Reimbursement 0886**

Initiative: Provides funding to an anticipated level for reimbursements for homestead property tax exemptions.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $7,442,407 | $8,042,407 |
| GENERAL FUND TOTAL | $7,442,407 | $8,042,407 |

## HOMESTEAD PROPERTY TAX EXEMPTION REIMBURSEMENT 0886

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $23,600,000 | $24,200,000 |
| GENERAL FUND TOTAL | $23,600,000 | $24,200,000 |

**Information Services 0155**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $7,705,328 | $7,705,328 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $7,705,328 | $7,705,328 |

| OFFICE OF INFORMATION SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 503.500 | 503.500 |
| Personal Services | $45,648,262 | $47,131,357 |
| All Other | $15,791,217 | $16,263,378 |
| OFFICE OF INFORMATION SERVICES FUND TOTAL | $61,439,479 | $63,394,735 |

### Information Services 0155

Initiative: Provides funding to cover the increased cost of technology expenditures that are necessary to provide ongoing state central services to departments and agencies statewide and is net of annual savings of $300,000 from managing vacancies and reduced data storage costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,457,446 | $3,534,341 |
| GENERAL FUND TOTAL | $3,457,446 | $3,534,341 |

### Information Services 0155

Initiative: Provides funding for increased costs associated with invoices paid to the Office of Information Technology related to Centralized Integrated Management System (CIMS) interfaces.

| OFFICE OF INFORMATION SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $9,677 | $0 |
| OFFICE OF INFORMATION SERVICES FUND TOTAL | $9,677 | $0 |

### Information Services 0155

Initiative: Continues one limited-period Information Technology Consultant position that was previously authorized by financial order and continued in Public Law 2007, chapter 539 and Public Law 2009, chapter 571. This position ends on June 9, 2012.

| OFFICE OF INFORMATION SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $111,750 | $0 |
| OFFICE OF INFORMATION SERVICES FUND TOTAL | $111,750 | $0 |

## INFORMATION SERVICES 0155

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,162,774 | $11,239,669 |
| GENERAL FUND TOTAL | $11,162,774 | $11,239,669 |

| OFFICE OF INFORMATION SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 503.500 | 503.500 |
| Personal Services | $45,760,012 | $47,131,357 |
| All Other | $15,800,894 | $16,263,378 |
| OFFICE OF INFORMATION SERVICES FUND TOTAL | $61,560,906 | $63,394,735 |

### Lottery Operations 0023

Initiative: BASELINE BUDGET

| STATE LOTTERY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $1,828,973 | $1,889,064 |
| All Other | $2,332,139 | $2,332,139 |
| STATE LOTTERY FUND TOTAL | $4,161,112 | $4,221,203 |

### Lottery Operations 0023

Initiative: Deallocates funds to recognize savings associated with rebidding the current lottery contract. This deallocation will increase General Fund revenue by $2,200,000 in fiscal year 2012-13.

| STATE LOTTERY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($2,200,000) |
| STATE LOTTERY FUND TOTAL | $0 | ($2,200,000) |

### Lottery Operations 0023

Initiative: Deallocates funds to recognize savings in administrative costs associated with extending the

lottery contract. This deallocation will increase General Fund revenue by $350,000 in fiscal year 2011-12.

| STATE LOTTERY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($350,000) | $0 |
| STATE LOTTERY FUND TOTAL | ($350,000) | $0 |

## LOTTERY OPERATIONS 0023

### PROGRAM SUMMARY

| STATE LOTTERY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $1,828,973 | $1,889,064 |
| All Other | $1,982,139 | $132,139 |
| STATE LOTTERY FUND TOTAL | $3,811,112 | $2,021,203 |

### Mandate BETE - Reimburse Municipalities Z065

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,000 | $35,000 |
| GENERAL FUND TOTAL | $35,000 | $35,000 |

### Mandate BETE - Reimburse Municipalities Z065

Initiative: Reduces funding to reflect the anticipated claims by municipalities.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($25,000) | ($25,000) |
| GENERAL FUND TOTAL | ($25,000) | ($25,000) |

## MANDATE BETE - REIMBURSE MUNICIPALITIES Z065

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| GENERAL FUND TOTAL | $10,000 | $10,000 |

### Office of the Commissioner - Administrative and Financial Services 0718

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $444,816 | $458,526 |
| All Other | $20,582 | $20,582 |
| GENERAL FUND TOTAL | $465,398 | $479,108 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,000 | $5,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,000 | $5,000 |

## OFFICE OF THE COMMISSIONER - ADMINISTRATIVE AND FINANCIAL SERVICES 0718

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $444,816 | $458,526 |
| All Other | $20,582 | $20,582 |
| GENERAL FUND TOTAL | $465,398 | $479,108 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,000 | $5,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,000 | $5,000 |

### Public Improvements - Planning/Construction - Administration 0057

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,128,780 | $1,167,678 |
| All Other | $138,174 | $138,174 |
| GENERAL FUND TOTAL | $1,266,954 | $1,305,852 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $31,000 | $31,000 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $31,000 | $31,000 |

## PUBLIC IMPROVEMENTS - PLANNING/CONSTRUCTION - ADMINISTRATION 0057

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,128,780 | $1,167,678 |
| All Other | $138,174 | $138,174 |
| GENERAL FUND TOTAL | $1,266,954 | $1,305,852 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $31,000 | $31,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $31,000 | $31,000 |

### Purchases - Division of 0007

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $500,590 | $512,633 |
| All Other | $209,510 | $209,510 |
| GENERAL FUND TOTAL | $710,100 | $722,143 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,000 | $4,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,000 | $4,000 |

## PURCHASES - DIVISION OF 0007

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $500,590 | $512,633 |
| All Other | $209,510 | $209,510 |
| GENERAL FUND TOTAL | $710,100 | $722,143 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,000 | $4,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,000 | $4,000 |

### Revenue Services - Bureau of 0002

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 319.000 | 319.000 |
| Personal Services | $22,370,619 | $23,180,265 |
| All Other | $14,246,613 | $14,246,613 |
| GENERAL FUND TOTAL | $36,617,232 | $37,426,878 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,000 | $5,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,000 | $5,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $9,232,569 | $9,232,569 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $9,232,569 | $9,232,569 |

### Revenue Services - Bureau of 0002

Initiative: Reduces funding for postage associated with the proposed changes in statute to the notice and assessments provisions in this Act.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($188,360) | ($188,360) |
| GENERAL FUND TOTAL | ($188,360) | ($188,360) |

### Revenue Services - Bureau of 0002

Initiative: Provides funding for All Other costs associated with programming of Maine Revenue Services computer systems to generate another category of

cardholders, create certificates, revise refund forms and process refunds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,000 | $0 |
| GENERAL FUND TOTAL | $7,000 | $0 |

## REVENUE SERVICES - BUREAU OF 0002

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 319.000 | 319.000 |
| Personal Services | $22,370,619 | $23,180,265 |
| All Other | $14,065,253 | $14,058,253 |
| GENERAL FUND TOTAL | $36,435,872 | $37,238,518 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,000 | $5,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,000 | $5,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $9,232,569 | $9,232,569 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $9,232,569 | $9,232,569 |

### Risk Management - Claims 0008

Initiative: BASELINE BUDGET

| RISK MANAGEMENT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $404,147 | $415,088 |
| All Other | $3,535,988 | $3,535,988 |
| RISK MANAGEMENT FUND TOTAL | $3,940,135 | $3,951,076 |

| STATE-ADMINISTERED FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,043,128 | $2,043,128 |
| STATE-ADMINISTERED FUND TOTAL | $2,043,128 | $2,043,128 |

### Risk Management - Claims 0008

Initiative: Provides funding for increased costs associated with invoices paid to the Office of Information Technology related to Centralized Integrated Management System interfaces.

| RISK MANAGEMENT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,269 | $0 |
| RISK MANAGEMENT FUND TOTAL | $1,269 | $0 |

## RISK MANAGEMENT - CLAIMS 0008

## PROGRAM SUMMARY

| RISK MANAGEMENT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $404,147 | $415,088 |
| All Other | $3,537,257 | $3,535,988 |
| RISK MANAGEMENT FUND TOTAL | $3,941,404 | $3,951,076 |

| STATE-ADMINISTERED FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,043,128 | $2,043,128 |
| STATE-ADMINISTERED FUND TOTAL | $2,043,128 | $2,043,128 |

### Snow Grooming Property Tax Exemption Reimbursement Z024

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $19,500 | $19,500 |
| GENERAL FUND TOTAL | $19,500 | $19,500 |

## SNOW GROOMING PROPERTY TAX EXEMPTION REIMBURSEMENT Z024

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $19,500 | $19,500 |
| GENERAL FUND TOTAL | $19,500 | $19,500 |

**Solid Waste Management Fund 0659**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

**SOLID WASTE MANAGEMENT FUND 0659**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

**State Controller - Office of the 0056**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $2,237,299 | $2,309,486 |
| All Other | $213,297 | $213,297 |
| GENERAL FUND TOTAL | $2,450,596 | $2,522,783 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,000 | $1,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,000 | $1,000 |

**STATE CONTROLLER - OFFICE OF THE 0056**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $2,237,299 | $2,309,486 |
| All Other | $213,297 | $213,297 |
| GENERAL FUND TOTAL | $2,450,596 | $2,522,783 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,000 | $1,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,000 | $1,000 |

**Statewide Radio Network System 0112**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,331,700 | $5,331,700 |
| GENERAL FUND TOTAL | $5,331,700 | $5,331,700 |

**Statewide Radio Network System 0112**

Initiative: Provides funding to meet the required debt service payments related to the Statewide Radio and Network System project.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $375,154 | $2,967,451 |
| GENERAL FUND TOTAL | $375,154 | $2,967,451 |

**STATEWIDE RADIO NETWORK SYSTEM 0112**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,706,854 | $8,299,151 |
| GENERAL FUND TOTAL | $5,706,854 | $8,299,151 |

**Trade Adjustment Assistance Health Insurance Z001**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,385 | $8,385 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,385 | $8,385 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $75,000 | $75,000 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $75,000 | $75,000 |

## TRADE ADJUSTMENT ASSISTANCE HEALTH INSURANCE Z001

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,385 | $8,385 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,385 | $8,385 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $75,000 | $75,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $75,000 | $75,000 |

### Tree Growth Tax Reimbursement 0261

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,937,500 | $5,937,500 |
| GENERAL FUND TOTAL | $5,937,500 | $5,937,500 |

### Tree Growth Tax Reimbursement 0261

Initiative: Provides funding for tree growth tax reimbursements for cities and towns.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,712,500 | $2,011,500 |
| GENERAL FUND TOTAL | $2,712,500 | $2,011,500 |

## TREE GROWTH TAX REIMBURSEMENT 0261

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,650,000 | $7,949,000 |
| GENERAL FUND TOTAL | $8,650,000 | $7,949,000 |

### Unorganized Territory Education and Services Fund - Finance 0573

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,885,930 | $13,885,930 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $13,885,930 | $13,885,930 |

### Unorganized Territory Education and Services Fund - Finance 0573

Initiative: Reduces funding to an anticipated level for grant payments to counties serving the unorganized territories.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($452,580) | $199,420 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($452,580) | $199,420 |

### Unorganized Territory Education and Services Fund - Finance 0573

Initiative: Provides funding at an anticipated level for reimbursement of taxes paid on commercial wind farms located in the unorganized territories.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $660,000 | $600,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $660,000 | $600,000 |

## UNORGANIZED TERRITORY EDUCATION AND SERVICES FUND - FINANCE 0573

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $14,093,350 | $14,685,350 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,093,350 | $14,685,350 |

### Veterans' Organization Tax Reimbursement Z062

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $322,892 | $322,892 |
| GENERAL FUND TOTAL | $322,892 | $322,892 |

**Veterans' Organization Tax Reimbursement Z062**

Initiative: Reduces funding to reflect anticipated reimbursements to veterans' organizations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($292,892) | ($287,892) |
| GENERAL FUND TOTAL | ($292,892) | ($287,892) |

**VETERANS' ORGANIZATION TAX REIMBURSEMENT Z062**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $30,000 | $35,000 |
| GENERAL FUND TOTAL | $30,000 | $35,000 |

**Veterans Tax Reimbursement 0407**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,095,211 | $1,095,211 |
| GENERAL FUND TOTAL | $1,095,211 | $1,095,211 |

**Veterans Tax Reimbursement 0407**

Initiative: Reduces funding in fiscal year 2011-12 and increases funding in fiscal year 2012-13 to reflect the anticipated funding level for veterans' tax reimbursements.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($20,211) | $29,789 |
| GENERAL FUND TOTAL | ($20,211) | $29,789 |

**VETERANS TAX REIMBURSEMENT 0407**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,075,000 | $1,125,000 |
| GENERAL FUND TOTAL | $1,075,000 | $1,125,000 |

**Waste Facility Tax Reimbursement 0907**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,000 | $12,000 |
| GENERAL FUND TOTAL | $12,000 | $12,000 |

**WASTE FACILITY TAX REIMBURSEMENT 0907**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,000 | $12,000 |
| GENERAL FUND TOTAL | $12,000 | $12,000 |

**Workers' Compensation Management Fund Program 0802**

Initiative: BASELINE BUDGET

| WORKERS' COMPENSATION MANAGEMENT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,217,237 | $1,248,126 |
| All Other | $18,112,182 | $18,112,182 |
| WORKERS' COMPENSATION MANAGEMENT FUND TOTAL | $19,329,419 | $19,360,308 |

**Workers' Compensation Management Fund Program 0802**

Initiative: Provides funding for increased costs associated with invoices paid to the Office of Information Technology related to Centralized Integrated Management System (CIMS) interfaces.

| WORKERS' COMPENSATION MANAGEMENT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $33,888 | $0 |
| WORKERS' COMPENSATION MANAGEMENT FUND TOTAL | $33,888 | $0 |

**WORKERS' COMPENSATION MANAGEMENT FUND PROGRAM 0802**

**PROGRAM SUMMARY**

| WORKERS' COMPENSATION MANAGEMENT FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,217,237 | $1,248,126 |
| All Other | $18,146,070 | $18,112,182 |
| WORKERS' COMPENSATION MANAGEMENT FUND TOTAL | $19,363,307 | $19,360,308 |

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **GENERAL FUND** | **$126,825,843** | **$130,053,458** |
| **FEDERAL EXPENDITURES FUND** | **$510,687** | **$510,687** |
| **OTHER SPECIAL REVENUE FUNDS** | **$26,549,349** | **$27,209,949** |
| **FINANCIAL AND PERSONNEL SERVICES FUND** | **$22,904,578** | **$23,598,642** |
| **POSTAL, PRINTING AND SUPPLY FUND** | **$3,808,460** | **$3,872,506** |
| **OFFICE OF INFORMATION SERVICES FUND** | **$61,560,906** | **$63,394,735** |
| **RISK MANAGEMENT FUND** | **$3,941,404** | **$3,951,076** |
| **WORKERS' COMPENSATION MANAGEMENT FUND** | **$19,363,307** | **$19,360,308** |
| **CENTRAL MOTOR POOL** | **$9,494,620** | **$9,530,261** |
| **REAL PROPERTY LEASE INTERNAL SERVICE FUND** | **$25,866,339** | **$25,875,131** |
| **BUREAU OF REVENUE SERVICES FUND** | **$151,720** | **$151,720** |
| **RETIREE HEALTH INSURANCE FUND** | **$48,400,235** | **$48,400,235** |
| **ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND** | **$1,874,974** | **$1,904,918** |
| **STATE-ADMINISTERED FUND** | **$2,043,128** | **$2,043,128** |
| **STATE LOTTERY FUND** | **$3,811,112** | **$2,021,203** |
| **FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND** | **$113,648** | **$115,071** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$357,220,310** | **$361,993,028** |

## EFFICIENCY MAINE TRUST

### Efficiency Maine Trust Z100

Initiative: Provides funding for the reorganization of one Planner II position to one Public Service Coordinator II position and one Office Specialist I position to one Secretary position.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $10,314 | $16,003 |
| All Other | ($10,314) | ($16,003) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

## EFFICIENCY MAINE TRUST Z100 PROGRAM SUMMARY

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $10,314 | $16,003 |
| All Other | ($10,314) | ($16,003) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**EFFICIENCY MAINE TRUST**

| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$0** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$0** |

## TREASURER OF STATE, OFFICE OF

### Debt Service - Treasury 0021

Initiative: Reduces funding for debt service based on the issuance of approximately $96 million of General Fund bonds in June versus $155 million as previously estimated.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($6,149,962) | $37,181 |
| GENERAL FUND TOTAL | ($6,149,962) | $37,181 |

**DEBT SERVICE - TREASURY 0021**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($6,149,962) | $37,181 |
| GENERAL FUND TOTAL | ($6,149,962) | $37,181 |

**TREASURER OF STATE, OFFICE OF**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | ($6,149,962) | $37,181 |
| DEPARTMENT TOTAL - ALL FUNDS | ($6,149,962) | $37,181 |

| SECTION TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $120,675,881 | $130,090,639 |
| FEDERAL EXPENDITURES FUND | $510,687 | $510,687 |
| OTHER SPECIAL REVENUE FUNDS | $26,549,349 | $27,209,949 |
| FINANCIAL AND PERSONNEL SERVICES FUND | $22,904,578 | $23,598,642 |
| POSTAL, PRINTING AND SUPPLY FUND | $3,808,460 | $3,872,506 |
| OFFICE OF INFORMATION SERVICES FUND | $61,560,906 | $63,394,735 |
| RISK MANAGEMENT FUND | $3,941,404 | $3,951,076 |
| WORKERS' COMPENSATION MANAGEMENT FUND | $19,363,307 | $19,360,308 |
| CENTRAL MOTOR POOL | $9,494,620 | $9,530,261 |
| REAL PROPERTY LEASE INTERNAL SERVICE FUND | $25,866,339 | $25,875,131 |
| BUREAU OF REVENUE SERVICES FUND | $151,720 | $151,720 |
| RETIREE HEALTH INSURANCE FUND | $48,400,235 | $48,400,235 |
| ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND | $1,874,974 | $1,904,918 |
| STATE-ADMINISTERED FUND | $2,043,128 | $2,043,128 |
| STATE LOTTERY FUND | $3,811,112 | $2,021,203 |
| FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND | $113,648 | $115,071 |
| SECTION TOTAL - ALL FUNDS | $351,070,348 | $362,030,209 |

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

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Animal Welfare Fund 0946**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.500 | 10.500 |
| POSITIONS - FTE COUNT | 0.238 | 0.238 |
| Personal Services | $778,064 | $815,154 |
| All Other | $719,740 | $719,740 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,497,804 | $1,534,894 |

**Animal Welfare Fund 0946**

Initiative: Provides funding for expenses related to animal welfare funded by the animal welfare registration plate revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,520 | $50,520 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $50,520 | $50,520 |

**ANIMAL WELFARE FUND 0946**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.500 | 10.500 |
| POSITIONS - FTE COUNT | 0.238 | 0.238 |
| Personal Services | $778,064 | $815,154 |
| All Other | $770,260 | $770,260 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,548,324 | $1,585,414 |

### Beverage Container Enforcement Fund 0971

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.500 | 2.500 |
| Personal Services | $171,883 | $182,470 |
| All Other | $108,520 | $108,520 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $280,403 | $290,990 |

### Beverage Container Enforcement Fund 0971

Initiative: Reallocates the cost of one Office Associate II position from 50% Other Special Revenue Funds in the Beverage Container Enforcement Fund program and 50% Other Special Revenue Funds in the Division of Quality Assurance and Regulation program to 100% Other Special Revenue Funds in the Beverage Container Enforcement Fund program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $22,866 | $24,334 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $22,866 | $24,334 |

## BEVERAGE CONTAINER ENFORCEMENT FUND 0971

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.500 | 3.500 |
| Personal Services | $194,749 | $206,804 |
| All Other | $108,520 | $108,520 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $303,269 | $315,324 |

### Certified Seed Fund 0787

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| POSITIONS - FTE COUNT | 1.894 | 1.894 |
| Personal Services | $505,997 | $519,646 |
| All Other | $372,051 | $372,051 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $878,048 | $891,697 |

## CERTIFIED SEED FUND 0787

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| POSITIONS - FTE COUNT | 1.894 | 1.894 |
| Personal Services | $505,997 | $519,646 |
| All Other | $372,051 | $372,051 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $878,048 | $891,697 |

### Division of Agricultural Resource Development 0833

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $399,572 | $413,593 |
| All Other | $139,470 | $139,470 |
| GENERAL FUND TOTAL | $539,042 | $553,063 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |

| | | |
|---|---|---|
| Personal Services | $91,832 | $96,032 |
| All Other | $1,457,301 | $1,457,301 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,549,133 | $1,553,333 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.500 | 4.500 |
| Personal Services | $312,495 | $322,430 |
| All Other | $455,084 | $455,084 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $767,579 | $777,514 |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers one Agricultural Promotional Coordinator position and related All Other from the Division of Agricultural Resource Development program to the Office of the Commissioner program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($83,487) | ($85,689) |
| All Other | ($10,000) | ($10,000) |
| GENERAL FUND TOTAL | ($93,487) | ($95,689) |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers one Agricultural Compliance Supervisor position, one Agricultural Compliance Officer position, one Nutrient Management Coordinator position and one Public Service Coordinator I position and related All Other from the Division of Animal Health and Industry program to the Division of Agricultural Resource Development program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $349,868 | $364,669 |
| All Other | $324,207 | $324,207 |
| GENERAL FUND TOTAL | $674,075 | $688,876 |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers one Agricultural Resource Management Coordinator position and related All Other from the Division of Animal Health and Industry program to the Division of Agricultural Resource Development program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $91,013 | $93,128 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $91,013 | $93,128 |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers one Agricultural Promotional Coordinator position and related All Other from the Division of Agricultural Resource Development program to the Harness Racing Commission program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($76,057) | ($77,696) |
| All Other | ($41,774) | ($41,774) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($117,831) | ($119,470) |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers one Public Service Coordinator II position and reallocates the cost from 50% Division of Agricultural Resource Development program, Other Special Revenue Funds and 50% Harness Racing Commission program, Other Special Revenue Funds to 100% Harness Racing Commission program, Other Special Revenue Funds, and reorganizes the position from a range 31 part-time position to a range 29 30-week seasonal position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (0.500) | (0.500) |
| Personal Services | ($24,661) | ($24,994) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($24,661) | ($24,994) |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers one Planning and Research Associate II position from the Division of Agricultural Resource Development program to the Office of the Commissioner program and reorganizes it to a Public Service Coordinator I position. Eliminates a Planning and Research Associate I position in the Milk Commission program. Current transfers into this account are sufficient to fund this position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($70,388) | ($75,024) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($70,388) | ($75,024) |

**Division of Agricultural Resource Development 0833**

Initiative: Transfers funding in the All Other line category related to the Agricultural Promotional Coordinator position from the Division of Agricultural Resource Development program to the Office of the Commissioner program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($99,359) | ($99,359) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($99,359) | ($99,359) |

## DIVISION OF AGRICULTURAL RESOURCE DEVELOPMENT 0833

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $665,953 | $692,573 |
| All Other | $453,677 | $453,677 |
| GENERAL FUND TOTAL | $1,119,630 | $1,146,250 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $91,832 | $96,032 |
| All Other | $1,457,301 | $1,457,301 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,549,133 | $1,553,333 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $232,402 | $237,844 |
| All Other | $313,951 | $313,951 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $546,353 | $551,795 |

**Division of Animal Health and Industry 0394**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.500 | 9.500 |
| Personal Services | $765,737 | $794,353 |
| All Other | $431,421 | $431,421 |
| GENERAL FUND TOTAL | $1,197,158 | $1,225,774 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $261,180 | $275,313 |
| All Other | $892,201 | $892,823 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,153,381 | $1,168,136 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $123,201 | $127,257 |
| All Other | $193,497 | $193,497 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $316,698 | $320,754 |

**Division of Animal Health and Industry 0394**

Initiative: Transfers one Agricultural Compliance Supervisor position, one Agricultural Compliance Officer position, one Nutrient Management Coordinator position and one Public Service Coordinator I position and

related All Other from the Division of Animal Health and Industry program to the Division of Agricultural Resource Development program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (4.000) | (4.000) |
| Personal Services | ($349,868) | ($364,669) |
| All Other | ($324,207) | ($324,207) |
| GENERAL FUND TOTAL | ($674,075) | ($688,876) |

**Division of Animal Health and Industry 0394**

Initiative: Transfers one Agricultural Resource Management Coordinator position and related All Other from the Division of Animal Health and Industry program to the Division of Agricultural Resource Development program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($91,013) | ($93,128) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($91,013) | ($93,128) |

**Division of Animal Health and Industry 0394**

Initiative: Transfers one Chemist II position and one part-time Laboratory Technician III position and related All Other from the Division of Animal Health and Industry program to the Division of Quality Assurance and Regulation program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.500) | (1.500) |
| Personal Services | ($107,567) | ($110,722) |
| All Other | ($18,795) | ($18,795) |
| GENERAL FUND TOTAL | ($126,362) | ($129,517) |

**Division of Animal Health and Industry 0394**

Initiative: Transfers one Laboratory Technician III position and related All Other from the Division of Animal Health and Industry program, 50% General Fund and 50% Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, 50% General Fund and 50% Other Special Revenue Funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($32,192) | ($34,134) |
| GENERAL FUND TOTAL | ($32,192) | ($34,134) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($32,188) | ($34,129) |
| All Other | ($11,795) | ($11,795) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($43,983) | ($45,924) |

## DIVISION OF ANIMAL HEALTH AND INDUSTRY 0394

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $276,110 | $284,828 |
| All Other | $88,419 | $88,419 |
| GENERAL FUND TOTAL | $364,529 | $373,247 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $261,180 | $275,313 |
| All Other | $892,201 | $892,823 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,153,381 | $1,168,136 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $181,702 | $181,702 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $181,702 | $181,702 |

**Division of Plant Industry 0831**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 0.481 | 0.481 |
| Personal Services | $94,011 | $97,019 |
| All Other | $45,233 | $45,233 |
| GENERAL FUND TOTAL | $139,244 | $142,252 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 0.308 | 0.308 |
| Personal Services | $93,345 | $96,178 |
| All Other | $530,412 | $530,412 |
| FEDERAL EXPENDITURES FUND TOTAL | $623,757 | $626,590 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $37,657 | $38,885 |
| All Other | $45,970 | $45,970 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $83,627 | $84,855 |

## DIVISION OF PLANT INDUSTRY 0831

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 0.481 | 0.481 |
| Personal Services | $94,011 | $97,019 |
| All Other | $45,233 | $45,233 |
| GENERAL FUND TOTAL | $139,244 | $142,252 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 0.308 | 0.308 |
| Personal Services | $93,345 | $96,178 |
| All Other | $530,412 | $530,412 |
| FEDERAL EXPENDITURES FUND TOTAL | $623,757 | $626,590 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $37,657 | $38,885 |
| All Other | $45,970 | $45,970 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $83,627 | $84,855 |

### Division of Quality Assurance and Regulation 0393

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 28.000 | 28.000 |
| Personal Services | $1,975,728 | $2,043,724 |
| All Other | $412,588 | $412,588 |
| GENERAL FUND TOTAL | $2,388,316 | $2,456,312 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| POSITIONS - FTE COUNT | 12.435 | 12.435 |
| Personal Services | $1,895,637 | $1,969,908 |
| All Other | $334,696 | $334,696 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,230,333 | $2,304,604 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $57,378 | $59,761 |
| All Other | $207,646 | $207,646 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $265,024 | $267,407 |

### Division of Quality Assurance and Regulation 0393

Initiative: Transfers one Chemist II position and one part-time Laboratory Technician III position and re-

lated All Other from the Division of Animal Health and Industry program to the Division of Quality Assurance and Regulation program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $107,567 | $110,722 |
| All Other | $18,795 | $18,795 |
| GENERAL FUND TOTAL | $126,362 | $129,517 |

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers one Laboratory Technician III position and related All Other from the Division of Animal Health and Industry program, 50% General Fund and 50% Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, 50% General Fund and 50% Other Special Revenue Funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $32,192 | $34,134 |
| GENERAL FUND TOTAL | $32,192 | $34,134 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $32,188 | $34,129 |
| All Other | $11,795 | $11,795 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $43,983 | $45,924 |

**Division of Quality Assurance and Regulation 0393**

Initiative: Provides funding for the approved range change for one Inspection Program Manager position from range 25 to range 30 and transfers All Other to Personal Services to fund the reorganization.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $15,187 | $15,407 |
| All Other | ($15,187) | ($15,407) |
| GENERAL FUND TOTAL | $0 | $0 |

**Division of Quality Assurance and Regulation 0393**

Initiative: Reallocates the cost of one Office Associate II position from 50% Other Special Revenue Funds in the Beverage Container Enforcement Fund program and 50% Other Special Revenue Funds in the Division of Quality Assurance and Regulation program to 100% Other Special Revenue Funds in the Beverage Container Enforcement Fund program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($22,866) | ($24,334) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($22,866) | ($24,334) |

## DIVISION OF QUALITY ASSURANCE AND REGULATION 0393

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 30.500 | 30.500 |
| Personal Services | $2,130,674 | $2,203,987 |
| All Other | $416,196 | $415,976 |
| GENERAL FUND TOTAL | $2,546,870 | $2,619,963 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| POSITIONS - FTE COUNT | 12.435 | 12.435 |
| Personal Services | $1,895,637 | $1,969,908 |
| All Other | $334,696 | $334,696 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,230,333 | $2,304,604 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $66,700 | $69,556 |
| All Other | $219,441 | $219,441 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $286,141 | $288,997 |

**Food Assistance Program 0816**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $144,946 | $152,661 |
| All Other | $51,721 | $51,721 |
| GENERAL FUND TOTAL | $196,667 | $204,382 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $271,511 | $271,511 |
| FEDERAL EXPENDITURES FUND TOTAL | $271,511 | $271,511 |

### Food Assistance Program 0816

Initiative: Continues one Planning and Research Associate II position that was established by Financial Order 005754 F0.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $70,388 | $75,024 |
| FEDERAL EXPENDITURES FUND TOTAL | $70,388 | $75,024 |

## FOOD ASSISTANCE PROGRAM 0816

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $144,946 | $152,661 |
| All Other | $51,721 | $51,721 |
| GENERAL FUND TOTAL | $196,667 | $204,382 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $70,388 | $75,024 |
| All Other | $271,511 | $271,511 |
| FEDERAL EXPENDITURES FUND TOTAL | $341,899 | $346,535 |

### Harness Racing Commission 0320

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| POSITIONS - FTE COUNT | 2.808 | 2.808 |
| Personal Services | $521,905 | $541,386 |
| All Other | $14,889,077 | $14,889,077 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $15,410,982 | $15,430,463 |

### Harness Racing Commission 0320

Initiative: Transfers one Agricultural Promotional Coordinator position and related All Other from the Division of Agricultural Resource Development program to the Harness Racing Commission program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $76,057 | $77,696 |
| All Other | $41,774 | $41,774 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $117,831 | $119,470 |

### Harness Racing Commission 0320

Initiative: Transfers one Public Service Coordinator II position and reallocates the cost from 50% Division of Agricultural Resource Development program, Other Special Revenue Funds and 50% Harness Racing Commission program, Other Special Revenue Funds to 100% Harness Racing Commission program, Other Special Revenue Funds, and reorganizes the position from a range 31 part-time position to a range 29 30-week seasonal position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.577 | 0.577 |
| Personal Services | $27,046 | $27,421 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $27,046 | $27,421 |

### Harness Racing Commission 0320

Initiative: Reorganizes one Veterinarian position from range 27 to range 29 in the Harness Racing Commission program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,120 | $4,393 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,120 | $4,393 |

### Harness Racing Commission 0320

Initiative: Reorganizes one Agricultural Program Coordinator position to an Agricultural Program Supervisor position, one Agricultural Coordinator position to an Agricultural Program Specialist and 2 State Harness Racing Technician positions to 2 Veterinarian Technician positions and transfers All Other to Personal Services to fund the reorganization.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $611 | $1,316 |
| All Other | ($611) | ($1,316) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

## HARNESS RACING COMMISSION 0320

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| POSITIONS - FTE COUNT | 3.385 | 3.385 |
| Personal Services | $629,739 | $652,212 |
| All Other | $14,930,240 | $14,929,535 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $15,559,979 | $15,581,747 |

### Maine Farms for the Future Program 0925

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $245,000 | $245,000 |
| GENERAL FUND TOTAL | $245,000 | $245,000 |

## MAINE FARMS FOR THE FUTURE PROGRAM 0925

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $245,000 | $245,000 |
| GENERAL FUND TOTAL | $245,000 | $245,000 |

### Milk Commission 0188

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $230,593 | $242,702 |
| All Other | $4,416,772 | $4,416,772 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,647,365 | $4,659,474 |

### Milk Commission 0188

Initiative: Transfers one Planning and Research Associate II position from the Division of Agricultural Resource Development program to the Office of the Commissioner program and reorganizes it to a Public Service Coordinator I position. Eliminates a Planning and Research Associate I position in the Milk Commission program. Current transfers into this account are sufficient to fund this position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($63,766) | ($68,115) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($63,766) | ($68,115) |

### Milk Commission 0188

Initiative: Provides funding for the estimated milk tier transfer of General Fund undedicated revenue to the Maine Milk Pool, Other Special Revenue Funds pursuant to certification of required amounts by the administrator of the Maine Milk Pool to the State Controller.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,410,875 | $5,410,875 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,410,875 | $5,410,875 |

### Milk Commission 0188

Initiative: Provides funding to more accurately reflect pool payments to the Maine Milk Pool, Other Special Revenue Funds pursuant to certification of required amounts by the Maine Revised Statutes, Title 7, chapter 611.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,000,000 | $4,000,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,000,000 | $4,000,000 |

### Milk Commission 0188

Initiative: Adjusts funding to bring allocations into line with projected available resources based on the reprojection of revenue by the Revenue Forecasting Committee in December 2010.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $413,260 | ($1,176,614) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $413,260 | ($1,176,614) |

## MILK COMMISSION 0188

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $166,827 | $174,587 |
| All Other | $14,240,907 | $12,651,033 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,407,734 | $12,825,620 |

### Office of the Commissioner 0401

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $418,882 | $431,056 |
| All Other | $916,772 | $914,667 |
| GENERAL FUND TOTAL | $1,335,654 | $1,345,723 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $72,500 | $72,500 |
| FEDERAL EXPENDITURES FUND TOTAL | $72,500 | $72,500 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $240,390 | $239,796 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $240,390 | $239,796 |

### Office of the Commissioner 0401

Initiative: Transfers one Agricultural Promotional Coordinator position and related All Other from the Division of Agricultural Resource Development program to the Office of the Commissioner program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $83,487 | $85,689 |
| All Other | $10,000 | $10,000 |
| GENERAL FUND TOTAL | $93,487 | $95,689 |

### Office of the Commissioner 0401

Initiative: Provides funding to meet the current rates published by the Department of Administrative and Financial Services, Office of Information Technology for the department's share of costs related to the office of the Chief Information Officer.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,411 | $5,411 |
| GENERAL FUND TOTAL | $5,411 | $5,411 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,526 | $1,526 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,526 | $1,526 |

### Office of the Commissioner 0401

Initiative: Provides funding for geographic information system services provided by the Department of

Administrative and Financial Services, Office of Information Technology.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,498 | $1,498 |
| GENERAL FUND TOTAL | $1,498 | $1,498 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $422 | $422 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $422 | $422 |

**Office of the Commissioner 0401**

Initiative: Transfers one Planning and Research Associate II position from the Division of Agricultural Resource Development program to the Office of the Commissioner program and reorganizes it to a Public Service Coordinator I position. Eliminates a Planning and Research Associate I position in the Milk Commission program. Current transfers into this account are sufficient to fund this position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $81,553 | $86,972 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $81,553 | $86,972 |

**Office of the Commissioner 0401**

Initiative: Provides funding for increased operating expenditures.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $385,245 | $398,166 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $385,245 | $398,166 |

**Office of the Commissioner 0401**

Initiative: Transfers funding in the All Other line category related to the Agricultural Promotional Coordinator position from the Division of Agricultural Resource Development program to the Office of the Commissioner program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $99,359 | $99,359 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $99,359 | $99,359 |

## OFFICE OF THE COMMISSIONER 0401

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $502,369 | $516,745 |
| All Other | $933,681 | $931,576 |
| GENERAL FUND TOTAL | $1,436,050 | $1,448,321 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $72,500 | $72,500 |
| FEDERAL EXPENDITURES FUND TOTAL | $72,500 | $72,500 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $81,553 | $86,972 |
| All Other | $726,942 | $739,269 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $808,495 | $826,241 |

**Pesticides Control - Board of 0287**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.500 | 2.500 |
| POSITIONS - FTE COUNT | 2.787 | 2.787 |
| Personal Services | $312,650 | $331,029 |
| All Other | $211,630 | $211,630 |
| FEDERAL EXPENDITURES FUND TOTAL | $524,280 | $542,659 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| POSITIONS - FTE COUNT | 1.893 | 1.893 |
| Personal Services | $1,172,781 | $1,211,110 |
| All Other | $238,351 | $238,351 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,411,132 | $1,449,461 |

## PESTICIDES CONTROL - BOARD OF 0287

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.500 | 2.500 |
| POSITIONS - FTE COUNT | 2.787 | 2.787 |
| Personal Services | $312,650 | $331,029 |
| All Other | $211,630 | $211,630 |
| FEDERAL EXPENDITURES FUND TOTAL | $524,280 | $542,659 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| POSITIONS - FTE COUNT | 1.893 | 1.893 |
| Personal Services | $1,172,781 | $1,211,110 |
| All Other | $238,351 | $238,351 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,411,132 | $1,449,461 |

### Potato Quality Control - Reducing Inspection Costs 0459

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $75,418 | $75,418 |
| GENERAL FUND TOTAL | $75,418 | $75,418 |

## POTATO QUALITY CONTROL - REDUCING INSPECTION COSTS 0459

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $75,418 | $75,418 |
| GENERAL FUND TOTAL | $75,418 | $75,418 |

### Rural Rehabilitation 0894

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,316 | $16,316 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,316 | $16,316 |

## RURAL REHABILITATION 0894

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,316 | $16,316 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,316 | $16,316 |

### Seed Potato Board 0397

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $162,501 | $162,501 |
| GENERAL FUND TOTAL | $162,501 | $162,501 |

| SEED POTATO BOARD FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $227,330 | $227,330 |
| SEED POTATO BOARD FUND TOTAL | $227,330 | $227,330 |

### Seed Potato Board 0397

Initiative: Eliminates funding in the enterprise fund for the operations of the Seed Potato Board.

| SEED POTATO BOARD FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($227,330) | ($227,330) |

| | | |
|---|---|---|
| SEED POTATO BOARD FUND TOTAL | ($227,330) | ($227,330) |

### SEED POTATO BOARD 0397

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $162,501 | $162,501 |
| GENERAL FUND TOTAL | $162,501 | $162,501 |

| SEED POTATO BOARD FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| SEED POTATO BOARD FUND TOTAL | $0 | $0 |

| AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $6,285,909 | $6,417,334 |
| FEDERAL EXPENDITURES FUND | $6,495,283 | $6,614,357 |
| OTHER SPECIAL REVENUE FUNDS | $36,031,120 | $34,599,169 |
| SEED POTATO BOARD FUND | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $48,812,312 | $47,630,860 |

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

### ARTS COMMISSION, MAINE

### Arts - Administration 0178

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $494,665 | $518,999 |
| All Other | $244,201 | $244,201 |
| GENERAL FUND TOTAL | $738,866 | $763,200 |

### ARTS - ADMINISTRATION 0178

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $494,665 | $518,999 |
| All Other | $244,201 | $244,201 |
| GENERAL FUND TOTAL | $738,866 | $763,200 |

### Arts - General Grants Program 0177

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $357,051 | $357,051 |
| FEDERAL EXPENDITURES FUND TOTAL | $357,051 | $357,051 |

### ARTS - GENERAL GRANTS PROGRAM 0177

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $357,051 | $357,051 |
| FEDERAL EXPENDITURES FUND TOTAL | $357,051 | $357,051 |

### Arts - Sponsored Program 0176

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $276,097 | $287,299 |
| All Other | $168,922 | $168,922 |
| FEDERAL EXPENDITURES FUND TOTAL | $445,019 | $456,221 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $102,168 | $102,168 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $102,168 | $102,168 |

### Arts - Sponsored Program 0176

Initiative: Provides funding for statewide grant awards from a grant from the National Endowment for the Arts.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $139,505 | $125,500 |
| FEDERAL EXPENDITURES FUND TOTAL | $139,505 | $125,500 |

### Arts - Sponsored Program 0176

Initiative: Continues one limited-period, part-time Office Associate I position within the Maine Arts Commission through June 8, 2013 that was previously established by Financial Order 006483 F1.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $40,276 | $43,079 |
| FEDERAL EXPENDITURES FUND TOTAL | $40,276 | $43,079 |

### ARTS - SPONSORED PROGRAM 0176

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $316,373 | $330,378 |
| All Other | $308,427 | $294,422 |
| FEDERAL EXPENDITURES FUND TOTAL | $624,800 | $624,800 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $102,168 | $102,168 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $102,168 | $102,168 |

| ARTS COMMISSION, MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $738,866 | $763,200 |
| FEDERAL EXPENDITURES FUND | $981,851 | $981,851 |
| OTHER SPECIAL REVENUE FUNDS | $102,168 | $102,168 |
| DEPARTMENT TOTAL - ALL FUNDS | $1,822,885 | $1,847,219 |

**Sec. A-4. Appropriations and allocations.** The following appropriations and allocations are made.

### ATLANTIC STATES MARINE FISHERIES COMMISSION

### Atlantic States Marine Fisheries Commission 0028

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $29,282 | $29,282 |
| GENERAL FUND TOTAL | $29,282 | $29,282 |

### ATLANTIC STATES MARINE FISHERIES COMMISSION 0028

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $29,282 | $29,282 |
| GENERAL FUND TOTAL | $29,282 | $29,282 |

**Sec. A-5. Appropriations and allocations.** The following appropriations and allocations are made.

### ATTORNEY GENERAL, DEPARTMENT OF THE

### Administration - Attorney General 0310

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 50.500 | 50.500 |
| Personal Services | $4,598,074 | $4,849,625 |
| All Other | $575,881 | $575,881 |
| GENERAL FUND TOTAL | $5,173,955 | $5,425,506 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.500 | 15.500 |
| Personal Services | $1,315,469 | $1,387,882 |
| All Other | $540,108 | $540,108 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $1,855,577 | $1,927,990 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 47.000 | 47.000 |
| Personal Services | $5,369,291 | $5,684,414 |
| All Other | $677,840 | $677,840 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,047,131 | $6,362,254 |

## ADMINISTRATION - ATTORNEY GENERAL 0310

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 50.500 | 50.500 |
| Personal Services | $4,598,074 | $4,849,625 |
| All Other | $575,881 | $575,881 |
| GENERAL FUND TOTAL | $5,173,955 | $5,425,506 |
| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 15.500 | 15.500 |
| Personal Services | $1,315,469 | $1,387,882 |
| All Other | $540,108 | $540,108 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,855,577 | $1,927,990 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 47.000 | 47.000 |
| Personal Services | $5,369,291 | $5,684,414 |
| All Other | $677,840 | $677,840 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,047,131 | $6,362,254 |

### Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $939,079 | $969,628 |
| All Other | $404,073 | $404,073 |
| GENERAL FUND TOTAL | $1,343,152 | $1,373,701 |
| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
| All Other | $75,000 | $75,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $75,000 | $75,000 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| All Other | $14,993 | $14,993 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,993 | $14,993 |

## CHIEF MEDICAL EXAMINER - OFFICE OF 0412

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $939,079 | $969,628 |
| All Other | $404,073 | $404,073 |
| GENERAL FUND TOTAL | $1,343,152 | $1,373,701 |
| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
| All Other | $75,000 | $75,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $75,000 | $75,000 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| All Other | $14,993 | $14,993 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,993 | $14,993 |

### Civil Rights 0039

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $149,123 | $158,543 |
| All Other | $99,309 | $99,309 |
| GENERAL FUND TOTAL | $248,432 | $257,852 |

## CIVIL RIGHTS 0039

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $149,123 | $158,543 |
| All Other | $99,309 | $99,309 |
| GENERAL FUND TOTAL | $248,432 | $257,852 |

### District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 83.000 | 83.000 |
| Personal Services | $8,748,711 | $9,239,781 |
| GENERAL FUND TOTAL | $8,748,711 | $9,239,781 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $66,161 | $70,072 |
| All Other | $8,244 | $8,244 |
| FEDERAL EXPENDITURES FUND TOTAL | $74,405 | $78,316 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,145 | $6,145 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,145 | $6,145 |

## DISTRICT ATTORNEYS SALARIES 0409

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 83.000 | 83.000 |
| Personal Services | $8,748,711 | $9,239,781 |
| GENERAL FUND TOTAL | $8,748,711 | $9,239,781 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $66,161 | $70,072 |
| All Other | $8,244 | $8,244 |
| FEDERAL EXPENDITURES FUND TOTAL | $74,405 | $78,316 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,145 | $6,145 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,145 | $6,145 |

### FHM - Attorney General 0947

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $123,482 | $131,168 |
| All Other | $24,102 | $24,263 |
| FUND FOR A HEALTHY MAINE TOTAL | $147,584 | $155,431 |

### FHM - Attorney General 0947

Initiative: Deallocates funds no longer needed to support existing positions.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($35,744) | ($35,744) |
| FUND FOR A HEALTHY MAINE TOTAL | ($35,744) | ($35,744) |

## FHM - ATTORNEY GENERAL 0947

## PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $87,738 | $95,424 |
| All Other | $24,102 | $24,263 |
| FUND FOR A HEALTHY MAINE TOTAL | $111,840 | $119,687 |

**Human Services Division 0696**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 63.500 | 63.500 |
| Personal Services | $5,915,982 | $6,258,480 |
| All Other | $851,473 | $851,473 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,767,455 | $7,109,953 |

**HUMAN SERVICES DIVISION 0696**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 63.500 | 63.500 |
| Personal Services | $5,915,982 | $6,258,480 |
| All Other | $851,473 | $851,473 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,767,455 | $7,109,953 |

**Victims' Compensation Board 0711**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $225,549 | $225,549 |
| FEDERAL EXPENDITURES FUND TOTAL | $225,549 | $225,549 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $258,123 | $274,245 |
| All Other | $453,767 | $453,767 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $711,890 | $728,012 |

**VICTIMS' COMPENSATION BOARD 0711**

**PROGRAM SUMMARY**

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $225,549 | $225,549 |
| FEDERAL EXPENDITURES FUND TOTAL | $225,549 | $225,549 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $258,123 | $274,245 |
| All Other | $453,767 | $453,767 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $711,890 | $728,012 |

| ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **GENERAL FUND** | **$15,514,250** | **$16,296,840** |
| **FEDERAL EXPENDITURES FUND** | **$2,230,531** | **$2,306,855** |
| **FUND FOR A HEALTHY MAINE** | **$111,840** | **$119,687** |
| **OTHER SPECIAL REVENUE FUNDS** | **$13,547,614** | **$14,221,357** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$31,404,235** | **$32,944,739** |

**Sec. A-6. Appropriations and allocations.** The following appropriations and allocations are made.

**AUDIT, DEPARTMENT OF**

**Audit - Departmental Bureau 0067**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |

| | | |
|---|---|---|
| Personal Services | $1,351,394 | $1,396,719 |
| All Other | $17,037 | $17,037 |
| GENERAL FUND TOTAL | $1,368,431 | $1,413,756 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| Personal Services | $1,569,795 | $1,637,923 |
| All Other | $181,220 | $181,220 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,751,015 | $1,819,143 |

## AUDIT - DEPARTMENTAL BUREAU 0067

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |
| Personal Services | $1,351,394 | $1,396,719 |
| All Other | $17,037 | $17,037 |
| GENERAL FUND TOTAL | $1,368,431 | $1,413,756 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| Personal Services | $1,569,795 | $1,637,923 |
| All Other | $181,220 | $181,220 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,751,015 | $1,819,143 |

### Audit - Unorganized Territory 0075

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $146,316 | $154,171 |
| All Other | $54,559 | $54,559 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,875 | $208,730 |

### Audit - Unorganized Territory 0075

Initiative: Provides funding to bring into line the allocations, expenditures and transfers for the taxes collected and refunded to the Passamaquoddy Indian Tribe.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $381 | $773 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $381 | $773 |

## AUDIT - UNORGANIZED TERRITORY 0075

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $146,316 | $154,171 |
| All Other | $54,940 | $55,332 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $201,256 | $209,503 |

| AUDIT, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **GENERAL FUND** | **$1,368,431** | **$1,413,756** |
| **OTHER SPECIAL REVENUE FUNDS** | **$1,952,271** | **$2,028,646** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$3,320,702** | **$3,442,402** |

**Sec. A-7. Appropriations and allocations.** The following appropriations and allocations are made.

## BAXTER STATE PARK AUTHORITY

### Baxter State Park Authority 0253

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 22.000 | 22.000 |
| POSITIONS - FTE COUNT | 19.134 | 19.134 |
| Personal Services | $2,400,035 | $2,505,114 |
| All Other | $1,070,147 | $1,070,147 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,470,182 | $3,575,261 |

**Baxter State Park Authority 0253**

Initiative: Establishes one project 12-week Office Assistant II position in fiscal year 2011-12 and one project 12-week Office Assistant II position in fiscal year 2012-13 to alleviate the workload of the reservation office.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $11,595 | $12,405 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $11,595 | $12,405 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for 2 snowmobiles.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $11,000 | $11,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $11,000 | $11,000 |

**Baxter State Park Authority 0253**

Initiative: Reorganizes one seasonal 28-week Campground Ranger I position to a seasonal 14-week Campground Ranger II position and establishes one seasonal 14-week Campground Ranger II position.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $1,087 | $1,194 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,087 | $1,194 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for increased technology expenses.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $3,578 | $7,578 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,578 | $7,578 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for building improvements for the 2012-2013 biennium.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $50,000 | $50,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $50,000 | $50,000 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for quarterly unemployment tax payments.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $30,000 | $30,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $30,000 | $30,000 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for building construction for improvements within the park.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $70,000 | $70,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $70,000 | $70,000 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for 4 new 4X4 pick up trucks.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $48,000 | $50,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $48,000 | $50,000 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for one used 4X4 pick up truck.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $25,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $25,000 | $0 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for one used passenger van.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $20,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $20,000 | $0 |

**Baxter State Park Authority 0253**

Initiative: Provides funding for one dump truck.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $0 | $45,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $45,000 |

**BAXTER STATE PARK AUTHORITY 0253**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 22.000 | 22.000 |
| POSITIONS - FTE COUNT | 19.134 | 19.134 |
| Personal Services | $2,442,717 | $2,548,713 |
| All Other | $1,073,725 | $1,077,725 |
| Capital Expenditures | $224,000 | $226,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,740,442 | $3,852,438 |

| BAXTER STATE PARK AUTHORITY DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS | $3,740,442 | $3,852,438 |
| DEPARTMENT TOTAL - ALL FUNDS | $3,740,442 | $3,852,438 |

**Sec. A-8. Appropriations and allocations.** The following appropriations and allocations are made.

**BLUEBERRY COMMISSION OF MAINE, WILD**

**Blueberry Commission 0375**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,595,000 | $1,595,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,595,000 | $1,595,000 |

**BLUEBERRY COMMISSION 0375**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,595,000 | $1,595,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,595,000 | $1,595,000 |

**Sec. A-9. Appropriations and allocations.** The following appropriations and allocations are made.

**CENTERS FOR INNOVATION**

**Centers for Innovation 0911**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $122,429 | $122,429 |
| GENERAL FUND TOTAL | $122,429 | $122,429 |

**CENTERS FOR INNOVATION 0911**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $122,429 | $122,429 |
| GENERAL FUND TOTAL | $122,429 | $122,429 |

**Sec. A-10. Appropriations and allocations.** The following appropriations and allocations are made.

**CHILDREN'S TRUST INCORPORATED, BOARD OF THE MAINE**

**Maine Children's Trust Incorporated 0798**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,300 | $48,300 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $48,300 | $48,300 |

**MAINE CHILDREN'S TRUST INCORPORATED 0798**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,300 | $48,300 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $48,300 | $48,300 |

**Sec. A-11. Appropriations and allocations.** The following appropriations and allocations are made.

**COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE**

**Maine Community College System - Board of Trustees 0556**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $54,690,828 | $54,690,828 |
| GENERAL FUND TOTAL | $54,690,828 | $54,690,828 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,701,451 | $1,701,451 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,701,451 | $1,701,451 |

**Maine Community College System - Board of Trustees 0556**

Initiative: Provides funding to bring allocations in line with available resources of racino revenue projected by the Revenue Forecasting Committee in December 2010.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,676 | $12,223 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,676 | $12,223 |

**Maine Community College System - Board of Trustees 0556**

Initiative: Reduces funding in fiscal year 2011-12 to recognize savings from reducing pension costs and provides funding in fiscal year 2012-13 for the operating costs of the Kennebec Valley Community College expansion at the Goodwill-Hinckley campus.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($250,000) | $250,000 |
| GENERAL FUND TOTAL | ($250,000) | $250,000 |

**MAINE COMMUNITY COLLEGE SYSTEM - BOARD OF TRUSTEES 0556**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $54,440,828 | $54,940,828 |
| GENERAL FUND TOTAL | $54,440,828 | $54,940,828 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,708,127 | $1,713,674 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,708,127 | $1,713,674 |

| COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $54,440,828 | $54,940,828 |
| OTHER SPECIAL REVENUE FUNDS | $1,708,127 | $1,713,674 |
| DEPARTMENT TOTAL - ALL FUNDS | $56,148,955 | $56,654,502 |

**Sec. A-12. Appropriations and allocations.** The following appropriations and allocations are made.

**CONSERVATION, DEPARTMENT OF**

**Administration - Forestry 0223**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $184,209 | $188,183 |
| All Other | $30,921 | $30,921 |
| GENERAL FUND TOTAL | $215,130 | $219,104 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $134,048 | $140,192 |
| All Other | $26,493 | $26,493 |
| FEDERAL EXPENDITURES FUND TOTAL | $160,541 | $166,685 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $261,376 | $261,376 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $261,376 | $261,376 |

### Administration - Forestry 0223

Initiative: Transfers one Senior Planner position and reallocates the cost from 100% Federal Expenditures Fund in the Administration - Forestry program to 50% Federal Expenditures Fund, Parks - General Operations program and 50% Other Special Revenue Funds, Maine Conservation Corps program.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($81,735) | ($86,574) |
| All Other | ($1,552) | ($1,644) |
| FEDERAL EXPENDITURES FUND TOTAL | ($83,287) | ($88,218) |

## ADMINISTRATION - FORESTRY 0223

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $184,209 | $188,183 |
| All Other | $30,921 | $30,921 |
| GENERAL FUND TOTAL | $215,130 | $219,104 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $52,313 | $53,618 |
| All Other | $24,941 | $24,849 |
| FEDERAL EXPENDITURES FUND TOTAL | $77,254 | $78,467 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $261,376 | $261,376 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $261,376 | $261,376 |

### Boating Facilities Fund 0226

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| POSITIONS - FTE COUNT | 1.673 | 1.673 |
| Personal Services | $834,880 | $833,573 |
| All Other | $728,991 | $728,991 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,563,871 | $1,562,564 |

### Boating Facilities Fund 0226

Initiative: Continues 2 limited-period seasonal Navigational Aide Assistant positions through October 31, 2013. These positions were established in Public Law 2009, chapter 213.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $0 | $14,995 |
| All Other | $0 | $448 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $15,443 |

### Boating Facilities Fund 0226

Initiative: Provides funding to acquire and develop public recreational boating facilities.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $338,000 | $425,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $338,000 | $425,000 |

**Boating Facilities Fund 0226**

Initiative: Provides funding for increased grant expenditures.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $44,980 | $64,980 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $44,980 | $64,980 |

**BOATING FACILITIES FUND 0226**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| POSITIONS - FTE COUNT | 1.673 | 1.673 |
| Personal Services | $834,880 | $848,568 |
| All Other | $773,971 | $794,419 |
| Capital Expenditures | $338,000 | $425,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,946,851 | $2,067,987 |

**Coastal Island Registry 0241**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $107 | $107 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $107 | $107 |

**COASTAL ISLAND REGISTRY 0241**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $107 | $107 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $107 | $107 |

**Division of Forest Protection 0232**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 89.000 | 89.000 |
| POSITIONS - FTE COUNT | 5.700 | 5.700 |
| Personal Services | $7,548,159 | $7,805,246 |
| All Other | $1,895,625 | $1,895,625 |
| GENERAL FUND TOTAL | $9,443,784 | $9,700,871 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 4.122 | 4.122 |
| Personal Services | $401,225 | $414,637 |
| All Other | $813,641 | $813,641 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,214,866 | $1,228,278 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $226,154 | $226,154 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $226,154 | $226,154 |

**Division of Forest Protection 0232**

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,296 | $2,919 |
| GENERAL FUND TOTAL | $1,296 | $2,919 |

**Division of Forest Protection 0232**

Initiative: Provides funding for capital improvements.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $80,000 | $80,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $80,000 | $80,000 |

## DIVISION OF FOREST PROTECTION 0232

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 89.000 | 89.000 |
| POSITIONS - FTE COUNT | 5.700 | 5.700 |
| Personal Services | $7,548,159 | $7,805,246 |
| All Other | $1,896,921 | $1,898,544 |
| GENERAL FUND TOTAL | $9,445,080 | $9,703,790 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 4.122 | 4.122 |
| Personal Services | $401,225 | $414,637 |
| All Other | $813,641 | $813,641 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,214,866 | $1,228,278 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $226,154 | $226,154 |
| Capital Expenditures | $80,000 | $80,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $306,154 | $306,154 |

### Forest Fire Control - Municipal Assistance Grants 0300

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $47,356 | $47,356 |
| GENERAL FUND TOTAL | $47,356 | $47,356 |

## FOREST FIRE CONTROL - MUNICIPAL ASSISTANCE GRANTS 0300

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $47,356 | $47,356 |
| GENERAL FUND TOTAL | $47,356 | $47,356 |

### Forest Health and Monitoring 0233

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $824,033 | $852,780 |
| All Other | $96,191 | $96,191 |
| GENERAL FUND TOTAL | $920,224 | $948,971 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 5.889 | 5.889 |
| Personal Services | $716,039 | $743,334 |
| All Other | $230,187 | $230,187 |
| FEDERAL EXPENDITURES FUND TOTAL | $946,226 | $973,521 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $56,171 | $56,171 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $56,171 | $56,171 |

### Forest Health and Monitoring 0233

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $738 |
| GENERAL FUND TOTAL | $0 | $738 |

## FOREST HEALTH AND MONITORING 0233

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $824,033 | $852,780 |
| All Other | $96,191 | $96,929 |
| GENERAL FUND TOTAL | $920,224 | $949,709 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 5.889 | 5.889 |
| Personal Services | $716,039 | $743,334 |
| All Other | $230,187 | $230,187 |
| FEDERAL EXPENDITURES FUND TOTAL | $946,226 | $973,521 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $56,171 | $56,171 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $56,171 | $56,171 |

### Forest Policy and Management - Division of 0240

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| Personal Services | $1,531,778 | $1,581,532 |
| All Other | $341,514 | $341,514 |
| GENERAL FUND TOTAL | $1,873,292 | $1,923,046 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $534,684 | $561,954 |
| All Other | $1,344,676 | $1,344,676 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,879,360 | $1,906,630 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $110,258 | $110,258 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $110,258 | $110,258 |

### Forest Policy and Management - Division of 0240

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $782 |
| GENERAL FUND TOTAL | $0 | $782 |

## FOREST POLICY AND MANAGEMENT - DIVISION OF 0240

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| Personal Services | $1,531,778 | $1,581,532 |
| All Other | $341,514 | $342,296 |
| GENERAL FUND TOTAL | $1,873,292 | $1,923,828 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $534,684 | $561,954 |
| All Other | $1,344,676 | $1,344,676 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,879,360 | $1,906,630 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $110,258 | $110,258 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $110,258 | $110,258 |

### Forest Recreation Resource Fund 0354

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 1.058 | 1.058 |
| Personal Services | $56,629 | $57,880 |
| All Other | $3,352 | $3,352 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $59,981 | $61,232 |

## FOREST RECREATION RESOURCE FUND 0354

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 1.058 | 1.058 |
| Personal Services | $56,629 | $57,880 |
| All Other | $3,352 | $3,352 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $59,981 | $61,232 |

### Geological Survey 0237

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $804,489 | $823,201 |
| All Other | $29,442 | $29,442 |
| GENERAL FUND TOTAL | $833,931 | $852,643 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $167,528 | $167,528 |
| FEDERAL EXPENDITURES FUND TOTAL | $167,528 | $167,528 |

### Geological Survey 0237

Initiative: Transfers one Senior Geologist position, one Marine Geologist position and related All Other from the Mining Operations program, Other Special Revenue Funds to the Geological Survey program, Other Special Revenue Funds. Also transfers 40% of the cost of one GIS Coordinator position from the Mining Operations program, Other Special Revenue Funds to the Geological Survey program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $197,352 | $201,618 |
| All Other | $93,502 | $93,502 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $290,854 | $295,120 |

## GEOLOGICAL SURVEY 0237

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $804,489 | $823,201 |
| All Other | $29,442 | $29,442 |
| GENERAL FUND TOTAL | $833,931 | $852,643 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $167,528 | $167,528 |
| FEDERAL EXPENDITURES FUND TOTAL | $167,528 | $167,528 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $197,352 | $201,618 |
| All Other | $93,502 | $93,502 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $290,854 | $295,120 |

### Land Management and Planning 0239

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $37,557 | $37,557 |
| FEDERAL EXPENDITURES FUND TOTAL | $37,557 | $37,557 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 43.000 | 43.000 |
| POSITIONS - FTE COUNT | 2.962 | 2.962 |
| Personal Services | $3,563,628 | $3,686,734 |
| All Other | $1,564,718 | $1,564,718 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,128,346 | $5,251,452 |

**Land Management and Planning 0239**

Initiative: Provides funding for increased legal fees and contract expenses.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $56,643 | $56,643 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $56,643 | $56,643 |

**Land Management and Planning 0239**

Initiative: Provides funding for increased grant expenses.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $80,000 | $80,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $80,000 | $80,000 |

**Land Management and Planning 0239**

Initiative: Provides funding for land acquisitions and related closing costs.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $900,000 | $900,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $900,000 | $900,000 |

**Land Management and Planning 0239**

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $571 | $1,285 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $571 | $1,285 |

**Land Management and Planning 0239**

Initiative: Provides funding for capital improvements.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $255,000 | $255,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $255,000 | $255,000 |

## LAND MANAGEMENT AND PLANNING 0239 PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $37,557 | $37,557 |
| FEDERAL EXPENDITURES FUND TOTAL | $37,557 | $37,557 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 43.000 | 43.000 |
| POSITIONS - FTE COUNT | 2.962 | 2.962 |
| Personal Services | $3,563,628 | $3,686,734 |
| All Other | $1,701,932 | $1,702,646 |
| Capital Expenditures | $1,155,000 | $1,155,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,420,560 | $6,544,380 |

**Land Use Regulation Commission 0236**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 24.500 | 24.500 |
| Personal Services | $1,909,410 | $1,976,044 |
| All Other | $135,452 | $135,452 |
| GENERAL FUND TOTAL | $2,044,862 | $2,111,496 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,310 | $2,310 |
| All Other | $308,178 | $308,178 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $310,488 | $310,488 |

### Land Use Regulation Commission 0236

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $697 |
| GENERAL FUND TOTAL | $0 | $697 |

## LAND USE REGULATION COMMISSION 0236

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 24.500 | 24.500 |
| Personal Services | $1,909,410 | $1,976,044 |
| All Other | $135,452 | $136,149 |
| GENERAL FUND TOTAL | $2,044,862 | $2,112,193 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,310 | $2,310 |
| All Other | $308,178 | $308,178 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $310,488 | $310,488 |

### Maine Conservation Corps Z030

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $79,016 | $80,705 |
| All Other | $3,135 | $3,135 |
| GENERAL FUND TOTAL | $82,151 | $83,840 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $127,189 | $134,812 |
| All Other | $343,267 | $343,267 |
| FEDERAL EXPENDITURES FUND TOTAL | $470,456 | $478,079 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $69,924 | $73,944 |
| All Other | $626,323 | $626,323 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $696,247 | $700,267 |

### Maine Conservation Corps Z030

Initiative: Transfers one Senior Planner position and reallocates the cost from 100% Federal Expenditures Fund in the Administration - Forestry program to 50% Federal Expenditures Fund, Parks - General Operations program and 50% Other Special Revenue Funds, Maine Conservation Corps program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $40,865 | $43,285 |
| All Other | $1,220 | $1,293 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $42,085 | $44,578 |

## MAINE CONSERVATION CORPS Z030

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $79,016 | $80,705 |
| All Other | $3,135 | $3,135 |
| GENERAL FUND TOTAL | $82,151 | $83,840 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $127,189 | $134,812 |

| | | |
|---|---|---|
| All Other | $343,267 | $343,267 |
| FEDERAL EXPENDITURES FUND TOTAL | $470,456 | $478,079 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $110,789 | $117,229 |
| All Other | $627,543 | $627,616 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $738,332 | $744,845 |

**Maine State Parks Development Fund 0342**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| POSITIONS - FTE COUNT | 4.499 | 4.499 |
| Personal Services | $382,574 | $400,840 |
| All Other | $387,059 | $387,059 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $769,633 | $787,899 |

**Maine State Parks Development Fund 0342**

Initiative: Provides funding for Recreational Trails Program grants.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $95,000 | $95,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $95,000 | $95,000 |

**Maine State Parks Development Fund 0342**

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,172 | $4,895 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,172 | $4,895 |

**Maine State Parks Development Fund 0342**

Initiative: Provides funding for capital improvements.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $100,000 | $100,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $100,000 | $100,000 |

**Maine State Parks Development Fund 0342**

Initiative: Transfers one Recreation Trails Coordinator position from 100% Maine State Parks Development Fund program, Other Special Revenue Funds to 50% Snowmobile Trail Fund account, Other Special Revenue Funds and 50% ATV Recreation Management Fund account, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($60,621) | ($62,046) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($60,621) | ($62,046) |

## MAINE STATE PARKS DEVELOPMENT FUND 0342

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 4.499 | 4.499 |
| Personal Services | $321,953 | $338,794 |
| All Other | $484,231 | $486,954 |
| Capital Expenditures | $100,000 | $100,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $906,184 | $925,748 |

**Maine State Parks Program 0746**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $380,483 | $380,483 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $380,483 | $380,483 |

**Maine State Parks Program 0746**

Initiative: Provides funding for Recreational Trails Program grants.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $95,000 | $95,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $95,000 | $95,000 |

**Maine State Parks Program 0746**

Initiative: Provides funding for capital improvements.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $100,000 | $100,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $100,000 | $100,000 |

## MAINE STATE PARKS PROGRAM 0746

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $475,483 | $475,483 |
| Capital Expenditures | $100,000 | $100,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $575,483 | $575,483 |

**Mining Operations 0230**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $197,352 | $201,618 |
| All Other | $93,502 | $93,502 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $290,854 | $295,120 |

**Mining Operations 0230**

Initiative: Transfers one Senior Geologist position, one Marine Geologist position and related All Other from the Mining Operations program, Other Special Revenue Funds to the Geological Survey program, Other Special Revenue Funds. Also transfers 40% of the cost of one GIS Coordinator position from the Mining Operations program, Other Special Revenue Funds to the Geological Survey program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($197,352) | ($201,618) |
| All Other | ($93,502) | ($93,502) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($290,854) | ($295,120) |

## MINING OPERATIONS 0230

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**Natural Areas Program 0821**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $97,507 | $100,445 |
| All Other | $14,946 | $14,946 |
| GENERAL FUND TOTAL | $112,453 | $115,391 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $16,858 | $17,938 |
| All Other | $129,725 | $129,725 |
| FEDERAL EXPENDITURES FUND TOTAL | $146,583 | $147,663 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $457,179 | $476,550 |
| All Other | $166,145 | $166,145 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $623,324 | $642,695 |

## NATURAL AREAS PROGRAM 0821

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $97,507 | $100,445 |
| All Other | $14,946 | $14,946 |
| GENERAL FUND TOTAL | $112,453 | $115,391 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $16,858 | $17,938 |
| All Other | $129,725 | $129,725 |
| FEDERAL EXPENDITURES FUND TOTAL | $146,583 | $147,663 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $457,179 | $476,550 |
| All Other | $166,145 | $166,145 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $623,324 | $642,695 |

### Office of the Commissioner 0222

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $273,593 | $279,461 |
| All Other | $1,522,861 | $1,507,618 |
| GENERAL FUND TOTAL | $1,796,454 | $1,787,079 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $337,917 | $353,823 |
| All Other | $817,366 | $814,490 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,155,283 | $1,168,313 |

### Office of the Commissioner 0222

Initiative: Provides funding to meet the current rates published by the Department of Administrative and Financial Services, Office of Information Technology for the department's share of costs related to the office of the Chief Information Officer and agency management services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $22,048 | $4,756 |
| GENERAL FUND TOTAL | $22,048 | $4,756 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,890 | $839 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,890 | $839 |

### Office of the Commissioner 0222

Initiative: Provides funding for geographic information system services provided by the Department of Administrative and Financial Services, Office of Information Technology.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $34,704 | $35,079 |
| GENERAL FUND TOTAL | $34,704 | $35,079 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,124 | $6,191 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,124 | $6,191 |

## OFFICE OF THE COMMISSIONER 0222

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $273,593 | $279,461 |
| All Other | $1,579,613 | $1,547,453 |
| GENERAL FUND TOTAL | $1,853,206 | $1,826,914 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $337,917 | $353,823 |
| All Other | $827,380 | $821,520 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,165,297 | $1,175,343 |

### Off-road Recreational Vehicles Program 0224

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| POSITIONS - FTE COUNT | 3.530 | 3.530 |
| Personal Services | $573,956 | $589,866 |
| All Other | $5,535,576 | $5,535,576 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,109,532 | $6,125,442 |

### Off-road Recreational Vehicles Program 0224

Initiative: Provides funding for Recreational Trails Program grants.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $103,000 | $103,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $103,000 | $103,000 |

### Off-road Recreational Vehicles Program 0224

Initiative: Provides funding for increased insurance costs based on rates provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,517 | $3,412 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,517 | $3,412 |

### Off-road Recreational Vehicles Program 0224

Initiative: Transfers one Recreation Trails Coordinator position from 100% Maine State Parks Development Fund program, Other Special Revenue Funds to 50% Snowmobile Trail Fund account, Other Special Revenue Funds and 50% ATV Recreation Management Fund account, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $60,621 | $62,046 |
| All Other | $1,810 | $1,852 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $62,431 | $63,898 |

## OFF-ROAD RECREATIONAL VEHICLES PROGRAM 0224

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| POSITIONS - FTE COUNT | 3.530 | 3.530 |
| Personal Services | $634,577 | $651,912 |
| All Other | $5,641,903 | $5,643,840 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,276,480 | $6,295,752 |

### Parks - General Operations 0221

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 47.000 | 47.000 |
| POSITIONS - FTE COUNT | 79.637 | 79.637 |
| Personal Services | $6,650,032 | $6,892,336 |
| All Other | $692,706 | $692,706 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $7,342,738 | $7,585,042 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $58,920 | $62,444 |
| All Other | $1,247,833 | $1,247,833 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,306,753 | $1,310,277 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.923 | 0.923 |
| Personal Services | $59,871 | $62,469 |
| All Other | $428,628 | $428,628 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $488,499 | $491,097 |

### Parks - General Operations 0221

Initiative: Transfers one Senior Planner position and reallocates the cost from 100% Federal Expenditures Fund in the Administration - Forestry program to 50% Federal Expenditures Fund, Parks - General Operations program and 50% Other Special Revenue Funds, Maine Conservation Corps program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $40,870 | $43,289 |
| All Other | $1,220 | $1,293 |
| FEDERAL EXPENDITURES FUND TOTAL | $42,090 | $44,582 |

### Parks - General Operations 0221

Initiative: Provides funding for utility expenditures at new facilities.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,400 | $8,400 |
| GENERAL FUND TOTAL | $8,400 | $8,400 |

### Parks - General Operations 0221

Initiative: Provides funding for increased grants for the Recreational Trails Program and Land and Water Conservation Fund.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $235,000 | $235,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $235,000 | $235,000 |

## PARKS - GENERAL OPERATIONS 0221

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 47.000 | 47.000 |
| POSITIONS - FTE COUNT | 79.637 | 79.637 |
| Personal Services | $6,650,032 | $6,892,336 |
| All Other | $701,106 | $701,106 |
| GENERAL FUND TOTAL | $7,351,138 | $7,593,442 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $99,790 | $105,733 |
| All Other | $1,484,053 | $1,484,126 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,583,843 | $1,589,859 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.923 | 0.923 |
| Personal Services | $59,871 | $62,469 |
| All Other | $428,628 | $428,628 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $488,499 | $491,097 |

| CONSERVATION, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **GENERAL FUND** | **$24,778,823** | **$25,428,210** |
| **FEDERAL EXPENDITURES FUND** | **$6,523,673** | **$6,607,582** |

| | | |
|---|---|---|
| **OTHER SPECIAL REVENUE FUNDS** | **$20,536,399** | **$20,864,236** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$51,838,895** | **$52,900,028** |

**Sec. A-13. Appropriations and allocations.** The following appropriations and allocations are made.

## CORRECTIONS, DEPARTMENT OF

### Administration - Corrections 0141

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,946,094 | $2,006,306 |
| All Other | $6,304,691 | $6,304,691 |
| GENERAL FUND TOTAL | $8,250,785 | $8,310,997 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $264,070 | $282,078 |
| All Other | $883,620 | $883,620 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,147,690 | $1,165,698 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $92,554 | $98,556 |
| All Other | $494,379 | $494,379 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $586,933 | $592,935 |

| **FEDERAL BLOCK GRANT FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $500,000 | $500,000 |
| FEDERAL BLOCK GRANT FUND TOTAL | $500,000 | $500,000 |

### Administration - Corrections 0141

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $202 | $411 |
| GENERAL FUND TOTAL | $202 | $411 |

### Administration - Corrections 0141

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,741,954 | $1,741,954 |
| GENERAL FUND TOTAL | $1,741,954 | $1,741,954 |

### Administration - Corrections 0141

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $20,088 | $20,088 |
| GENERAL FUND TOTAL | $20,088 | $20,088 |

## ADMINISTRATION - CORRECTIONS 0141

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,946,094 | $2,006,306 |
| All Other | $8,066,935 | $8,067,144 |
| GENERAL FUND TOTAL | $10,013,029 | $10,073,450 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $264,070 | $282,078 |
| All Other | $883,620 | $883,620 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,147,690 | $1,165,698 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $92,554 | $98,556 |
| All Other | $494,379 | $494,379 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $586,933 | $592,935 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500,000 | $500,000 |
| FEDERAL BLOCK GRANT FUND TOTAL | $500,000 | $500,000 |

### Adult Community Corrections 0124

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 93.500 | 93.500 |
| Personal Services | $8,135,026 | $8,395,394 |
| All Other | $1,312,750 | $1,312,750 |
| GENERAL FUND TOTAL | $9,447,776 | $9,708,144 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $184,094 | $189,451 |
| All Other | $656,101 | $656,101 |
| FEDERAL EXPENDITURES FUND TOTAL | $840,195 | $845,552 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $49,289 | $49,289 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $49,289 | $49,289 |

### Adult Community Corrections 0124

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $902 | $1,838 |
| GENERAL FUND TOTAL | $902 | $1,838 |

### Adult Community Corrections 0124

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($4,644) | ($4,644) |
| GENERAL FUND TOTAL | ($4,644) | ($4,644) |

## ADULT COMMUNITY CORRECTIONS 0124

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 93.500 | 93.500 |
| Personal Services | $8,135,026 | $8,395,394 |
| All Other | $1,309,008 | $1,309,944 |
| GENERAL FUND TOTAL | $9,444,034 | $9,705,338 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $184,094 | $189,451 |
| All Other | $656,101 | $656,101 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $840,195 | $845,552 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $49,289 | $49,289 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $49,289 | $49,289 |

### Capital Construction/Repairs/Improvements - Corrections 0432

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| FEDERAL EXPENDITURES FUND TOTAL | $500 | $500 |

## CAPITAL CONSTRUCTION/REPAIRS/ IMPROVEMENTS - CORRECTIONS 0432

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| FEDERAL EXPENDITURES FUND TOTAL | $500 | $500 |

### Central Maine Pre-release Center 0392

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 20.000 | 20.000 |
| Personal Services | $1,570,319 | $1,624,422 |
| All Other | $189,524 | $189,524 |
| GENERAL FUND TOTAL | $1,759,843 | $1,813,946 |

### Central Maine Pre-release Center 0392

Initiative: Provides funding for the increased cost of food.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,097 | $1,097 |
| GENERAL FUND TOTAL | $1,097 | $1,097 |

### Central Maine Pre-release Center 0392

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $192 | $391 |
| GENERAL FUND TOTAL | $192 | $391 |

### Central Maine Pre-release Center 0392

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($108) | ($108) |
| GENERAL FUND TOTAL | ($108) | ($108) |

### Central Maine Pre-release Center 0392

Initiative: Provides funding for the approved range change for 65 Correctional Sergeant positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,687 | $7,866 |
| GENERAL FUND TOTAL | $7,687 | $7,866 |

## CENTRAL MAINE PRE-RELEASE CENTER 0392

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 20.000 | 20.000 |
| Personal Services | $1,578,006 | $1,632,288 |
| All Other | $190,705 | $190,904 |
| GENERAL FUND TOTAL | $1,768,711 | $1,823,192 |

**Charleston Correctional Facility 0400**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 44.000 | 44.000 |
| Personal Services | $3,372,685 | $3,523,626 |
| All Other | $576,586 | $576,586 |
| GENERAL FUND TOTAL | $3,949,271 | $4,100,212 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $160,664 | $167,340 |
| All Other | $200,815 | $200,815 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $361,479 | $368,155 |

**Charleston Correctional Facility 0400**

Initiative: Provides funding for the increased cost of food.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $15,298 | $15,298 |
| GENERAL FUND TOTAL | $15,298 | $15,298 |

**Charleston Correctional Facility 0400**

Initiative: Provides funding for the increased cost of fuel.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,690 | $4,690 |
| GENERAL FUND TOTAL | $4,690 | $4,690 |

**Charleston Correctional Facility 0400**

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $422 | $860 |
| GENERAL FUND TOTAL | $422 | $860 |

**Charleston Correctional Facility 0400**

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($216) | ($216) |
| GENERAL FUND TOTAL | ($216) | ($216) |

**Charleston Correctional Facility 0400**

Initiative: Provides funding for the approved range change for 65 Correctional Sergeant positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $13,203 | $13,650 |
| GENERAL FUND TOTAL | $13,203 | $13,650 |

**Charleston Correctional Facility 0400**

Initiative: Transfers one Vocational Trades Instructor position from the State Prison program to the Charleston Correctional Facility program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $72,902 | $77,254 |
| GENERAL FUND TOTAL | $72,902 | $77,254 |

## CHARLESTON CORRECTIONAL FACILITY 0400

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 45.000 | 45.000 |
| Personal Services | $3,458,790 | $3,614,530 |
| All Other | $596,780 | $597,218 |
| GENERAL FUND TOTAL | $4,055,570 | $4,211,748 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $160,664 | $167,340 |
| All Other | $200,815 | $200,815 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $361,479 | $368,155 |

### Correctional Center 0162

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 247.500 | 247.500 |
| POSITIONS - FTE COUNT | 0.488 | 0.488 |
| Personal Services | $19,275,529 | $20,009,952 |
| All Other | $3,573,426 | $3,573,426 |
| GENERAL FUND TOTAL | $22,848,955 | $23,583,378 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.488 | 0.488 |
| Personal Services | $41,290 | $42,476 |
| All Other | $38,920 | $38,920 |
| FEDERAL EXPENDITURES FUND TOTAL | $80,210 | $81,396 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $138,880 | $144,457 |
| All Other | $489,495 | $489,495 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $628,375 | $633,952 |

### Correctional Center 0162

Initiative: Provides funding for the increased cost of food.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $194,403 | $194,403 |
| GENERAL FUND TOTAL | $194,403 | $194,403 |

### Correctional Center 0162

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,381 | $4,848 |
| GENERAL FUND TOTAL | $2,381 | $4,848 |

### Correctional Center 0162

Initiative: Provides funding for the increase in wastewater treatment charges by the local municipal sanitary district.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $96,395 | $96,395 |
| GENERAL FUND TOTAL | $96,395 | $96,395 |

### Correctional Center 0162

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($446,604) | ($446,604) |
| GENERAL FUND TOTAL | ($446,604) | ($446,604) |

### Correctional Center 0162

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($5,616) | ($5,616) |
| GENERAL FUND TOTAL | ($5,616) | ($5,616) |

### Correctional Center 0162

Initiative: Provides funding for the approved range change for 65 Correctional Sergeant positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $40,034 | $41,346 |
| GENERAL FUND TOTAL | $40,034 | $41,346 |

### Correctional Center 0162

Initiative: Provides funding for the approved reclassification for one Public Service Manager III position from range 36 to range 37.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,845 | $5,931 |
| GENERAL FUND TOTAL | $5,845 | $5,931 |

## CORRECTIONAL CENTER 0162

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 247.500 | 247.500 |
| POSITIONS - FTE COUNT | 0.488 | 0.488 |
| Personal Services | $19,321,408 | $20,057,229 |
| All Other | $3,414,385 | $3,416,852 |
| GENERAL FUND TOTAL | $22,735,793 | $23,474,081 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.488 | 0.488 |
| Personal Services | $41,290 | $42,476 |
| All Other | $38,920 | $38,920 |
| FEDERAL EXPENDITURES FUND TOTAL | $80,210 | $81,396 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $138,880 | $144,457 |
| All Other | $489,495 | $489,495 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $628,375 | $633,952 |

### Correctional Medical Services Fund 0286

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,303,460 | $17,303,460 |
| GENERAL FUND TOTAL | $17,303,460 | $17,303,460 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $518,377 | $518,377 |
| FEDERAL EXPENDITURES FUND TOTAL | $518,377 | $518,377 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,914 | $11,914 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $11,914 | $11,914 |

### Correctional Medical Services Fund 0286

Initiative: Eliminates one Nurse II position and one Correctional Licensed Practical Nurse position in the State Prison program and one Psychologist IV position in the Long Creek Youth Development Center program and transfers the savings to All Other in the Correctional Medical Services Fund program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $269,825 | $281,163 |
| GENERAL FUND TOTAL | $269,825 | $281,163 |

### Correctional Medical Services Fund 0286

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($96,207) | ($96,207) |
| GENERAL FUND TOTAL | ($96,207) | ($96,207) |

## CORRECTIONAL MEDICAL SERVICES FUND 0286

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,477,078 | $17,488,416 |
| GENERAL FUND TOTAL | $17,477,078 | $17,488,416 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $518,377 | $518,377 |
| FEDERAL EXPENDITURES FUND TOTAL | $518,377 | $518,377 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,914 | $11,914 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $11,914 | $11,914 |

### Departmentwide - Overtime 0032

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,171,677 | $1,171,677 |
| GENERAL FUND TOTAL | $1,171,677 | $1,171,677 |

## DEPARTMENTWIDE - OVERTIME 0032

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,171,677 | $1,171,677 |
| GENERAL FUND TOTAL | $1,171,677 | $1,171,677 |

### Downeast Correctional Facility 0542

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 68.000 | 68.000 |
| Personal Services | $5,359,784 | $5,563,260 |
| All Other | $774,716 | $774,716 |
| GENERAL FUND TOTAL | $6,134,500 | $6,337,976 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $47,814 | $47,814 |
| FEDERAL EXPENDITURES FUND TOTAL | $47,814 | $47,814 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $97,026 | $97,026 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $97,026 | $97,026 |

### Downeast Correctional Facility 0542

Initiative: Provides funding for the increased cost of food.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $45,156 | $45,156 |
| GENERAL FUND TOTAL | $45,156 | $45,156 |

### Downeast Correctional Facility 0542

Initiative: Provides funding for the increased cost of fuel.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,707 | $20,707 |
| GENERAL FUND TOTAL | $20,707 | $20,707 |

### Downeast Correctional Facility 0542

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $653 | $1,329 |
| GENERAL FUND TOTAL | $653 | $1,329 |

### Downeast Correctional Facility 0542

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($66,693) | ($66,693) |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | ($66,693) | ($66,693) |

**Downeast Correctional Facility 0542**

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($540) | ($540) |
| GENERAL FUND TOTAL | ($540) | ($540) |

**Downeast Correctional Facility 0542**

Initiative: Provides funding for the approved range change for 65 Correctional Sergeant positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $15,552 | $15,857 |
| GENERAL FUND TOTAL | $15,552 | $15,857 |

## DOWNEAST CORRECTIONAL FACILITY 0542

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 68.000 | 68.000 |
| Personal Services | $5,375,336 | $5,579,117 |
| All Other | $773,999 | $774,675 |
| GENERAL FUND TOTAL | $6,149,335 | $6,353,792 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $47,814 | $47,814 |
| FEDERAL EXPENDITURES FUND TOTAL | $47,814 | $47,814 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $97,026 | $97,026 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $97,026 | $97,026 |

**Justice - Planning, Projects and Statistics 0502**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $42,228 | $43,389 |
| All Other | $1,988 | $1,988 |
| GENERAL FUND TOTAL | $44,216 | $45,377 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $106,478 | $112,019 |
| All Other | $688,760 | $688,760 |
| FEDERAL EXPENDITURES FUND TOTAL | $795,238 | $800,779 |

## JUSTICE - PLANNING, PROJECTS AND STATISTICS 0502

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $42,228 | $43,389 |
| All Other | $1,988 | $1,988 |
| GENERAL FUND TOTAL | $44,216 | $45,377 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $106,478 | $112,019 |
| All Other | $688,760 | $688,760 |
| FEDERAL EXPENDITURES FUND TOTAL | $795,238 | $800,779 |

**Juvenile Community Corrections 0892**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 72.000 | 72.000 |
| Personal Services | $6,391,842 | $6,604,988 |

| | | |
|---|---|---|
| All Other | $4,501,799 | $4,501,799 |
| GENERAL FUND TOTAL | $10,893,641 | $11,106,787 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $90,032 | $90,032 |
| FEDERAL EXPENDITURES FUND TOTAL | $90,032 | $90,032 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $109,031 | $111,640 |
| All Other | $223,622 | $223,622 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $332,653 | $335,262 |

### Juvenile Community Corrections 0892

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $691 | $1,408 |
| GENERAL FUND TOTAL | $691 | $1,408 |

### Juvenile Community Corrections 0892

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($3,456) | ($3,456) |
| GENERAL FUND TOTAL | ($3,456) | ($3,456) |

## JUVENILE COMMUNITY CORRECTIONS 0892 PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 72.000 | 72.000 |
| Personal Services | $6,391,842 | $6,604,988 |
| All Other | $4,499,034 | $4,499,751 |
| GENERAL FUND TOTAL | $10,890,876 | $11,104,739 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $90,032 | $90,032 |
| FEDERAL EXPENDITURES FUND TOTAL | $90,032 | $90,032 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $109,031 | $111,640 |
| All Other | $223,622 | $223,622 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $332,653 | $335,262 |

### Long Creek Youth Development Center 0163

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 188.000 | 188.000 |
| POSITIONS - FTE COUNT | 3.467 | 3.467 |
| Personal Services | $15,052,699 | $15,650,824 |
| All Other | $1,890,886 | $1,890,886 |
| GENERAL FUND TOTAL | $16,943,585 | $17,541,710 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $76,549 | $80,484 |
| All Other | $89,547 | $89,547 |
| FEDERAL EXPENDITURES FUND TOTAL | $166,096 | $170,031 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $38,694 | $38,694 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $38,694 | $38,694 |

**Long Creek Youth Development Center 0163**

Initiative: Provides funding for the increased cost of food.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $55,874 | $55,874 |
| GENERAL FUND TOTAL | $55,874 | $55,874 |

**Long Creek Youth Development Center 0163**

Initiative: Provides funding for the increased cost of utilities.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $21,731 | $21,731 |
| GENERAL FUND TOTAL | $21,731 | $21,731 |

**Long Creek Youth Development Center 0163**

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,834 | $3,734 |
| GENERAL FUND TOTAL | $1,834 | $3,734 |

**Long Creek Youth Development Center 0163**

Initiative: Eliminates one Psychologist IV position in the Long Creek Youth Development Center program and transfers the savings to All Other in the Correctional Medical Services Fund program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($114,683) | ($117,040) |
| GENERAL FUND TOTAL | ($114,683) | ($117,040) |

**Long Creek Youth Development Center 0163**

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($260,240) | ($260,240) |
| GENERAL FUND TOTAL | ($260,240) | ($260,240) |

**Long Creek Youth Development Center 0163**

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,160) | ($2,160) |
| GENERAL FUND TOTAL | ($2,160) | ($2,160) |

**Long Creek Youth Development Center 0163**

Initiative: Provides funding for the approved range change for 37 Juvenile Program Specialist positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $48,111 | $50,382 |
| GENERAL FUND TOTAL | $48,111 | $50,382 |

**Long Creek Youth Development Center 0163**

Initiative: Provides funding for the approved bargaining unit change of one Psychologist IV position from the Professional and Technical Services Bargaining Unit to the Supervisory Services Bargaining Unit.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $8,357 | $8,480 |
| GENERAL FUND TOTAL | $8,357 | $8,480 |

## LONG CREEK YOUTH DEVELOPMENT CENTER 0163

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 187.000 | 187.000 |
| POSITIONS - FTE COUNT | 3.467 | 3.467 |
| Personal Services | $14,994,484 | $15,592,646 |
| All Other | $1,707,925 | $1,709,825 |
| GENERAL FUND TOTAL | $16,702,409 | $17,302,471 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $76,549 | $80,484 |
| All Other | $89,547 | $89,547 |
| FEDERAL EXPENDITURES FUND TOTAL | $166,096 | $170,031 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $38,694 | $38,694 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $38,694 | $38,694 |

### Mountain View Youth Development Center 0857

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 165.000 | 165.000 |
| POSITIONS - FTE COUNT | 1.200 | 1.200 |
| Personal Services | $13,428,549 | $13,934,798 |
| All Other | $1,707,408 | $1,707,408 |
| GENERAL FUND TOTAL | $15,135,957 | $15,642,206 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $159,112 | $167,535 |
| All Other | $73,408 | $73,408 |
| FEDERAL EXPENDITURES FUND TOTAL | $232,520 | $240,943 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $51,540 | $51,540 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $51,540 | $51,540 |

### Mountain View Youth Development Center 0857

Initiative: Provides funding for the increased cost of food.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $26,124 | $26,124 |
| GENERAL FUND TOTAL | $26,124 | $26,124 |

### Mountain View Youth Development Center 0857

Initiative: Provides funding for the increased cost of fuel.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,096 | $50,096 |
| GENERAL FUND TOTAL | $50,096 | $50,096 |

### Mountain View Youth Development Center 0857

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,594 | $3,245 |
| GENERAL FUND TOTAL | $1,594 | $3,245 |

### Mountain View Youth Development Center 0857

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($277,876) | ($277,876) |
| GENERAL FUND TOTAL | ($277,876) | ($277,876) |

### Mountain View Youth Development Center 0857

Initiative: Reduces funding for Central Fleet Management for 3 cars that were returned.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($5,009) | ($4,230) |
| GENERAL FUND TOTAL | ($5,009) | ($4,230) |

**Mountain View Youth Development Center 0857**

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($540) | ($540) |
| GENERAL FUND TOTAL | ($540) | ($540) |

**Mountain View Youth Development Center 0857**

Initiative: Provides funding for the approved range change for 37 Juvenile Program Specialist positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $43,893 | $44,923 |
| GENERAL FUND TOTAL | $43,893 | $44,923 |

**Mountain View Youth Development Center 0857**

Initiative: Provides funding for the approved bargaining unit change of one Psychologist IV position from the Professional and Technical Services Bargaining Unit to the Supervisory Services Bargaining Unit.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $8,891 | $9,023 |
| GENERAL FUND TOTAL | $8,891 | $9,023 |

## MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER 0857

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 165.000 | 165.000 |
| POSITIONS - FTE COUNT | 1.200 | 1.200 |
| Personal Services | $13,481,333 | $13,988,744 |
| All Other | $1,501,797 | $1,504,227 |
| GENERAL FUND TOTAL | $14,983,130 | $15,492,971 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $159,112 | $167,535 |
| All Other | $73,408 | $73,408 |
| FEDERAL EXPENDITURES FUND TOTAL | $232,520 | $240,943 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $51,540 | $51,540 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $51,540 | $51,540 |

**Office of Victim Services 0046**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $158,421 | $162,273 |
| All Other | $67,143 | $67,143 |
| GENERAL FUND TOTAL | $225,564 | $229,416 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $14,974 | $14,974 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,974 | $14,974 |

**Office of Victim Services 0046**

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $19 | $39 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $19 | $39 |

**Office of Victim Services 0046**

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($55,256) | ($55,256) |
| GENERAL FUND TOTAL | ($55,256) | ($55,256) |

**Office of Victim Services 0046**

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($108) | ($108) |
| GENERAL FUND TOTAL | ($108) | ($108) |

**OFFICE OF VICTIM SERVICES 0046**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $158,421 | $162,273 |
| All Other | $11,798 | $11,818 |
| GENERAL FUND TOTAL | $170,219 | $174,091 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $14,974 | $14,974 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,974 | $14,974 |

**Parole Board 0123**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,650 | $1,650 |
| All Other | $2,856 | $2,856 |
| GENERAL FUND TOTAL | $4,506 | $4,506 |

**PAROLE BOARD 0123**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,650 | $1,650 |
| All Other | $2,856 | $2,856 |
| GENERAL FUND TOTAL | $4,506 | $4,506 |

**Prisoner Boarding Program Z086**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $957,030 | $957,030 |
| GENERAL FUND TOTAL | $957,030 | $957,030 |

**PRISONER BOARDING PROGRAM Z086**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $957,030 | $957,030 |
| GENERAL FUND TOTAL | $957,030 | $957,030 |

**State Prison 0144**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 421.000 | 421.000 |
| Personal Services | $33,042,000 | $34,361,546 |
| All Other | $7,003,782 | $7,003,782 |
| GENERAL FUND TOTAL | $40,045,782 | $41,365,328 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,181 | $20,181 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $20,181 | $20,181 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $75,645 | $80,108 |
| All Other | $42,374 | $42,374 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $118,019 | $122,482 |

| **PRISON INDUSTRIES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $218,796 | $226,385 |
| All Other | $914,082 | $914,082 |
| PRISON INDUSTRIES FUND TOTAL | $1,132,878 | $1,140,467 |

### State Prison 0144

Initiative: Provides funding for the increased cost of food.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $320,172 | $320,172 |
| GENERAL FUND TOTAL | $320,172 | $320,172 |

### State Prison 0144

Initiative: Provides funding for the increased cost of fuel.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $199,615 | $199,615 |
| GENERAL FUND TOTAL | $199,615 | $199,615 |

### State Prison 0144

Initiative: Provides funding for risk management costs to ensure adequate insurance rates based on the State's most recent actuarial review, March 2010.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $4,042 | $8,231 |
| GENERAL FUND TOTAL | $4,042 | $8,231 |

### State Prison 0144

Initiative: Provides funding for the increase in wastewater treatment charges by the local municipal sanitary district.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $178,987 | $195,046 |
| GENERAL FUND TOTAL | $178,987 | $195,046 |

### State Prison 0144

Initiative: Transfers funding from the Office of Victim Services, State Prison, Correctional Center, Downeast Correctional Facility, Mountain View Youth Development Center, Correctional Medical Services Fund and Long Creek Youth Development Center programs to the Administration - Corrections program in an effort to centralize all service center funding and all service center payments.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($539,078) | ($539,078) |
| GENERAL FUND TOTAL | ($539,078) | ($539,078) |

### State Prison 0144

Initiative: Reduces funding for Central Fleet Management for 3 cars that were returned.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($3,583) | ($3,583) |
| GENERAL FUND TOTAL | ($3,583) | ($3,583) |

### State Prison 0144

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Juvenile Community Corrections, State Prison, Charleston Correctional Facility, Correctional Center, Central Maine Pre-release Center, Downeast Correctional Facility, Mountain View Youth Development Center and Long Creek Youth Development Center programs to the Administration - Corrections program to move all pager funding for the department into a centralized account.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($2,700) | ($2,700) |
| GENERAL FUND TOTAL | ($2,700) | ($2,700) |

**State Prison 0144**

Initiative: Provides funding for the approved range change for 65 Correctional Sergeant positions from range 18 to range 19.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $96,166 | $98,468 |
| GENERAL FUND TOTAL | $96,166 | $98,468 |

**State Prison 0144**

Initiative: Eliminates one Nurse II position and one Correctional Licensed Practical Nurse position in the State Prison program and one Psychologist IV position in the Long Creek Youth Development Center program and transfers the savings to All Other in the Correctional Medical Services Fund program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($155,142) | ($164,123) |
| GENERAL FUND TOTAL | ($155,142) | ($164,123) |

**State Prison 0144**

Initiative: Transfers one Vocational Trades Instructor position from the State Prison program to the Charleston Correctional Facility program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($72,902) | ($77,254) |
| GENERAL FUND TOTAL | ($72,902) | ($77,254) |

**STATE PRISON 0144**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 418.000 | 418.000 |
| Personal Services | $32,910,122 | $34,218,637 |
| All Other | $7,161,237 | $7,181,485 |
| GENERAL FUND TOTAL | $40,071,359 | $41,400,122 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,181 | $20,181 |
| FEDERAL EXPENDITURES FUND TOTAL | $20,181 | $20,181 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $75,645 | $80,108 |
| All Other | $42,374 | $42,374 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $118,019 | $122,482 |

| PRISON INDUSTRIES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $218,796 | $226,385 |
| All Other | $914,082 | $914,082 |
| PRISON INDUSTRIES FUND TOTAL | $1,132,878 | $1,140,467 |

| CORRECTIONS, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $156,638,972 | $160,783,001 |
| FEDERAL EXPENDITURES FUND | $3,938,853 | $3,981,303 |
| OTHER SPECIAL REVENUE FUNDS | $2,290,896 | $2,316,223 |
| FEDERAL BLOCK GRANT FUND | $500,000 | $500,000 |
| PRISON INDUSTRIES FUND | $1,132,878 | $1,140,467 |
| DEPARTMENT TOTAL - ALL FUNDS | $164,501,599 | $168,720,994 |

**Sec. A-14. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF**

**State Board of Corrections Investment Fund Z087**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $9,150,240 | $9,150,240 |
| GENERAL FUND TOTAL | $9,150,240 | $9,150,240 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $949,259 | $949,259 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $949,259 | $949,259 |

**State Board of Corrections Investment Fund Z087**

Initiative: Provides funding to support county jail costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,500,000 | $3,500,000 |
| GENERAL FUND TOTAL | $3,500,000 | $3,500,000 |

## STATE BOARD OF CORRECTIONS INVESTMENT FUND Z087

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,650,240 | $12,650,240 |
| GENERAL FUND TOTAL | $12,650,240 | $12,650,240 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $949,259 | $949,259 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $949,259 | $949,259 |

| CORRECTIONS, STATE BOARD OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $12,650,240 | $12,650,240 |
| OTHER SPECIAL REVENUE FUNDS | $949,259 | $949,259 |
| DEPARTMENT TOTAL - ALL FUNDS | $13,599,499 | $13,599,499 |

**Sec. A-15. Appropriations and allocations.** The following appropriations and allocations are made.

## CULTURAL AFFAIRS COUNCIL, MAINE STATE

**New Century Program Fund 0904**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $40,922 | $40,922 |
| GENERAL FUND TOTAL | $40,922 | $40,922 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $65,424 | $65,424 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $65,424 | $65,424 |

## NEW CENTURY PROGRAM FUND 0904

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $40,922 | $40,922 |
| GENERAL FUND TOTAL | $40,922 | $40,922 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $65,424 | $65,424 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $65,424 | $65,424 |

**Sec. A-16. Appropriations and allocations.** The following appropriations and allocations are made.

## DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

**Administration - Defense, Veterans and Emergency Management 0109**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $174,009 | $175,424 |
| All Other | $59,585 | $59,585 |
| GENERAL FUND TOTAL | $233,594 | $235,009 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100 | $100 |
| FEDERAL EXPENDITURES FUND TOTAL | $100 | $100 |

## ADMINISTRATION - DEFENSE, VETERANS AND EMERGENCY MANAGEMENT 0109

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $174,009 | $175,424 |
| All Other | $59,585 | $59,585 |
| GENERAL FUND TOTAL | $233,594 | $235,009 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100 | $100 |
| FEDERAL EXPENDITURES FUND TOTAL | $100 | $100 |

### Administration - Maine Emergency Management Agency 0214

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $472,860 | $492,948 |
| All Other | $111,827 | $111,827 |
| GENERAL FUND TOTAL | $584,687 | $604,775 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |
| Personal Services | $1,519,845 | $1,560,213 |
| All Other | $31,475,569 | $31,475,569 |
| FEDERAL EXPENDITURES FUND TOTAL | $32,995,414 | $33,035,782 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $138,276 | $144,688 |
| All Other | $475,732 | $475,732 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $614,008 | $620,420 |

### Administration - Maine Emergency Management Agency 0214

Initiative: Continues one limited-period Planning and Research Associate I position created by Financial Order 005147 F1. This position ends on June 8, 2013.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $32,371 | $34,706 |
| FEDERAL EXPENDITURES FUND TOTAL | $32,371 | $34,706 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $32,366 | $34,705 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $32,366 | $34,705 |

### Administration - Maine Emergency Management Agency 0214

Initiative: Continues one limited-period Planning and Research Associate II position through June 8, 2013. This position was established by Financial Order 004385 F9, continued by Financial Order 005146 F10 and continued in Public Law 2009, chapter 571, Part A, section 12 through September 30, 2011.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $61,465 | $85,677 |
| FEDERAL EXPENDITURES FUND TOTAL | $61,465 | $85,677 |

## ADMINISTRATION - MAINE EMERGENCY MANAGEMENT AGENCY 0214

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $472,860 | $492,948 |

| | | |
|---|---|---|
| All Other | $111,827 | $111,827 |
| GENERAL FUND TOTAL | $584,687 | $604,775 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |
| Personal Services | $1,613,681 | $1,680,596 |
| All Other | $31,475,569 | $31,475,569 |
| FEDERAL EXPENDITURES FUND TOTAL | $33,089,250 | $33,156,165 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $170,642 | $179,393 |
| All Other | $475,732 | $475,732 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $646,374 | $655,125 |

### Emergency Response Operations 0918

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $51,834 | $52,999 |
| All Other | $17,310 | $17,310 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $69,144 | $70,309 |

## EMERGENCY RESPONSE OPERATIONS 0918 PROGRAM SUMMARY

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $51,834 | $52,999 |
| All Other | $17,310 | $17,310 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $69,144 | $70,309 |

### Loring Rebuild Facility 0843

Initiative: BASELINE BUDGET

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $49,586,066 | $49,586,066 |
| FEDERAL EXPENDITURES FUND TOTAL | $49,586,066 | $49,586,066 |

## LORING REBUILD FACILITY 0843 PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $49,586,066 | $49,586,066 |
| FEDERAL EXPENDITURES FUND TOTAL | $49,586,066 | $49,586,066 |

### Military Educational Benefits 0922

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $410,000 | $410,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $410,000 | $410,000 |

## MILITARY EDUCATIONAL BENEFITS 0922 PROGRAM SUMMARY

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $410,000 | $410,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $410,000 | $410,000 |

### Military Training and Operations 0108

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 25.000 | 25.000 |
| Personal Services | $1,660,407 | $1,725,118 |
| All Other | $951,550 | $951,550 |
| GENERAL FUND TOTAL | $2,611,957 | $2,676,668 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 88.000 | 88.000 |
| Personal Services | $6,099,194 | $6,347,211 |
| All Other | $10,557,509 | $10,557,509 |
| FEDERAL EXPENDITURES FUND TOTAL | $16,656,703 | $16,904,720 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,137 | $77,659 |
| All Other | $563,809 | $563,809 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $636,946 | $641,468 |

| MAINE MILITARY AUTHORITY ENTERPRISE FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $46,031,314 | $48,479,344 |
| All Other | $44,508,103 | $44,508,103 |
| MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL | $90,539,417 | $92,987,447 |

### Military Training and Operations 0108

Initiative: Continues one Engineering Technician III position, one Civil Engineer III position, one Senior Planner position and one Groundskeeper I position created by Financial Order 005975 F1. Also continues one Planner II position created by Financial Order 005976 F1.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $365,017 | $389,424 |
| FEDERAL EXPENDITURES FUND TOTAL | $365,017 | $389,424 |

### Military Training and Operations 0108

Initiative: Continues 6 Military Firefighter positions created by financial order.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $464,874 | $494,664 |
| FEDERAL EXPENDITURES FUND TOTAL | $464,874 | $494,664 |

## MILITARY TRAINING AND OPERATIONS 0108

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 25.000 | 25.000 |
| Personal Services | $1,660,407 | $1,725,118 |
| All Other | $951,550 | $951,550 |
| GENERAL FUND TOTAL | $2,611,957 | $2,676,668 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 99.000 | 99.000 |
| Personal Services | $6,929,085 | $7,231,299 |
| All Other | $10,557,509 | $10,557,509 |
| FEDERAL EXPENDITURES FUND TOTAL | $17,486,594 | $17,788,808 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,137 | $77,659 |
| All Other | $563,809 | $563,809 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $636,946 | $641,468 |

| MAINE MILITARY AUTHORITY ENTERPRISE FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $46,031,314 | $48,479,344 |
| All Other | $44,508,103 | $44,508,103 |
| MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL | $90,539,417 | $92,987,447 |

### Stream Gaging Cooperative Program 0858

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $131,934 | $131,934 |
| GENERAL FUND TOTAL | $131,934 | $131,934 |

### STREAM GAGING COOPERATIVE PROGRAM 0858

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $131,934 | $131,934 |
| GENERAL FUND TOTAL | $131,934 | $131,934 |

### Veterans Services 0110

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 30.000 | 30.000 |
| POSITIONS - FTE COUNT | 1.500 | 1.500 |
| Personal Services | $1,949,632 | $2,044,560 |
| All Other | $559,441 | $559,441 |
| GENERAL FUND TOTAL | $2,509,073 | $2,604,001 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $130,952 | $130,952 |
| FEDERAL EXPENDITURES FUND TOTAL | $130,952 | $130,952 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $215,395 | $215,395 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $215,395 | $215,395 |

### Veterans Services 0110

Initiative: Creates the Fund for Women Veterans and provides an allocation for a contracted Maine Women Veterans Coordinator position and related costs.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,000 | $12,500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $20,000 | $12,500 |

### VETERANS SERVICES 0110

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 30.000 | 30.000 |
| POSITIONS - FTE COUNT | 1.500 | 1.500 |
| Personal Services | $1,949,632 | $2,044,560 |
| All Other | $559,441 | $559,441 |
| GENERAL FUND TOTAL | $2,509,073 | $2,604,001 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $130,952 | $130,952 |
| FEDERAL EXPENDITURES FUND TOTAL | $130,952 | $130,952 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $235,395 | $227,895 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $235,395 | $227,895 |

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $6,071,245 | $6,252,387 |
| FEDERAL EXPENDITURES FUND | $100,292,962 | $100,662,091 |
| OTHER SPECIAL REVENUE FUNDS | $1,997,859 | $2,004,797 |
| MAINE MILITARY AUTHORITY ENTERPRISE FUND | $90,539,417 | $92,987,447 |
| DEPARTMENT TOTAL - ALL FUNDS | $198,901,483 | $201,906,722 |

**Sec. A-17. Appropriations and allocations.** The following appropriations and allocations are made.

**DEVELOPMENT FOUNDATION, MAINE**

**Development Foundation 0198**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,633 | $35,633 |
| GENERAL FUND TOTAL | $35,633 | $35,633 |

**DEVELOPMENT FOUNDATION 0198**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,633 | $35,633 |
| GENERAL FUND TOTAL | $35,633 | $35,633 |

**Sec. A-18. Appropriations and allocations.** The following appropriations and allocations are made.

**DIRIGO HEALTH**

**Dirigo Health Fund 0988**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,025,915 | $8,025,915 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,025,915 | $8,025,915 |

| DIRIGO HEALTH FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $1,329,604 | $1,369,836 |
| All Other | $70,641,652 | $70,641,652 |
| DIRIGO HEALTH FUND TOTAL | $71,971,256 | $72,011,488 |

**Dirigo Health Fund 0988**

Initiative: Provides funding to align allocations with projected available resources.

| DIRIGO HEALTH FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,017,835 | $5,049,763 |
| DIRIGO HEALTH FUND TOTAL | $3,017,835 | $5,049,763 |

**Dirigo Health Fund 0988**

Initiative: Reduces funding to align allocations for the federal Health Resource and Services Administration grant with existing resources.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,362,011) | ($1,362,011) |
| FEDERAL EXPENDITURES FUND TOTAL | ($1,362,011) | ($1,362,011) |

**Dirigo Health Fund 0988**

Initiative: Provides funding for health insurance coverage for certain individuals with preexisting conditions.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,857,143 | $4,857,143 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,857,143 | $4,857,143 |

**Dirigo Health Fund 0988**

Initiative: Reduces funding as a result of reduced revenue from access payments.

| DIRIGO HEALTH FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($5,496,637) | ($10,529,590) |
| DIRIGO HEALTH FUND TOTAL | ($5,496,637) | ($10,529,590) |

**DIRIGO HEALTH FUND 0988**

**PROGRAM SUMMARY**

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,521,047 | $11,521,047 |
| FEDERAL EXPENDITURES FUND TOTAL | $11,521,047 | $11,521,047 |

| DIRIGO HEALTH FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $1,329,604 | $1,369,836 |

| | | |
|---|---|---|
| All Other | $68,162,850 | $65,161,825 |
| DIRIGO HEALTH FUND TOTAL | $69,492,454 | $66,531,661 |

**FHM - Dirigo Health Z070**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,291,311 | $4,291,311 |
| FUND FOR A HEALTHY MAINE TOTAL | $4,291,311 | $4,291,311 |

**FHM - Dirigo Health Z070**

Initiative: Reduces funding to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($3,129,664) | ($3,129,664) |
| FUND FOR A HEALTHY MAINE TOTAL | ($3,129,664) | ($3,129,664) |

**FHM - DIRIGO HEALTH Z070**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,161,647 | $1,161,647 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,161,647 | $1,161,647 |

| DIRIGO HEALTH DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $11,521,047 | $11,521,047 |
| FUND FOR A HEALTHY MAINE | $1,161,647 | $1,161,647 |
| DIRIGO HEALTH FUND | $69,492,454 | $66,531,661 |
| DEPARTMENT TOTAL - ALL FUNDS | $82,175,148 | $79,214,355 |

**Sec. A-19. Appropriations and allocations.** The following appropriations and allocations are made.

**DISABILITY RIGHTS CENTER**

**Disability Rights Center 0523**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $130,766 | $130,766 |
| GENERAL FUND TOTAL | $130,766 | $130,766 |

**DISABILITY RIGHTS CENTER 0523**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $130,766 | $130,766 |
| GENERAL FUND TOTAL | $130,766 | $130,766 |

**Sec. A-20. Appropriations and allocations.** The following appropriations and allocations are made.

**DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION**

**Downeast Institute for Applied Marine Research and Education 0993**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,024 | $13,024 |
| GENERAL FUND TOTAL | $13,024 | $13,024 |

**DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION 0993**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,024 | $13,024 |
| GENERAL FUND TOTAL | $13,024 | $13,024 |

**Sec. A-21. Appropriations and allocations.** The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community Development 0069**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $505,635 | $516,937 |
| All Other | $1,058,360 | $1,058,360 |
| GENERAL FUND TOTAL | $1,563,995 | $1,575,297 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $70,000 | $70,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $70,000 | $70,000 |

**Administration - Economic and Community Development 0069**

Initiative: Provides funding in the Administration - Economic and Community Development program for contractual expenses relating to the domestic and international business development and recruitment in Maine.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,000 | $100,000 |
| GENERAL FUND TOTAL | $100,000 | $100,000 |

**ADMINISTRATION - ECONOMIC AND COMMUNITY DEVELOPMENT 0069**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $505,635 | $516,937 |
| All Other | $1,158,360 | $1,158,360 |
| GENERAL FUND TOTAL | $1,663,995 | $1,675,297 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $70,000 | $70,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $70,000 | $70,000 |

**Applied Technology Development Center System 0929**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $187,250 | $187,250 |
| GENERAL FUND TOTAL | $187,250 | $187,250 |

**APPLIED TECHNOLOGY DEVELOPMENT CENTER SYSTEM 0929**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $187,250 | $187,250 |
| GENERAL FUND TOTAL | $187,250 | $187,250 |

**Business Development 0585**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $597,495 | $610,568 |
| All Other | $729,762 | $729,762 |
| GENERAL FUND TOTAL | $1,327,257 | $1,340,330 |

**BUSINESS DEVELOPMENT 0585**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $597,495 | $610,568 |
| All Other | $729,762 | $729,762 |
| GENERAL FUND TOTAL | $1,327,257 | $1,340,330 |

**Communities for Maine's Future Fund Z108**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**COMMUNITIES FOR MAINE'S FUTURE FUND Z108**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Community Development Block Grant Program 0587

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $199,100 | $206,425 |
| All Other | $75,930 | $75,930 |
| GENERAL FUND TOTAL | $275,030 | $282,355 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,068,011 | $1,068,011 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,068,011 | $1,068,011 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $620,310 | $641,773 |
| All Other | $21,274,829 | $21,274,829 |
| FEDERAL BLOCK GRANT FUND TOTAL | $21,895,139 | $21,916,602 |

### Community Development Block Grant Program 0587

Initiative: Eliminates funding in the Business Assistance Fund account.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($52,000) | ($52,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($52,000) | ($52,000) |

## COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 0587

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $199,100 | $206,425 |
| All Other | $75,930 | $75,930 |
| GENERAL FUND TOTAL | $275,030 | $282,355 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,016,011 | $1,016,011 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,016,011 | $1,016,011 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $620,310 | $641,773 |
| All Other | $21,274,829 | $21,274,829 |
| FEDERAL BLOCK GRANT FUND TOTAL | $21,895,139 | $21,916,602 |

### International Commerce 0674

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $112,328 | $113,704 |
| All Other | $521,852 | $521,852 |
| GENERAL FUND TOTAL | $634,180 | $635,556 |

## INTERNATIONAL COMMERCE 0674

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $112,328 | $113,704 |
| All Other | $521,852 | $521,852 |
| GENERAL FUND TOTAL | $634,180 | $635,556 |

**Leadership and Entrepreneurial Development Program Z071**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**LEADERSHIP AND ENTREPRENEURIAL DEVELOPMENT PROGRAM Z071**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Maine Economic Development Evaluation Fund Z057**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,000 | $200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,000 | $200,000 |

**MAINE ECONOMIC DEVELOPMENT EVALUATION FUND Z057**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,000 | $200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,000 | $200,000 |

**Maine Economic Growth Council 0727**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $58,000 | $58,000 |
| GENERAL FUND TOTAL | $58,000 | $58,000 |

**MAINE ECONOMIC GROWTH COUNCIL 0727**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $58,000 | $58,000 |
| GENERAL FUND TOTAL | $58,000 | $58,000 |

**Maine Research and Development Evaluation Fund 0985**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $80,000 | $80,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $80,000 | $80,000 |

**Maine Research and Development Evaluation Fund 0985**

Initiative: Provides funding in the Maine Research and Development Evaluation Fund as provided for by Public Law 2009, chapter 337.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $120,000 | $120,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $120,000 | $120,000 |

**MAINE RESEARCH AND DEVELOPMENT EVALUATION FUND 0985**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,000 | $200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,000 | $200,000 |

**Maine Small Business and Entrepreneurship Commission 0675**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $690,478 | $690,478 |
| GENERAL FUND TOTAL | $690,478 | $690,478 |

## MAINE SMALL BUSINESS AND ENTREPRENEURSHIP COMMISSION 0675

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $690,478 | $690,478 |
| GENERAL FUND TOTAL | $690,478 | $690,478 |

### Maine State Film Office 0590

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

## MAINE STATE FILM OFFICE 0590

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

### Office of Innovation 0995

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $213,508 | $216,041 |
| All Other | $7,103,320 | $7,103,320 |
| GENERAL FUND TOTAL | $7,316,828 | $7,319,361 |

## OFFICE OF INNOVATION 0995

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $213,508 | $216,041 |
| All Other | $7,103,320 | $7,103,320 |
| GENERAL FUND TOTAL | $7,316,828 | $7,319,361 |

### Office of Tourism 0577

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $711,373 | $729,153 |
| All Other | $5,836,024 | $6,174,494 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,547,397 | $6,903,647 |

### Office of Tourism 0577

Initiative: Adjusts funding to bring allocations in line with projected available resources based on revenue changes approved by the Revenue Forecasting Committee.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,861,631 | $2,861,631 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,861,631 | $2,861,631 |

## OFFICE OF TOURISM 0577

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $711,373 | $729,153 |
| All Other | $8,697,655 | $9,036,125 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $9,409,028 | $9,765,278 |

### Renewable Energy Resources Fund Z072

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $645,441 | $645,441 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $645,441 | $645,441 |

### Renewable Energy Resources Fund Z072

Initiative: Adjusts funding and allocations to reflect actual anticipated receipt of revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($357,441) | ($357,441) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($357,441) | ($357,441) |

### RENEWABLE ENERGY RESOURCES FUND Z072

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $288,000 | $288,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $288,000 | $288,000 |

| ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $12,153,018 | $12,188,627 |
| OTHER SPECIAL REVENUE FUNDS | $11,194,039 | $11,550,289 |
| FEDERAL BLOCK GRANT FUND | $21,895,139 | $21,916,602 |
| DEPARTMENT TOTAL - ALL FUNDS | $45,242,196 | $45,655,518 |

**Sec. A-22. Appropriations and allocations.** The following appropriations and allocations are made.

### EDUCATION, DEPARTMENT OF

### Adult Education 0364

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,973,729 | $5,973,729 |
| GENERAL FUND TOTAL | $5,973,729 | $5,973,729 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $88,976 | $90,844 |
| All Other | $1,978,541 | $1,978,541 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,067,517 | $2,069,385 |

### Adult Education 0364

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $231,318 | $240,015 |
| GENERAL FUND TOTAL | $231,318 | $240,015 |

### Adult Education 0364

Initiative: Transfers one Office Assistant II position from the Leadership Team program, General Fund to the Adult Education program, Federal Expenditures Fund, reorganizes the position from an Office Assistant II position to an Education Specialist III position and transfers All Other to Personal Services to fund the reorganization.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $76,832 | $81,659 |
| All Other | ($76,832) | ($81,659) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

### ADULT EDUCATION 0364

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $231,318 | $240,015 |
| All Other | $5,973,729 | $5,973,729 |
| GENERAL FUND TOTAL | $6,205,047 | $6,213,744 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $165,808 | $172,503 |
| All Other | $1,901,709 | $1,896,882 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,067,517 | $2,069,385 |

### Child Development Services 0449

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $14,913,391 | $14,913,391 |
| GENERAL FUND TOTAL | $14,913,391 | $14,913,391 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $57,720 | $59,146 |
| All Other | $5,066,658 | $5,066,658 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,124,378 | $5,125,804 |

### Child Development Services 0449

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program in order to reflect expenditures in the appropriate program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,700,000 | $5,700,000 |
| GENERAL FUND TOTAL | $5,700,000 | $5,700,000 |

### Child Development Services 0449

Initiative: Provides funding for services to children from birth to 5 years of age as a result of MaineCare rule changes effective September 1, 2010.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,000,000 | $4,000,000 |
| GENERAL FUND TOTAL | $4,000,000 | $4,000,000 |

## CHILD DEVELOPMENT SERVICES 0449

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $24,613,391 | $24,613,391 |
| GENERAL FUND TOTAL | $24,613,391 | $24,613,391 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $57,720 | $59,146 |
| All Other | $5,066,658 | $5,066,658 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,124,378 | $5,125,804 |

### Criminal History Record Check Fund Z014

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $102,490 | $104,102 |
| All Other | $375,765 | $375,765 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $478,255 | $479,867 |

## CRIMINAL HISTORY RECORD CHECK FUND Z014

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $102,490 | $104,102 |
| All Other | $375,765 | $375,765 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $478,255 | $479,867 |

### Education in Unorganized Territory 0220

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 23.500 | 23.500 |
| POSITIONS - FTE COUNT | 28.162 | 28.162 |
| Personal Services | $3,036,569 | $3,154,392 |
| All Other | $9,279,543 | $9,279,543 |
| GENERAL FUND TOTAL | $12,316,112 | $12,433,935 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 1.111 | 1.111 |
| Personal Services | $182,965 | $189,279 |
| All Other | $224,451 | $224,451 |
| FEDERAL EXPENDITURES FUND TOTAL | $407,416 | $413,730 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,135 | $8,135 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $8,135 | $8,135 |

### Education in Unorganized Territory 0220

Initiative: Reduces funding for operational expenditures due to the anticipated closing of the Sinclair Elementary School.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($52,487) | ($52,487) |
| GENERAL FUND TOTAL | ($52,487) | ($52,487) |

### Education in Unorganized Territory 0220

Initiative: Eliminates one seasonal part-time Cook II position as a result of the anticipated closing of the Sinclair Elementary School.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | (0.707) | (0.707) |
| Personal Services | ($33,651) | ($35,469) |
| GENERAL FUND TOTAL | ($33,651) | ($35,469) |

### Education in Unorganized Territory 0220

Initiative: Reduces funding to bring expenditures in line with projected revenue.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($33,644) | ($46,958) |
| FEDERAL EXPENDITURES FUND TOTAL | ($33,644) | ($46,958) |

## EDUCATION IN UNORGANIZED TERRITORY 0220

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 23.500 | 23.500 |
| POSITIONS - FTE COUNT | 27.455 | 27.455 |
| Personal Services | $3,002,918 | $3,118,923 |
| All Other | $9,227,056 | $9,227,056 |
| GENERAL FUND TOTAL | $12,229,974 | $12,345,979 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| POSITIONS - FTE COUNT | 1.111 | 1.111 |
| Personal Services | $182,965 | $189,279 |
| All Other | $190,807 | $177,493 |
| FEDERAL EXPENDITURES FUND TOTAL | $373,772 | $366,772 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,135 | $8,135 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $8,135 | $8,135 |

### Federal and State Program Services Z079

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $804,978 | $837,850 |
| All Other | $70,206 | $70,206 |
| GENERAL FUND TOTAL | $875,184 | $908,056 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.500 | 8.500 |
| POSITIONS - FTE COUNT | 0.576 | 0.576 |

| | | |
|---|---|---|
| Personal Services | $642,043 | $661,412 |
| All Other | $45,342,649 | $45,342,649 |
| FEDERAL EXPENDITURES FUND TOTAL | $45,984,692 | $46,004,061 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $92,666 | $95,392 |
| All Other | $18,594 | $18,594 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $111,260 | $113,986 |

### Federal and State Program Services Z079

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education. Position detail is on file in the Bureau of the Budget.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (11.000) | (11.000) |
| Personal Services | ($804,978) | ($837,850) |
| All Other | ($60,398) | ($59,885) |
| GENERAL FUND TOTAL | ($865,376) | ($897,735) |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (8.500) | (8.500) |
| POSITIONS - FTE COUNT | (0.576) | (0.576) |
| Personal Services | ($642,043) | ($661,412) |
| All Other | ($45,309,871) | ($45,309,659) |
| FEDERAL EXPENDITURES FUND TOTAL | ($45,951,914) | ($45,971,071) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($73,458) | ($74,978) |
| All Other | ($15,978) | ($15,827) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($89,436) | ($90,805) |

### Federal and State Program Services Z079

Initiative: Transfers information technology expenditures from the Federal and State Program Services program to the School Finance and Operations program and the PK-20 Curriculum, Instruction and Assessment program within the same fund.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($9,808) | ($10,321) |
| GENERAL FUND TOTAL | ($9,808) | ($10,321) |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($32,778) | ($32,990) |
| FEDERAL EXPENDITURES FUND TOTAL | ($32,778) | ($32,990) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($1,330) | ($1,481) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($1,330) | ($1,481) |

### Federal and State Program Services Z079

Initiative: Reallocates the cost of one Education Specialist III position from 25% in the Federal and State Program Services program, Other Special Revenue Funds to 25% in the Leadership Team program, General Fund and eliminates All Other funding in the Federal and State Program Services program.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($19,208) | ($20,414) |
| All Other | ($1,286) | ($1,286) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($20,494) | ($21,700) |

## FEDERAL AND STATE PROGRAM SERVICES Z079

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| GENERAL FUND TOTAL | $0 | $0 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| POSITIONS - FTE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### FHM - School Breakfast Program Z068

Initiative: BASELINE BUDGET

| **FUND FOR A HEALTHY MAINE** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $152,068 | $152,068 |
| FUND FOR A HEALTHY MAINE TOTAL | $152,068 | $152,068 |

### FHM - School Breakfast Program Z068

Initiative: Provides funding to reimburse those public schools that are providing breakfast for the cost of providing free breakfast to eligible students.

| **FUND FOR A HEALTHY MAINE** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $61,652 | $61,652 |
| FUND FOR A HEALTHY MAINE TOTAL | $61,652 | $61,652 |

## FHM - SCHOOL BREAKFAST PROGRAM Z068 PROGRAM SUMMARY

| **FUND FOR A HEALTHY MAINE** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $213,720 | $213,720 |
| FUND FOR A HEALTHY MAINE TOTAL | $213,720 | $213,720 |

### FHM - School Nurse Consultant 0949

Initiative: BASELINE BUDGET

| **FUND FOR A HEALTHY MAINE** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $95,304 | $97,678 |
| All Other | $7,724 | $7,724 |
| FUND FOR A HEALTHY MAINE TOTAL | $103,028 | $105,402 |

### FHM - School Nurse Consultant 0949

Initiative: Eliminates one Education Specialist III position and related All Other to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| **FUND FOR A HEALTHY MAINE** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($95,304) | ($97,678) |
| All Other | ($7,724) | ($7,724) |
| FUND FOR A HEALTHY MAINE TOTAL | ($103,028) | ($105,402) |

## FHM - SCHOOL NURSE CONSULTANT 0949 PROGRAM SUMMARY

| **FUND FOR A HEALTHY MAINE** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

### General Purpose Aid for Local Schools 0308

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 23.000 | 23.000 |
| Personal Services | $1,821,943 | $1,883,386 |
| All Other | $948,053,784 | $948,053,784 |
| GENERAL FUND TOTAL | $949,875,727 | $949,937,170 |

### General Purpose Aid for Local Schools 0308

Initiative: Reduces funding in the General Purpose Aid for Local Schools program to recognize the loss of one-time federal American Recovery and Reinvestment Act of 2009 funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($71,520,550) | ($71,581,993) |
| GENERAL FUND TOTAL | ($71,520,550) | ($71,581,993) |

### General Purpose Aid for Local Schools 0308

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program in order to reflect expenditures in the appropriate program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($5,700,000) | ($5,700,000) |
| GENERAL FUND TOTAL | ($5,700,000) | ($5,700,000) |

### General Purpose Aid for Local Schools 0308

Initiative: Provides additional funding for the General Purpose Aid for Local Schools program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $22,344,823 | $41,344,823 |
| GENERAL FUND TOTAL | $22,344,823 | $41,344,823 |

### General Purpose Aid for Local Schools 0308

Initiative: Provides funding for the reorganization of one Director, Planning and Management Information position, range 34 to a Director, Policy and Programs position, range 36 and reallocates the cost from 100% General Purpose Aid for Local Schools program to 50% General Purpose Aid for Local Schools program and 50% Leadership Team program. Also reallocates the cost of a Deputy Commissioner position from 100% Leadership Team program to 50% Leadership Team program and 50% General Purpose Aid for Local Schools program all in the General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $11,657 | $11,593 |
| All Other | ($9,515) | ($9,647) |
| GENERAL FUND TOTAL | $2,142 | $1,946 |

### General Purpose Aid for Local Schools 0308

Initiative: Reduces funding for the Center for Excellence for At-Risk Students in fiscal year 2011-12 and fiscal year 2012-13.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($400,000) | ($200,000) |
| GENERAL FUND TOTAL | ($400,000) | ($200,000) |

## GENERAL PURPOSE AID FOR LOCAL SCHOOLS 0308

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 23.000 | 23.000 |
| Personal Services | $1,833,600 | $1,894,979 |
| All Other | $892,768,542 | $911,906,967 |
| GENERAL FUND TOTAL | $894,602,142 | $913,801,946 |

### Leadership Team Z077

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $1,022,197 | $1,050,808 |
| All Other | $491,707 | $491,707 |
| GENERAL FUND TOTAL | $1,513,904 | $1,542,515 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $121,765 | $125,664 |
| All Other | $162,602 | $162,602 |
| FEDERAL EXPENDITURES FUND TOTAL | $284,367 | $288,266 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $188,927 | $192,537 |
| All Other | $1,594,203 | $1,594,203 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,783,130 | $1,786,740 |

**Leadership Team Z077**

Initiative: Provides funding for the federal English Language Acquisition grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $622,942 | $619,019 |
| FEDERAL EXPENDITURES FUND TOTAL | $622,942 | $619,019 |

**Leadership Team Z077**

Initiative: Provides funding for the federal Refugee School Impact grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $34,593 | $34,406 |
| FEDERAL EXPENDITURES FUND TOTAL | $34,593 | $34,406 |

**Leadership Team Z077**

Initiative: Transfers one Office Assistant II position from the Leadership Team program, General Fund to the Adult Education program, Federal Expenditures Fund, reorganizes the position from an Office Assistant II position to an Education Specialist III position and transfers All Other to Personal Services to fund the reorganization.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($50,910) | ($54,436) |
| GENERAL FUND TOTAL | ($50,910) | ($54,436) |

**Leadership Team Z077**

Initiative: Reallocates the cost of one Education Specialist III position, one part-time Office Associate II position and All Other from the Leadership Team program to the PK-20 Curriculum, Instruction and Assessment program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.500) | (1.500) |
| Personal Services | ($117,315) | ($121,122) |
| All Other | ($141,104) | ($140,917) |
| FEDERAL EXPENDITURES FUND TOTAL | ($258,419) | ($262,039) |

**Leadership Team Z077**

Initiative: Reallocates the cost of one Education Specialist III position from 25% in the Federal and State Program Services program, Other Special Revenue Funds to 25% in the Leadership Team program, General Fund and eliminates All Other funding in the Federal and State Program Services program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $19,208 | $20,414 |
| GENERAL FUND TOTAL | $19,208 | $20,414 |

**Leadership Team Z077**

Initiative: Provides funding for the reorganization of one Director, Planning and Management Information position, range 34 to a Director, Policy and Programs position, range 36 and reallocates the cost from 100% General Purpose Aid for Local Schools program to 50% General Purpose Aid for Local Schools program and 50% Leadership Team program. Also reallocates the cost of a Deputy Commissioner position from 100% Leadership Team program to 50% Leadership Team program and 50% General Purpose Aid for Local Schools program all in the General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($2,142) | ($1,946) |
| GENERAL FUND TOTAL | ($2,142) | ($1,946) |

**Leadership Team Z077**

Initiative: Provides funding from the National Board for Professional Teaching Standards for professional development and mentoring.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,984,600 | $3,439,399 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,984,600 | $3,439,399 |

## LEADERSHIP TEAM Z077

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $988,353 | $1,014,840 |
| All Other | $491,707 | $491,707 |
| GENERAL FUND TOTAL | $1,480,060 | $1,506,547 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $4,450 | $4,542 |
| All Other | $679,033 | $675,110 |
| FEDERAL EXPENDITURES FUND TOTAL | $683,483 | $679,652 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $188,927 | $192,537 |
| All Other | $4,578,803 | $5,033,602 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,767,730 | $5,226,139 |

### Learning Through Technology Z029

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,265,318 | $1,265,318 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,265,318 | $1,265,318 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,526,566 | $1,526,566 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,526,566 | $1,526,566 |

### Learning Through Technology Z029

Initiative: Provides funding for payment for laptop computers.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,070,249 | $4,570,249 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,070,249 | $4,570,249 |

### Learning Through Technology Z029

Initiative: Provides funding for the federal Educational Technology State Grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,721 | $10,721 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,721 | $10,721 |

### Learning Through Technology Z029

Initiative: Eliminates funding in the Title V Media account as the grant has ended.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,613) | ($2,613) |
| FEDERAL EXPENDITURES FUND TOTAL | ($2,613) | ($2,613) |

### Learning Through Technology Z029

Initiative: Provides funding to support a contracted Digital Citizenship Program Manager to work on digital citizenship matters with education leaders and policy makers.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,000 | $35,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $35,000 | $35,000 |

## LEARNING THROUGH TECHNOLOGY Z029

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,273,426 | $1,273,426 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,273,426 | $1,273,426 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,631,815 | $6,131,815 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,631,815 | $6,131,815 |

### Obesity and Chronic Disease Fund Z111

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## OBESITY AND CHRONIC DISEASE FUND Z111

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.500 | 14.500 |
| Personal Services | $1,357,176 | $1,394,594 |
| All Other | $3,312,246 | $3,312,246 |
| GENERAL FUND TOTAL | $4,669,422 | $4,706,840 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.500 | 15.500 |
| Personal Services | $1,247,368 | $1,281,664 |
| All Other | $28,123,162 | $28,123,162 |
| FEDERAL EXPENDITURES FUND TOTAL | $29,370,530 | $29,404,826 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $54,640 | $54,640 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $54,640 | $54,640 |

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Eliminates funding for the federal Advanced Placement grant. The grant has ended.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($489,021) | ($489,021) |
| FEDERAL EXPENDITURES FUND TOTAL | ($489,021) | ($489,021) |

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,010 | $7,010 |
| GENERAL FUND TOTAL | $7,010 | $7,010 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.500 | 8.500 |
| POSITIONS - FTE COUNT | 0.576 | 0.576 |
| Personal Services | $642,043 | $661,412 |
| All Other | $45,309,871 | $45,309,659 |
| FEDERAL EXPENDITURES FUND TOTAL | $45,951,914 | $45,971,071 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,458 | $74,978 |
| All Other | $15,978 | $15,827 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $89,436 | $90,805 |

**PK-20 Curriculum, Instruction and Assessment Z081**

Initiative: Reallocates the cost of one Education Specialist III position from 100% Federal Expenditures Fund to 75% Federal Expenditures Fund and 25% General Fund effective October 1, 2011, transfers All Other to Personal Services in the General Fund to cover the cost of the transfer and eliminates All Other funding in the Reading First account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $13,349 | $25,025 |
| All Other | ($13,349) | ($25,025) |
| GENERAL FUND TOTAL | $0 | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | ($13,349) | ($25,025) |
| All Other | ($1,945) | ($1,226,955) |
| FEDERAL EXPENDITURES FUND TOTAL | ($15,294) | ($1,251,980) |

**PK-20 Curriculum, Instruction and Assessment Z081**

Initiative: Reorganizes one Education Specialist III position to an Education Specialist II position, transfers the position from the Special Services Team program to the PK-20 Curriculum, Instruction and Assessment program and eliminates All Other funding in the Drug Free Schools account.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $72,123 | $76,878 |
| All Other | $3,719 | $3,964 |
| FEDERAL EXPENDITURES FUND TOTAL | $75,842 | $80,842 |

**PK-20 Curriculum, Instruction and Assessment Z081**

Initiative: Provides funding for federal Title I grants to local education agencies.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,000,000 | $12,000,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $12,000,000 | $12,000,000 |

**PK-20 Curriculum, Instruction and Assessment Z081**

Initiative: Transfers information technology expenditures from the Federal and State Program Services program to the School Finance and Operations program and the PK-20 Curriculum, Instruction and Assessment program within the same fund.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,778 | $32,990 |
| FEDERAL EXPENDITURES FUND TOTAL | $32,778 | $32,990 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,330 | $1,481 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,330 | $1,481 |

**PK-20 Curriculum, Instruction and Assessment Z081**

Initiative: Eliminates funding for the federal Robert C. Byrd Honors Scholarship Program grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($189,024) | ($189,024) |
| FEDERAL EXPENDITURES FUND TOTAL | ($189,024) | ($189,024) |

**PK-20 Curriculum, Instruction and Assessment Z081**

Initiative: Reallocates the cost of one Education Specialist III position, one part-time Office Associate II position and All Other from the Leadership Team program to the PK-20 Curriculum, Instruction and Assessment program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $117,315 | $121,122 |
| All Other | $141,104 | $140,917 |
| FEDERAL EXPENDITURES FUND TOTAL | $258,419 | $262,039 |

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Provides funding to develop a state literacy team and plan.

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

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Reorganizes one Office Assistant II position to an Office Associate II position.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,223 | $5,571 |
| All Other | $269 | $287 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,492 | $5,858 |

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Provides funding for Accuplacer testing for high school students for use in admissions and placement by community colleges and universities.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| GENERAL FUND TOTAL | $25,000 | $25,000 |

## PK-20 CURRICULUM, INSTRUCTION AND ASSESSMENT Z081

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.500 | 14.500 |
| Personal Services | $1,370,525 | $1,419,619 |
| All Other | $3,330,907 | $3,319,231 |
| GENERAL FUND TOTAL | $4,701,432 | $4,738,850 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.500 | 26.500 |
| POSITIONS - FTE COUNT | 0.576 | 0.576 |
| Personal Services | $2,070,723 | $2,121,622 |
| All Other | $85,080,913 | $83,855,979 |
| FEDERAL EXPENDITURES FUND TOTAL | $87,151,636 | $85,977,601 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,458 | $74,978 |
| All Other | $71,948 | $71,948 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $145,406 | $146,926 |

### Retired Teachers Group Life Insurance Z033

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,531,951 | $2,531,951 |
| GENERAL FUND TOTAL | $2,531,951 | $2,531,951 |

### Retired Teachers Group Life Insurance Z033

Initiative: Provides funding for group life insurance for retired teachers.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $426,573 | $567,103 |
| GENERAL FUND TOTAL | $426,573 | $567,103 |

## RETIRED TEACHERS GROUP LIFE INSURANCE Z033

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,958,524 | $3,099,054 |
| GENERAL FUND TOTAL | $2,958,524 | $3,099,054 |

### Retired Teachers' Health Insurance 0854

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $19,800,684 | $19,800,684 |
| GENERAL FUND TOTAL | $19,800,684 | $19,800,684 |

### Retired Teachers' Health Insurance 0854

Initiative: Provides funding for increased retired teachers' health insurance costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,584,055 | $3,294,834 |
| GENERAL FUND TOTAL | $1,584,055 | $3,294,834 |

### Retired Teachers' Health Insurance 0854

Initiative: Adjusts funding to reflect projected savings from changes to future retiree health obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,615,261 | ($95,518) |
| GENERAL FUND TOTAL | $1,615,261 | ($95,518) |

## RETIRED TEACHERS' HEALTH INSURANCE 0854

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $23,000,000 | $23,000,000 |
| GENERAL FUND TOTAL | $23,000,000 | $23,000,000 |

### School Finance and Operations Z078

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $239,631 | $255,796 |
| All Other | $1,748,816 | $1,748,816 |
| GENERAL FUND TOTAL | $1,988,447 | $2,004,612 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $469,222 | $481,155 |
| All Other | $29,935,324 | $29,935,324 |
| FEDERAL EXPENDITURES FUND TOTAL | $30,404,546 | $30,416,479 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $347,502 | $359,249 |
| All Other | $131,569 | $131,569 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $479,071 | $490,818 |

### School Finance and Operations Z078

Initiative: Provides funding for a maintenance and capital improvement program for school buildings.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $118,295 | $118,295 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $118,295 | $118,295 |

### School Finance and Operations Z078

Initiative: Provides funding to purchase heaters for buses.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,000 | $50,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $50,000 | $50,000 |

### School Finance and Operations Z078

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of

Education. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $573,660 | $597,835 |
| All Other | $53,388 | $52,875 |
| GENERAL FUND TOTAL | $627,048 | $650,710 |

**School Finance and Operations Z078**

Initiative: Provides funding for the federal School Nutrition Administration grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,901,488 | $16,901,488 |
| FEDERAL EXPENDITURES FUND TOTAL | $16,901,488 | $16,901,488 |

**School Finance and Operations Z078**

Initiative: Provides funding for information technology expenditures.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $145,360 | $145,360 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $145,360 | $145,360 |

**School Finance and Operations Z078**

Initiative: Transfers information technology expenditures from the Federal and State Program Services program to the School Finance and Operations program and the PK-20 Curriculum, Instruction and Assessment program within the same fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $9,808 | $10,321 |
| GENERAL FUND TOTAL | $9,808 | $10,321 |

**School Finance and Operations Z078**

Initiative: Reduces funding for Tools for Educational Achievement in Maine as the federal grant has ended.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($332,938) | ($332,938) |
| FEDERAL EXPENDITURES FUND TOTAL | ($332,938) | ($332,938) |

**School Finance and Operations Z078**

Initiative: Continues one limited-period Education Specialist II position through November 30, 2012 and provides funding to save and create education jobs.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $91,475 | $40,633 |
| All Other | $33,590,127 | $2,095 |
| FEDERAL EXPENDITURES FUND TOTAL | $33,681,602 | $42,728 |

## SCHOOL FINANCE AND OPERATIONS Z078 PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $813,291 | $853,631 |
| All Other | $1,812,012 | $1,812,012 |
| GENERAL FUND TOTAL | $2,625,303 | $2,665,643 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $560,697 | $521,788 |
| All Other | $80,144,001 | $46,555,969 |
| FEDERAL EXPENDITURES FUND TOTAL | $80,704,698 | $47,077,757 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $347,502 | $359,249 |
| All Other | $395,224 | $395,224 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $742,726 | $754,473 |

**Special Services Team Z080**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $342,921 | $342,921 |
| GENERAL FUND TOTAL | $342,921 | $342,921 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 33.000 | 33.000 |
| Personal Services | $2,564,650 | $2,644,031 |
| All Other | $65,295,497 | $65,295,497 |
| FEDERAL EXPENDITURES FUND TOTAL | $67,860,147 | $67,939,528 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $188,532 | $193,546 |
| All Other | $57,083 | $57,083 |
| FEDERAL BLOCK GRANT FUND TOTAL | $245,615 | $250,629 |

### Special Services Team Z080

Initiative: Eliminates funding in the Rape Crisis account as the federal grant has ended.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($60,000) | ($60,000) |
| FEDERAL EXPENDITURES FUND TOTAL | ($60,000) | ($60,000) |

### Special Services Team Z080

Initiative: Provides funding for the federal State Personnel Development grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $122,151 | $122,151 |
| FEDERAL EXPENDITURES FUND TOTAL | $122,151 | $122,151 |

### Special Services Team Z080

Initiative: Reorganizes one Education Specialist III position to an Education Specialist II position, transfers the position from the Special Services Team program to the PK-20 Curriculum, Instruction and Assessment program and eliminates All Other funding in the Drug Free Schools account.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($76,832) | ($81,659) |
| All Other | ($2,641) | ($2,765) |
| FEDERAL EXPENDITURES FUND TOTAL | ($79,473) | ($84,424) |

### Special Services Team Z080

Initiative: Provides funding for the federal After School Learning Center Formula Award grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $209,000 | $209,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $209,000 | $209,000 |

## SPECIAL SERVICES TEAM Z080

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $342,921 | $342,921 |
| GENERAL FUND TOTAL | $342,921 | $342,921 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 32.000 | 32.000 |
| Personal Services | $2,487,818 | $2,562,372 |
| All Other | $65,564,007 | $65,563,883 |
| FEDERAL EXPENDITURES FUND TOTAL | $68,051,825 | $68,126,255 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $188,532 | $193,546 |
| All Other | $57,083 | $57,083 |

| | | |
|---|---|---|
| FEDERAL BLOCK GRANT FUND TOTAL | $245,615 | $250,629 |

**Teacher Retirement 0170**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $196,728,565 | $196,728,565 |
| GENERAL FUND TOTAL | $196,728,565 | $196,728,565 |

**Teacher Retirement 0170**

Initiative: Provides funding for teacher retirement costs based upon actuarial estimates for inflation and general salary increases from the Maine Public Employees Retirement System.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $71,119,535 | $83,842,320 |
| GENERAL FUND TOTAL | $71,119,535 | $83,842,320 |

**Teacher Retirement 0170**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($19,386,505) | ($28,277,286) |
| GENERAL FUND TOTAL | ($19,386,505) | ($28,277,286) |

**Teacher Retirement 0170**

Initiative: Reduces funding to reflect projected savings from changes to future pension obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($101,827,271) | ($103,459,761) |
| GENERAL FUND TOTAL | ($101,827,271) | ($103,459,761) |

**TEACHER RETIREMENT 0170**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $146,634,324 | $148,833,838 |
| GENERAL FUND TOTAL | $146,634,324 | $148,833,838 |

| EDUCATION, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $1,119,393,118 | $1,141,161,913 |
| FEDERAL EXPENDITURES FUND | $245,430,735 | $210,696,652 |
| FUND FOR A HEALTHY MAINE | $213,720 | $213,720 |
| OTHER SPECIAL REVENUE FUNDS | $13,774,567 | $12,747,855 |
| FEDERAL BLOCK GRANT FUND | $245,615 | $250,629 |
| DEPARTMENT TOTAL - ALL FUNDS | $1,379,057,755 | $1,365,070,769 |

**Sec. A-23. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, STATE BOARD OF**

**State Board of Education 0614**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $21,192 | $21,192 |
| All Other | $79,169 | $79,169 |
| GENERAL FUND TOTAL | $100,361 | $100,361 |

**STATE BOARD OF EDUCATION 0614**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $21,192 | $21,192 |
| All Other | $79,169 | $79,169 |
| GENERAL FUND TOTAL | $100,361 | $100,361 |

**Sec. A-24. Appropriations and allocations.** The following appropriations and allocations are made.

**EFFICIENCY MAINE TRUST**

**Conservation Administration Fund Z098**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $432,774 | $432,774 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $432,774 | $432,774 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,200,000 | $1,200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,200,000 | $1,200,000 |

| **FEDERAL EXPENDITURES FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $4,576,500 | $4,576,500 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $4,576,500 | $4,576,500 |

| **FEDERAL BLOCK GRANT FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $557,725 | $557,725 |
| FEDERAL BLOCK GRANT FUND ARRA TOTAL | $557,725 | $557,725 |

### Conservation Administration Fund Z098

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($432,774) | ($432,774) |
| FEDERAL EXPENDITURES FUND TOTAL | ($432,774) | ($432,774) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($1,200,000) | ($1,200,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($1,200,000) | ($1,200,000) |

| **FEDERAL EXPENDITURES FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($4,576,500) | ($4,576,500) |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | ($4,576,500) | ($4,576,500) |

| **FEDERAL BLOCK GRANT FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($557,725) | ($557,725) |
| FEDERAL BLOCK GRANT FUND ARRA TOTAL | ($557,725) | ($557,725) |

## CONSERVATION ADMINISTRATION FUND Z098

## PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

| **FEDERAL EXPENDITURES FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $0 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $0 | $0 |

| **FEDERAL BLOCK GRANT FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $0 |
| FEDERAL BLOCK GRANT FUND ARRA TOTAL | $0 | $0 |

### Conservation Program Fund Z099

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $14,135,334 | $14,135,334 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,135,334 | $14,135,334 |

### Conservation Program Fund Z099

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($14,135,334) | ($14,135,334) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($14,135,334) | ($14,135,334) |

## CONSERVATION PROGRAM FUND Z099

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Efficiency Maine Trust Z100

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $263,400 | $263,400 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $263,400 | $263,400 |

### Efficiency Maine Trust Z100

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,521,632 | $13,505,164 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $13,521,632 | $13,505,164 |

### Efficiency Maine Trust Z100

Initiative: Continues one Planner II position, one Office Specialist I position, one Public Service Coordinator II position and one Public Service Coordinator III position to provide funding for the Efficiency Maine Trust employees who have elected to remain state employees in accordance with Public Law 2009, chapter 372, Part C. These positions were established in fiscal year 2010-11 by Financial Order 006168 F1.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $340,838 | $356,978 |
| All Other | $6,919 | $7,247 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $347,757 | $364,225 |

## EFFICIENCY MAINE TRUST Z100

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $340,838 | $356,978 |
| All Other | $13,791,951 | $13,775,811 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,132,789 | $14,132,789 |

### Energy and Carbon Savings Trust Fund Z101

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $30,000,000 | $30,000,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $30,000,000 | $30,000,000 |

### Energy and Carbon Savings Trust Fund Z101

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($30,000,000) | ($30,000,000) |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($30,000,000) | ($30,000,000) |

## ENERGY AND CARBON SAVINGS TRUST FUND Z101

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Energy Conservation Small Business Revolving Loan Fund Z102

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $410,000 | $410,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $410,000 | $410,000 |

### Energy Conservation Small Business Revolving Loan Fund Z102

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($410,000) | ($410,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($410,000) | ($410,000) |

## ENERGY CONSERVATION SMALL BUSINESS REVOLVING LOAN FUND Z102

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Heating Fuels Efficiency and Weatherization Fund Z103

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Heating Fuels Efficiency and Weatherization Fund Z103

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($500) | ($500) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($500) | ($500) |

## HEATING FUELS EFFICIENCY AND WEATHERIZATION FUND Z103

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Natural Gas Conservation Fund Z104

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $891,000 | $891,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $891,000 | $891,000 |

### Natural Gas Conservation Fund Z104

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($891,000) | ($891,000) |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($891,000) | ($891,000) |

## NATURAL GAS CONSERVATION FUND Z104

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Renewable Resource Fund Z107

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $75,000 | $75,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $75,000 | $75,000 |

### Renewable Resource Fund Z107

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($75,000) | ($75,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($75,000) | ($75,000) |

## RENEWABLE RESOURCE FUND Z107

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Solar Rebate Program Fund Z105

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $750,000 | $750,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $750,000 | $750,000 |

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500,000 | $500,000 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $500,000 | $500,000 |

### Solar Rebate Program Fund Z105

Initiative: Adjusts funding to correctly reflect financial activity associated with Efficiency Maine Trust program accounts based on Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($750,000) | ($750,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($750,000) | ($750,000) |

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($500,000) | ($500,000) |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | ($500,000) | ($500,000) |

## SOLAR REBATE PROGRAM FUND Z105

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $0 | $0 |

| EFFICIENCY MAINE TRUST<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS | $14,132,789 | $14,132,789 |
| FEDERAL EXPENDITURES FUND ARRA | $0 | $0 |
| FEDERAL BLOCK GRANT FUND ARRA | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $14,132,789 | $14,132,789 |

**Sec. A-25. Appropriations and allocations.** The following appropriations and allocations are made.

## ENVIRONMENTAL PROTECTION, DEPARTMENT OF

### Administration - Environmental Protection 0251

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $271,704 | $278,768 |
| All Other | $497,416 | $497,416 |
| GENERAL FUND TOTAL | $769,120 | $776,184 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 27.000 | 27.000 |
| Personal Services | $2,106,861 | $2,170,878 |
| All Other | $3,804,799 | $3,804,799 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,911,660 | $5,975,677 |

### Administration - Environmental Protection 0251

Initiative: Transfers one Environmental Specialist III position from the Performance Partnership Grant program, Federal Expenditures Fund to the Administration - Environmental Protection program, Other Special Revenue Funds and transfers All Other to Personal Services to fund the transfer and to maintain allocations within projections.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,082 | $74,735 |
| All Other | ($100,773) | ($103,546) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($27,691) | ($28,811) |

## ADMINISTRATION - ENVIRONMENTAL PROTECTION 0251

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $271,704 | $278,768 |
| All Other | $497,416 | $497,416 |
| GENERAL FUND TOTAL | $769,120 | $776,184 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 28.000 | 28.000 |
| Personal Services | $2,179,943 | $2,245,613 |
| All Other | $3,704,026 | $3,701,253 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,883,969 | $5,946,866 |

### Air Quality 0250

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.000 | 15.000 |
| Personal Services | $1,196,208 | $1,231,102 |
| All Other | $59,883 | $59,883 |
| GENERAL FUND TOTAL | $1,256,091 | $1,290,985 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $285,887 | $291,985 |
| All Other | $2,084,010 | $2,084,010 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $2,369,897 | $2,375,995 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $450,000 | $450,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $450,000 | $450,000 |

### Air Quality 0250

Initiative: Provides funding for grants available on an ongoing basis from the United States Environmental Protection Agency for the purpose of implementing the National Clean Diesel Funding Assistance Program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $600,000 | $600,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $600,000 | $600,000 |

## AIR QUALITY 0250

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.000 | 15.000 |
| Personal Services | $1,196,208 | $1,231,102 |
| All Other | $59,883 | $59,883 |
| GENERAL FUND TOTAL | $1,256,091 | $1,290,985 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $285,887 | $291,985 |
| All Other | $2,684,010 | $2,684,010 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,969,897 | $2,975,995 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $450,000 | $450,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $450,000 | $450,000 |

### Board of Environmental Protection Fund 0025

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $196,236 | $200,220 |
| All Other | $109,889 | $109,889 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $306,125 | $310,109 |

## BOARD OF ENVIRONMENTAL PROTECTION FUND 0025

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $196,236 | $200,220 |
| All Other | $109,889 | $109,889 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $306,125 | $310,109 |

### Land and Water Quality 0248

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 45.000 | 45.000 |
| POSITIONS - FTE COUNT | 0.308 | 0.308 |
| Personal Services | $3,639,928 | $3,765,034 |
| All Other | $587,772 | $587,772 |
| GENERAL FUND TOTAL | $4,227,700 | $4,352,806 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $577,479 | $598,930 |
| All Other | $376,901 | $376,901 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $954,380 | $975,831 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,025,324 | $1,052,177 |
| All Other | $843,946 | $843,946 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,869,270 | $1,896,123 |

### Land and Water Quality 0248

Initiative: Reorganizes 2 16-week seasonal Conservation Aide positions and one 19-week seasonal Conservation Aide position to one full-time Conservation Aide position funded 70% in the Performance Partnership Grant program, Federal Expenditures Fund and 30% in the Land and Water Quality program, General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | (0.308) | (0.308) |
| Personal Services | ($351) | ($373) |
| GENERAL FUND TOTAL | ($351) | ($373) |

### Land and Water Quality 0248

Initiative: Provides funding for a state match for federal funds allocated to the state revolving loan fund established in the Maine Revised Statutes, Title 30-A, section 6006-A.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $850,000 | $0 |
| GENERAL FUND TOTAL | $850,000 | $0 |

## LAND AND WATER QUALITY 0248

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 45.000 | 45.000 |
| POSITIONS - FTE COUNT | 0.000 | 0.000 |
| Personal Services | $3,639,577 | $3,764,661 |
| All Other | $1,437,772 | $587,772 |
| GENERAL FUND TOTAL | $5,077,349 | $4,352,433 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $577,479 | $598,930 |
| All Other | $376,901 | $376,901 |
| FEDERAL EXPENDITURES FUND TOTAL | $954,380 | $975,831 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,025,324 | $1,052,177 |
| All Other | $843,946 | $843,946 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,869,270 | $1,896,123 |

### Maine Environmental Protection Fund 0421

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 70.000 | 70.000 |
| POSITIONS - FTE COUNT | 2.192 | 2.192 |
| Personal Services | $5,690,897 | $5,894,752 |
| All Other | $1,331,366 | $1,331,366 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,022,263 | $7,226,118 |

### Maine Environmental Protection Fund 0421

Initiative: Transfers one Conservation Aide position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Performance Partnership Grant program, Federal Expenditures Fund.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | (0.327) | (0.327) |
| Personal Services | ($9,555) | ($9,692) |
| All Other | ($284) | ($288) |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($9,839) | ($9,980) |

### Maine Environmental Protection Fund 0421

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation to monitor and maintain baseline data about ambient air quality.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $150,000 | $150,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $150,000 | $150,000 |

## MAINE ENVIRONMENTAL PROTECTION FUND 0421

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 70.000 | 70.000 |
| POSITIONS - FTE COUNT | 1.865 | 1.865 |
| Personal Services | $5,681,342 | $5,885,060 |
| All Other | $1,331,082 | $1,331,078 |
| Capital Expenditures | $150,000 | $150,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,162,424 | $7,366,138 |

### Performance Partnership Grant 0851

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 72.500 | 72.500 |
| POSITIONS - FTE COUNT | 0.942 | 0.942 |
| Personal Services | $5,971,816 | $6,153,746 |
| All Other | $3,555,722 | $3,555,722 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,527,538 | $9,709,468 |

### Performance Partnership Grant 0851

Initiative: Reorganizes 2 16-week seasonal Conservation Aide positions and one 19-week seasonal Conservation Aide position to one full-time Conservation Aide position funded 70% in the Performance Partnership Grant program, Federal Expenditures Fund and 30% in the Land and Water Quality program, General Fund.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | (0.673) | (0.673) |
| Personal Services | $5,198 | $5,915 |
| All Other | $154 | $176 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,352 | $6,091 |

### Performance Partnership Grant 0851

Initiative: Transfers one Conservation Aide position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Performance Partnership Grant program, Federal Expenditures Fund.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.327 | 0.327 |
| Personal Services | $9,555 | $9,692 |
| All Other | $284 | $288 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,839 | $9,980 |

### Performance Partnership Grant 0851

Initiative: Transfers one Environmental Specialist III position from the Performance Partnership Grant program, Federal Expenditures Fund to the Administration - Environmental Protection program, Other Special Revenue Funds and transfers All Other to Personal Services to fund the transfer and to maintain allocations within projections.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($73,082) | ($74,735) |
| All Other | ($2,172) | ($2,221) |

### Performance Partnership Grant 0851

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | ($75,254) | ($76,956) |

**Performance Partnership Grant 0851**

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation to monitor and maintain baseline data about surface water quality.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $42,000 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $42,000 | $0 |

## PERFORMANCE PARTNERSHIP GRANT 0851 PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 72.500 | 72.500 |
| POSITIONS - FTE COUNT | 0.596 | 0.596 |
| Personal Services | $5,913,487 | $6,094,618 |
| All Other | $3,553,988 | $3,553,965 |
| Capital Expenditures | $42,000 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,509,475 | $9,648,583 |

**Remediation and Waste Management 0247**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $159,882 | $164,143 |
| All Other | $219,911 | $219,911 |
| GENERAL FUND TOTAL | $379,793 | $384,054 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $2,177,184 | $2,242,209 |
| All Other | $2,394,484 | $2,394,484 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,571,668 | $4,636,693 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 120.000 | 120.000 |
| POSITIONS - FTE COUNT | 0.924 | 0.924 |
| Personal Services | $10,875,723 | $11,183,414 |
| All Other | $25,254,816 | $25,262,166 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $36,130,539 | $36,445,580 |

**Remediation and Waste Management 0247**

Initiative: Transfers 2 Environmental Specialist III positions from Other Special Revenue Funds to General Fund within the same program and transfers All Other to Personal Services to fund the transfer.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $154,215 | $158,179 |
| All Other | ($154,215) | ($158,179) |
| GENERAL FUND TOTAL | $0 | $0 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($154,215) | ($158,179) |
| All Other | ($4,583) | ($4,701) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($158,798) | ($162,880) |

**Remediation and Waste Management 0247**

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation for investigating and cleaning up spilled hazardous materials and petroleum products.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $20,000 | $20,000 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $20,000 | $20,000 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| Capital Expenditures | $603,000 | $471,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $603,000 | $471,000 |

### Remediation and Waste Management 0247

Initiative: Provides funding on a one-time basis that is essential for funding remediation activities that must occur in fiscal year 2011-12 at locations that pose immediate and substantial threats to public health and the environment.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $500,000 | $0 |
| GENERAL FUND TOTAL | $500,000 | $0 |

## REMEDIATION AND WASTE MANAGEMENT 0247

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $314,097 | $322,322 |
| All Other | $565,696 | $61,732 |
| GENERAL FUND TOTAL | $879,793 | $384,054 |
| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $2,177,184 | $2,242,209 |
| All Other | $2,394,484 | $2,394,484 |
| Capital Expenditures | $20,000 | $20,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,591,668 | $4,656,693 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 118.000 | 118.000 |
| POSITIONS - FTE COUNT | 0.924 | 0.924 |
| Personal Services | $10,721,508 | $11,025,235 |
| All Other | $25,250,233 | $25,257,465 |
| Capital Expenditures | $603,000 | $471,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $36,574,741 | $36,753,700 |

| **ENVIRONMENTAL PROTECTION, DEPARTMENT OF** | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$7,982,353** | **$6,803,656** |
| **FEDERAL EXPENDITURES FUND** | **$18,025,420** | **$18,257,102** |
| **OTHER SPECIAL REVENUE FUNDS** | **$52,246,529** | **$52,722,936** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$78,254,302** | **$77,783,694** |

**Sec. A-26. Appropriations and allocations.** The following appropriations and allocations are made.

## ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

### Governmental Ethics and Election Practices - Commission on 0414

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $127,403 | $131,811 |
| All Other | $9,615 | $9,615 |
| GENERAL FUND TOTAL | $137,018 | $141,426 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $391,153 | $405,654 |
| All Other | $1,195,247 | $1,195,247 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,586,400 | $1,600,901 |

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Provides funding for the development and implementation of an online system for the filing of financial statements by Legislators and certain executive branch officials.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $0 |

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Establishes one project Planning and Research Assistant position needed to administer the 2012 election. This position begins on January 1, 2012 and ends on December 31, 2012.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $30,674 | $31,711 |
| All Other | ($30,674) | ($31,711) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

## GOVERNMENTAL ETHICS AND ELECTION PRACTICES - COMMISSION ON 0414

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $127,403 | $131,811 |
| All Other | $9,615 | $9,615 |
| GENERAL FUND TOTAL | $137,018 | $141,426 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $421,827 | $437,365 |
| All Other | $1,174,573 | $1,163,536 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,596,400 | $1,600,901 |

| ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $137,018 | $141,426 |
| OTHER SPECIAL REVENUE FUNDS | $1,596,400 | $1,600,901 |
| DEPARTMENT TOTAL - ALL FUNDS | $1,733,418 | $1,742,327 |

**Sec. A-27. Appropriations and allocations.** The following appropriations and allocations are made.

## EXECUTIVE DEPARTMENT

**Administration - Executive - Governor's Office 0165**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 22.500 | 22.500 |
| Personal Services | $2,170,014 | $2,296,024 |
| All Other | $433,965 | $433,965 |
| GENERAL FUND TOTAL | $2,603,979 | $2,729,989 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $214,618 | $222,368 |
| All Other | $599,986 | $599,986 |
| FEDERAL EXPENDITURES FUND TOTAL | $814,604 | $822,354 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Administration - Executive - Governor's Office 0165**

Initiative: Continues one limited-period Governor's Special Assistant position through June 9, 2012. This

position was previously authorized to continue in Public Law 2007, chapter 240.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $107,101 | $0 |
| All Other | $768 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $107,869 | $0 |

### Administration - Executive - Governor's Office 0165

Initiative: Eliminates one seasonal Governor's Special Assistant position and changes one seasonal Governor's Special Assistant position to permanent full-time in the Blaine House program and eliminates one Governor's Special Assistant position funded 19% General Fund and 81% Federal Expenditures Fund and reduces the hours of one part-time Governor's Special Assistant position in the Administration - Executive - Governor's Office program to offset the cost and the legislative headcount in the Blaine House program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($30,161) | ($31,822) |
| GENERAL FUND TOTAL | ($30,161) | ($31,822) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($79,552) | ($83,487) |
| FEDERAL EXPENDITURES FUND TOTAL | ($79,552) | ($83,487) |

### Administration - Executive - Governor's Office 0165

Initiative: Transfers one Governor's Special Assistant position from the Governor's Office program to the Governor's Office of Communications program and reorganizes it to a Director, Office of Communications position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($110,127) | ($117,118) |
| GENERAL FUND TOTAL | ($110,127) | ($117,118) |

## ADMINISTRATION - EXECUTIVE - GOVERNOR'S OFFICE 0165

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 20.500 | 20.500 |
| Personal Services | $2,029,726 | $2,147,084 |
| All Other | $433,965 | $433,965 |
| GENERAL FUND TOTAL | $2,463,691 | $2,581,049 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $242,167 | $138,881 |
| All Other | $600,754 | $599,986 |
| FEDERAL EXPENDITURES FUND TOTAL | $842,921 | $738,867 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Blaine House 0072

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| POSITIONS - FTE COUNT | 1.315 | 1.315 |
| Personal Services | $466,740 | $495,251 |
| All Other | $52,773 | $52,773 |
| GENERAL FUND TOTAL | $519,513 | $548,024 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,240 | $5,240 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,240 | $5,240 |

### Blaine House 0072

Initiative: Eliminates one seasonal Governor's Special Assistant position and changes one seasonal Governor's Special Assistant position to permanent full-time in the Blaine House program and eliminates one Governor's Special Assistant position funded 19% General Fund and 81% Federal Expenditures Fund and reduces the hours of one part-time Governor's Special Assistant position in the Administration - Executive - Governor's Office program to offset the cost and the legislative headcount in the Blaine House program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | (0.631) | (0.631) |
| Personal Services | $27,033 | $30,296 |
| GENERAL FUND TOTAL | $27,033 | $30,296 |

## BLAINE HOUSE 0072

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| POSITIONS - FTE COUNT | 0.684 | 0.684 |
| Personal Services | $493,773 | $525,547 |
| All Other | $52,773 | $52,773 |
| GENERAL FUND TOTAL | $546,546 | $578,320 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,240 | $5,240 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,240 | $5,240 |

### Floodplain Mapping Fund Z116

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## FLOODPLAIN MAPPING FUND Z116

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Governor's Office of Communications Z127

Initiative: Transfers one Governor's Special Assistant position from the Governor's Office program to the Governor's Office of Communications program and reorganizes it to a Director, Office of Communications position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $110,127 | $117,118 |
| GENERAL FUND TOTAL | $110,127 | $117,118 |

## GOVERNOR'S OFFICE OF COMMUNICATIONS Z127

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $110,127 | $117,118 |
| GENERAL FUND TOTAL | $110,127 | $117,118 |

### Governor's Office of Energy Independence and Security Z122

Initiative: Provides funding for the federal State Energy Program grant.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $250,000 | $250,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $250,000 | $250,000 |

## GOVERNOR'S OFFICE OF ENERGY INDEPENDENCE AND SECURITY Z122

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $250,000 | $250,000 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $250,000 | $250,000 |

### Land for Maine's Future Fund 0060

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $79,201 | $80,989 |
| All Other | $5,000 | $5,000 |
| GENERAL FUND TOTAL | $84,201 | $85,989 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $49,707 | $49,707 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $49,707 | $49,707 |

## LAND FOR MAINE'S FUTURE FUND 0060

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $79,201 | $80,989 |
| All Other | $5,000 | $5,000 |
| GENERAL FUND TOTAL | $84,201 | $85,989 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $49,707 | $49,707 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $49,707 | $49,707 |

### Maine Code Enforcement Training and Certification Fund Z093

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $133,505 | $142,024 |
| All Other | $9,008 | $9,008 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $142,513 | $151,032 |

## MAINE CODE ENFORCEMENT TRAINING AND CERTIFICATION FUND Z093

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $133,505 | $142,024 |
| All Other | $9,008 | $9,008 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $142,513 | $151,032 |

### Ombudsman Program 0103

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $117,697 | $117,697 |
| GENERAL FUND TOTAL | $117,697 | $117,697 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $57,150 | $57,150 |
| FEDERAL EXPENDITURES FUND TOTAL | $57,150 | $57,150 |

## OMBUDSMAN PROGRAM 0103

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $117,697 | $117,697 |
| GENERAL FUND TOTAL | $117,697 | $117,697 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $57,150 | $57,150 |
| FEDERAL EXPENDITURES FUND TOTAL | $57,150 | $57,150 |

### Planning Office 0082

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |
| Personal Services | $1,254,921 | $1,299,027 |
| All Other | $368,326 | $368,326 |
| GENERAL FUND TOTAL | $1,623,247 | $1,667,353 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 18.000 | 18.000 |
| Personal Services | $1,322,932 | $1,371,115 |
| All Other | $3,533,621 | $3,533,621 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,856,553 | $4,904,736 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $968,732 | $1,014,652 |
| All Other | $1,923,944 | $1,923,944 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,892,676 | $2,938,596 |

### Planning Office 0082

Initiative: Transfers one Senior Planner position and reallocates the cost of one Senior Planner position and associated All Other costs from the Other Special Revenue Funds to the Federal Expenditures Fund within the same program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $102,957 | $104,743 |
| All Other | $85,363 | $83,577 |
| FEDERAL EXPENDITURES FUND TOTAL | $188,320 | $188,320 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($102,957) | ($104,743) |
| All Other | ($85,363) | ($83,577) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($188,320) | ($188,320) |

### Planning Office 0082

Initiative: Reduces funding based on projected available resources.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($194,434) | ($196,220) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($194,434) | ($196,220) |

### Planning Office 0082

Initiative: Eliminates one vacant Economist position, one vacant Public Service Manager II position, one vacant Public Service Coordinator position, one Senior Planner position and one Office Associate position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($278,358) | ($291,751) |
| All Other | ($2,262) | ($2,262) |
| GENERAL FUND TOTAL | ($280,620) | ($294,013) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($120,840) | ($128,428) |
| All Other | ($1,113) | ($1,113) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($121,953) | ($129,541) |

## PLANNING OFFICE 0082

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $976,563 | $1,007,276 |
| All Other | $366,064 | $366,064 |
| GENERAL FUND TOTAL | $1,342,627 | $1,373,340 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| Personal Services | $1,425,889 | $1,475,858 |
| All Other | $3,618,984 | $3,617,198 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,044,873 | $5,093,056 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $744,935 | $781,481 |
| All Other | $1,643,034 | $1,643,034 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,387,969 | $2,424,515 |

### Public Advocate 0410

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $1,133,242 | $1,157,513 |
| All Other | $567,081 | $567,081 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,700,323 | $1,724,594 |

### PUBLIC ADVOCATE 0410

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $1,133,242 | $1,157,513 |
| All Other | $567,081 | $567,081 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,700,323 | $1,724,594 |

| EXECUTIVE DEPARTMENT DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $4,664,889 | $4,853,513 |
| FEDERAL EXPENDITURES FUND | $6,194,944 | $6,139,073 |
| OTHER SPECIAL REVENUE FUNDS | $4,286,752 | $4,356,088 |
| DEPARTMENT TOTAL - ALL FUNDS | $15,146,585 | $15,348,674 |

**Sec. A-28. Appropriations and allocations.** The following appropriations and allocations are made.

### FINANCE AUTHORITY OF MAINE

### Clean Fuel Vehicle Fund Z115

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $25,000 | $25,000 |

### CLEAN FUEL VEHICLE FUND Z115

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $25,000 | $25,000 |

### Doctors For Maine's Future Scholarship Fund Z090

Initiative: Provides one-time funding for the Doctors for Maine's Future Scholarship Program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $125,445 |
| GENERAL FUND TOTAL | $0 | $125,445 |

### DOCTORS FOR MAINE'S FUTURE SCHOLARSHIP FUND Z090

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $125,445 |
| GENERAL FUND TOTAL | $0 | $125,445 |

**FHM - Dental Education 0951**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $237,740 | $237,740 |
| FUND FOR A HEALTHY MAINE TOTAL | $237,740 | $237,740 |

**FHM - DENTAL EDUCATION 0951**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $237,740 | $237,740 |
| FUND FOR A HEALTHY MAINE TOTAL | $237,740 | $237,740 |

**FHM - Health Education Centers 0950**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,353 | $100,353 |
| FUND FOR A HEALTHY MAINE TOTAL | $100,353 | $100,353 |

**FHM - HEALTH EDUCATION CENTERS 0950**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,353 | $100,353 |
| FUND FOR A HEALTHY MAINE TOTAL | $100,353 | $100,353 |

**FHM - Quality Child Care 0952**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $143,629 | $143,629 |
| FUND FOR A HEALTHY MAINE TOTAL | $143,629 | $143,629 |

**FHM - Quality Child Care 0952**

Initiative: Reduces funding to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($143,629) | ($143,629) |
| FUND FOR A HEALTHY MAINE TOTAL | ($143,629) | ($143,629) |

**FHM - QUALITY CHILD CARE 0952**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

**Student Financial Assistance Programs 0653**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,973,453 | $10,973,453 |
| GENERAL FUND TOTAL | $10,973,453 | $10,973,453 |

**Student Financial Assistance Programs 0653**

Initiative: Provides funding to allow the authority to award need-based grants for the Maine State Grant Program and student loans in the Educators for Maine Program and the Health Professions Loan Program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,000 | $100,000 |
| GENERAL FUND TOTAL | $100,000 | $100,000 |

**STUDENT FINANCIAL ASSISTANCE PROGRAMS 0653**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,073,453 | $11,073,453 |
| GENERAL FUND TOTAL | $11,073,453 | $11,073,453 |

**Waste Motor Oil Disposal Site Remediation Program Z060**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,925,000 | $2,925,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,925,000 | $2,925,000 |

**Waste Motor Oil Disposal Site Remediation Program Z060**

Initiative: Provides funding for the Waste Motor Oil Revenue Fund account to bring allocations in line with projected available resources.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,075,000 | $2,075,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,075,000 | $2,075,000 |

**WASTE MOTOR OIL DISPOSAL SITE REMEDIATION PROGRAM Z060**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,000,000 | $5,000,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,000,000 | $5,000,000 |

**FINANCE AUTHORITY OF MAINE**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $11,073,453 | $11,198,898 |
| FUND FOR A HEALTHY MAINE | $338,093 | $338,093 |
| OTHER SPECIAL REVENUE FUNDS | $5,025,000 | $5,025,000 |
| DEPARTMENT TOTAL - ALL FUNDS | $16,436,546 | $16,561,991 |

**Sec. A-29. Appropriations and allocations.** The following appropriations and allocations are made.

**FIRE PROTECTION SERVICES COMMISSION, MAINE**

**Maine Fire Protection Services Commission 0936**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| GENERAL FUND TOTAL | $500 | $500 |

**MAINE FIRE PROTECTION SERVICES COMMISSION 0936**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| GENERAL FUND TOTAL | $500 | $500 |

**Sec. A-30. Appropriations and allocations.** The following appropriations and allocations are made.

**FOUNDATION FOR BLOOD RESEARCH**

**ScienceWorks for ME 0908**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $54,130 | $54,130 |
| GENERAL FUND TOTAL | $54,130 | $54,130 |

**SCIENCEWORKS FOR ME 0908**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $54,130 | $54,130 |
| GENERAL FUND TOTAL | $54,130 | $54,130 |

**Sec. A-31. Appropriations and allocations.** The following appropriations and allocations are made.

**HARNESS RACING PROMOTIONAL BOARD**

**Harness Racing Promotional Board 0873**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $188,651 | $188,651 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $188,651 | $188,651 |

**HARNESS RACING PROMOTIONAL BOARD 0873**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $188,651 | $188,651 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $188,651 | $188,651 |

**Sec. A-32. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Brain Injury Z041**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $112,335 | $114,901 |
| All Other | $5,095 | $5,095 |
| GENERAL FUND TOTAL | $117,430 | $119,996 |

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

**BRAIN INJURY Z041**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $112,335 | $114,901 |
| All Other | $5,095 | $5,095 |
| GENERAL FUND TOTAL | $117,430 | $119,996 |

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

**Consumer-directed Services Z043**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $59,621 | $63,439 |
| All Other | $2,168,198 | $2,168,198 |
| GENERAL FUND TOTAL | $2,227,819 | $2,231,637 |

**CONSUMER-DIRECTED SERVICES Z043**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $59,621 | $63,439 |
| All Other | $2,168,198 | $2,168,198 |
| GENERAL FUND TOTAL | $2,227,819 | $2,231,637 |

**Developmental Services - Community 0122**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 235.500 | 235.500 |
| Personal Services | $16,937,563 | $17,504,772 |
| All Other | $9,553,357 | $9,553,357 |
| GENERAL FUND TOTAL | $26,490,920 | $27,058,129 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $437,122 | $437,122 |
| FEDERAL EXPENDITURES FUND TOTAL | $437,122 | $437,122 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $400,747 | $400,747 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $400,747 | $400,747 |

**Developmental Services - Community 0122**

Initiative: Transfers funding from the Medical Care - Payments to Providers program to the Long Term Care - Human Services program and the Developmental Services - Community program based on the unbundling of rates as required by the Maine Integrated Health Management Solution (MIHMS) system.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $171,000 | $171,000 |
| GENERAL FUND TOTAL | $171,000 | $171,000 |

**Developmental Services - Community 0122**

Initiative: Transfers one Mental Health Caseworker Supervisor position from the Mental Health Services - Community program to the Developmental Services - Community program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $83,831 | $85,620 |
| All Other | $3,644 | $3,644 |
| GENERAL FUND TOTAL | $87,475 | $89,264 |

**Developmental Services - Community 0122**

Initiative: Reduces funding to align allocations with current resources.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($387,122) | ($387,122) |
| FEDERAL EXPENDITURES FUND TOTAL | ($387,122) | ($387,122) |

**Developmental Services - Community 0122**

Initiative: Reduces funding for legal services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($199,673) | ($199,673) |
| GENERAL FUND TOTAL | ($199,673) | ($199,673) |

## DEVELOPMENTAL SERVICES - COMMUNITY 0122

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 236.500 | 236.500 |
| Personal Services | $17,021,394 | $17,590,392 |
| All Other | $9,528,328 | $9,528,328 |
| GENERAL FUND TOTAL | $26,549,722 | $27,118,720 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,000 | $50,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $50,000 | $50,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $400,747 | $400,747 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $400,747 | $400,747 |

**Developmental Services Waiver - MaineCare 0987**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $78,644,569 | $78,644,569 |
| GENERAL FUND TOTAL | $78,644,569 | $78,644,569 |

**Developmental Services Waiver - MaineCare 0987**

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,298,131 | $4,656,873 |
| GENERAL FUND TOTAL | $4,298,131 | $4,656,873 |

## DEVELOPMENTAL SERVICES WAIVER - MAINECARE 0987

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $82,942,700 | $83,301,442 |
| GENERAL FUND TOTAL | $82,942,700 | $83,301,442 |

**Developmental Services Waiver - Supports Z006**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $4,768,976 | $4,768,976 |
| GENERAL FUND TOTAL | $4,768,976 | $4,768,976 |

**Developmental Services Waiver - Supports Z006**

Initiative: Adjusts funding to distribute a portion of the funding provided to adjust and restore MaineCare rates for services that were subject to a 10% reduction in accordance with Public Law 2009, chapter 571, Part RRRR.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $290,523 | $290,523 |
| GENERAL FUND TOTAL | $290,523 | $290,523 |

**Developmental Services Waiver - Supports Z006**

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $277,887 | $301,081 |
| GENERAL FUND TOTAL | $277,887 | $301,081 |

**Developmental Services Waiver - Supports Z006**

Initiative: Provides funding to offset a one-time reduction related to the enhanced Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $923,182 | $923,182 |
| GENERAL FUND TOTAL | $923,182 | $923,182 |

**DEVELOPMENTAL SERVICES WAIVER - SUPPORTS Z006**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,260,568 | $6,283,762 |
| GENERAL FUND TOTAL | $6,260,568 | $6,283,762 |

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,589,841 | $7,849,561 |
| All Other | $323,018 | $323,018 |
| GENERAL FUND TOTAL | $7,912,859 | $8,172,579 |

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $344,561 | $385,594 |
| All Other | $14,670 | $15,870 |
| GENERAL FUND TOTAL | $359,231 | $401,464 |

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: Reduces funding from savings to be achieved from the review of the future role and structure of the Dorothea Dix Psychiatric Center by the working group established in this Act. The State Budget Officer is authorized to distribute these savings among the various line categories and accounts of the center by financial order upon the approval of the Governor. Any such transfers are considered adjustments to appropriations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Unallocated | $0 | ($2,500,000) |
| GENERAL FUND TOTAL | $0 | ($2,500,000) |

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: Eliminates one Physician III position and transfers the Personal Services savings to All Other in order to contract for physician services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($70,519) | ($75,430) |
| All Other | $70,519 | $75,430 |
| GENERAL FUND TOTAL | $0 | $0 |

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric Center and Dorothea Dix Psychiatric Center from Medicare and other third-party payers and to ensure that sufficient resources are available to provide the appropriate level of General Fund match.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($295,000) | $0 |
| GENERAL FUND TOTAL | ($295,000) | $0 |

## DISPROPORTIONATE SHARE - DOROTHEA DIX PSYCHIATRIC CENTER 0734

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,863,883 | $8,159,725 |
| All Other | $113,207 | $414,318 |
| Unallocated | $0 | ($2,500,000) |
| GENERAL FUND TOTAL | $7,977,090 | $6,074,043 |

### Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,647,083 | $7,920,478 |
| All Other | $2,921,988 | $2,921,988 |
| GENERAL FUND TOTAL | $10,569,071 | $10,842,466 |

### Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $347,211 | $389,106 |
| All Other | $111,251 | $119,027 |
| GENERAL FUND TOTAL | $458,462 | $508,133 |

### Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Eliminates one Accounting Assistant position, one Inventory and Property Associate I position, one Office Associate II position, one Planning and Research Assistant position, one Public Service Manager III position and one Quality Assurance Director position and establishes 5 Hospital Nurse III positions, one Intensive Case Manager position and 15 Hospital Nurse II positions. The cost of these positions is allocated between the General Fund and Other Special Revenue Funds in accordance with MaineCare match rates, and the additional net General Fund cost is offset by a reduction in All Other.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $472,369 | $499,244 |
| All Other | ($472,369) | ($499,244) |
| GENERAL FUND TOTAL | $0 | $0 |

### Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Eliminates one part-time Physician III position and transfers the Personal Services savings to All Other in order to contract for physician services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($45,331) | ($46,344) |
| All Other | $45,331 | $46,344 |
| GENERAL FUND TOTAL | $0 | $0 |

### Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric Center and Dorothea Dix Psychiatric Center from Medicare and other third-party payers and to ensure that sufficient resources are available to provide the appropriate level of General Fund match.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $217,000 | $284,000 |
| GENERAL FUND TOTAL | $217,000 | $284,000 |

## DISPROPORTIONATE SHARE - RIVERVIEW PSYCHIATRIC CENTER 0733

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $8,421,332 | $8,762,484 |
| All Other | $2,823,201 | $2,872,115 |
| GENERAL FUND TOTAL | $11,244,533 | $11,634,599 |

### Dorothea Dix Psychiatric Center 0120

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,318,501 | $2,318,501 |
| GENERAL FUND TOTAL | $2,318,501 | $2,318,501 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 286.000 | 286.000 |
| POSITIONS - FTE COUNT | 0.240 | 0.240 |
| Personal Services | $14,089,052 | $14,570,858 |
| All Other | $4,624,325 | $4,624,325 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $18,713,377 | $19,195,183 |

### Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal Medical Assistance Percentage.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($344,561) | ($385,594) |
| All Other | ($14,670) | ($15,870) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($359,231) | ($401,464) |

### Dorothea Dix Psychiatric Center 0120

Initiative: Eliminates one Physician III position and transfers the Personal Services savings to All Other in order to contract for physician services.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($122,154) | ($129,929) |
| All Other | $122,154 | $129,929 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric Center and Dorothea Dix Psychiatric Center from Medicare and other third-party payers and to ensure that sufficient resources are available to provide the appropriate level of General Fund match.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,400,000 | $0 |
| GENERAL FUND TOTAL | $1,400,000 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,105,000) | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($1,105,000) | $0 |

## DOROTHEA DIX PSYCHIATRIC CENTER 0120

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,718,501 | $2,318,501 |
| GENERAL FUND TOTAL | $3,718,501 | $2,318,501 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 285.000 | 285.000 |
| POSITIONS - FTE COUNT | 0.240 | 0.240 |
| Personal Services | $13,622,337 | $14,055,335 |
| All Other | $3,626,809 | $4,738,384 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $17,249,146 | $18,793,719 |

### Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $632,510 | $657,561 |
| All Other | $1,109,728 | $1,109,728 |
| GENERAL FUND TOTAL | $1,742,238 | $1,767,289 |

### Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: Reduces funding to ensure that annual appropriations do not exceed $1,700,000 in accordance with the provisions of the Maine Revised Statutes, Title 5, section 20072-A.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($42,248) | ($67,309) |
| GENERAL FUND TOTAL | ($42,248) | ($67,309) |

## DRIVER EDUCATION AND EVALUATION PROGRAM - SUBSTANCE ABUSE 0700

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $632,510 | $657,561 |
| All Other | $1,067,480 | $1,042,419 |
| GENERAL FUND TOTAL | $1,699,990 | $1,699,980 |

### FHM - Substance Abuse 0948

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,605,972 | $5,605,972 |
| FUND FOR A HEALTHY MAINE TOTAL | $5,605,972 | $5,605,972 |

### FHM - Substance Abuse 0948

Initiative: Deallocates funds to segregate Medicaid match from match for other grant programs within the FHM - Substance Abuse program.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,257,666) | ($1,257,666) |
| FUND FOR A HEALTHY MAINE TOTAL | ($1,257,666) | ($1,257,666) |

### FHM - Substance Abuse 0948

Initiative: Allocates funds to segregate Medicaid match from match for other grant programs within the FHM - Substance Abuse program.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,257,666 | $1,257,666 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,257,666 | $1,257,666 |

### FHM - Substance Abuse 0948

Initiative: Reduces funding to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,500,000) | ($2,500,000) |
| FUND FOR A HEALTHY MAINE TOTAL | ($2,500,000) | ($2,500,000) |

## FHM - SUBSTANCE ABUSE 0948

### PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,105,972 | $3,105,972 |
| FUND FOR A HEALTHY MAINE TOTAL | $3,105,972 | $3,105,972 |

### Forensic Services Z123

Initiative: Transfers one Psychiatric Social Worker II position, one Secretary position, one Public Service Coordinator II position and one Public Service Manager III position from the Office of Management and Budget program to the Forensic Services program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $402,729 | $411,374 |
| All Other | $16,086 | $16,086 |
| GENERAL FUND TOTAL | $418,815 | $427,460 |

## FORENSIC SERVICES Z123

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $402,729 | $411,374 |
| All Other | $16,086 | $16,086 |
| GENERAL FUND TOTAL | $418,815 | $427,460 |

### Medicaid Services - Developmental Services 0705

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $15,224,135 | $15,224,135 |
| GENERAL FUND TOTAL | $15,224,135 | $15,224,135 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $16,326,687 | $16,326,687 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,326,687 | $16,326,687 |

**Medicaid Services - Developmental Services 0705**

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $863,941 | $936,049 |
| GENERAL FUND TOTAL | $863,941 | $936,049 |

**Medicaid Services - Developmental Services 0705**

Initiative: Provides funding for the growth in the MaineCare program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,320,412 | $7,320,412 |
| GENERAL FUND TOTAL | $7,320,412 | $7,320,412 |

**Medicaid Services - Developmental Services 0705**

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of MaineCare-dedicated tax revenues to comport with Revenue Forecasting Committee reprojections.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($375,005) | ($375,005) |
| GENERAL FUND TOTAL | ($375,005) | ($375,005) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $69,286 | $69,286 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $69,286 | $69,286 |

## MEDICAID SERVICES - DEVELOPMENTAL SERVICES 0705

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $23,033,483 | $23,105,591 |
| GENERAL FUND TOTAL | $23,033,483 | $23,105,591 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,395,973 | $16,395,973 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,395,973 | $16,395,973 |

**Mental Health Services - Child Medicaid 0731**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $21,368,634 | $21,368,634 |
| GENERAL FUND TOTAL | $21,368,634 | $21,368,634 |

**Mental Health Services - Child Medicaid 0731**

Initiative: Adjusts funding to distribute a portion of the funding provided to adjust and restore MaineCare rates for services that were subject to a 10% reduction in accordance with Public Law 2009, chapter 571, Part RRRR.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $537,530 | $537,530 |
| GENERAL FUND TOTAL | $537,530 | $537,530 |

**Mental Health Services - Child Medicaid 0731**

Initiative: Transfers funding for interpretation and translation services from the Mental Health Services - Child Medicaid program and the Mental Health Services - Community Medicaid program to the Medical Care - Payments to Providers program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($31,890) | ($31,890) |
| GENERAL FUND TOTAL | ($31,890) | ($31,890) |

**Mental Health Services - Child Medicaid 0731**

Initiative: Adjusts funding related to the rate reduction for outpatient services under the MaineCare Benefits Manual, Chapters II and III, Section 65, Behavioral Health Services included in Public Law 2009, chapter 571.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($343,401) | ($343,401) |
| GENERAL FUND TOTAL | ($343,401) | ($343,401) |

**Mental Health Services - Child Medicaid 0731**

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $993,788 | $1,076,734 |
| GENERAL FUND TOTAL | $993,788 | $1,076,734 |

**Mental Health Services - Child Medicaid 0731**

Initiative: Provides funding for the growth in the MaineCare program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,327,204 | $10,327,204 |
| GENERAL FUND TOTAL | $10,327,204 | $10,327,204 |

## MENTAL HEALTH SERVICES - CHILD MEDICAID 0731

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,851,865 | $32,934,811 |
| GENERAL FUND TOTAL | $32,851,865 | $32,934,811 |

**Mental Health Services - Children 0136**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 61.000 | 61.000 |
| Personal Services | $4,990,660 | $5,141,010 |
| All Other | $12,565,151 | $12,565,151 |
| GENERAL FUND TOTAL | $17,555,811 | $17,706,161 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,447,182 | $2,447,182 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,447,182 | $2,447,182 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $960,388 | $960,388 |
| FEDERAL BLOCK GRANT FUND TOTAL | $960,388 | $960,388 |

**Mental Health Services - Children 0136**

Initiative: Continues one part-time, limited-period Public Service Manager II position originally established by financial order and provides related All Other funding to manage a federal grant that serves youth with mental health needs as they transition from children's behavioral health systems to adulthood. This position will end on September 30, 2014.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $48,345 | $51,441 |
| All Other | $431,655 | $428,559 |
| FEDERAL EXPENDITURES FUND TOTAL | $480,000 | $480,000 |

## MENTAL HEALTH SERVICES - CHILDREN 0136

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 61.000 | 61.000 |
| Personal Services | $4,990,660 | $5,141,010 |
| All Other | $12,565,151 | $12,565,151 |
| GENERAL FUND TOTAL | $17,555,811 | $17,706,161 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $48,345 | $51,441 |
| All Other | $2,878,837 | $2,875,741 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,927,182 | $2,927,182 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $960,388 | $960,388 |
| FEDERAL BLOCK GRANT FUND TOTAL | $960,388 | $960,388 |

**Mental Health Services - Community 0121**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 90.000 | 90.000 |
| Personal Services | $7,195,889 | $7,441,810 |

| | | |
|---|---|---|
| All Other | $23,820,443 | $23,820,443 |
| GENERAL FUND TOTAL | $31,016,332 | $31,262,253 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,977,731 | $10,977,731 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,977,731 | $10,977,731 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $960,388 | $960,388 |
| FEDERAL BLOCK GRANT FUND TOTAL | $960,388 | $960,388 |

**Mental Health Services - Community 0121**

Initiative: Transfers one Social Services Manager I position and one Integrated Systems Manager position from the Office of Management and Budget program to the Mental Health Services - Community program within the General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $206,004 | $210,662 |
| GENERAL FUND TOTAL | $206,004 | $210,662 |

**Mental Health Services - Community 0121**

Initiative: Transfers one Public Service Manager II position from the Mental Health Services - Community program to Office of Management and Budget program within the General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($85,368) | ($86,706) |
| All Other | ($2,413) | ($2,413) |
| GENERAL FUND TOTAL | ($87,781) | ($89,119) |

**Mental Health Services - Community 0121**

Initiative: Transfers one Mental Health Caseworker Supervisor position from the Mental Health Services - Community program to the Developmental Services - Community program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($83,831) | ($85,620) |
| All Other | ($3,644) | ($3,644) |
| GENERAL FUND TOTAL | ($87,475) | ($89,264) |

**Mental Health Services - Community 0121**

Initiative: Provides funding for mental health services for individuals not eligible for MaineCare and for housing services in order to conform with the consent decree.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,659,250 | $995,000 |
| GENERAL FUND TOTAL | $5,659,250 | $995,000 |

**Mental Health Services - Community 0121**

Initiative: Reduces funding in the Office of Management and Budget program and provides funding in the Mental Health Services - Community program to properly account for the Olmstead Grant.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,000 | $20,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $20,000 | $20,000 |

**Mental Health Services - Community 0121**

Initiative: Transfers 4 Social Services Program Specialist I positions and one Office Associate II position from the FHM - Service Center program to the Division of Licensing and Regulatory Services program, funded 35% General Fund and 65% Other Special Revenue Funds. The additional General Fund costs are offset by the elimination of one Office Associate II position in the Mental Health Services - Community program, one Office Assistant II position in the OMB Division of Regional Operations program and one Social Services Program Specialist I position in the Division of Licensing and Regulatory Services program as well as the reallocation of costs of 2 Health Care Financial Analyst positions from 50% General Fund and 50% Other Special Revenue Funds to 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program. Additional position detail is available in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($56,450) | ($60,324) |
| GENERAL FUND TOTAL | ($56,450) | ($60,324) |

### Mental Health Services - Community 0121

Initiative: Transfers one Intensive Case Manager position from the Mental Health Services - Community program to the Office of Elder Services Adult Protective Services program and reorganizes the position to a Human Services Caseworker position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($69,856) | ($74,492) |
| GENERAL FUND TOTAL | ($69,856) | ($74,492) |

## MENTAL HEALTH SERVICES - COMMUNITY 0121

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 88.000 | 88.000 |
| Personal Services | $7,106,388 | $7,345,330 |
| All Other | $29,473,636 | $24,809,386 |
| GENERAL FUND TOTAL | $36,580,024 | $32,154,716 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,977,731 | $10,977,731 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,977,731 | $10,977,731 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,000 | $20,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $20,000 | $20,000 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $960,388 | $960,388 |
| FEDERAL BLOCK GRANT FUND TOTAL | $960,388 | $960,388 |

### Mental Health Services - Community Medicaid 0732

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,242,859 | $35,242,859 |
| GENERAL FUND TOTAL | $35,242,859 | $35,242,859 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,262,557 | $5,262,557 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,262,557 | $5,262,557 |

### Mental Health Services - Community Medicaid 0732

Initiative: Transfers funding for interpretation and translation services from the Mental Health Services - Child Medicaid program and the Mental Health Services - Community Medicaid program to the Medical Care - Payments to Providers program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($6,375) | ($6,375) |
| GENERAL FUND TOTAL | ($6,375) | ($6,375) |

### Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding related to the rate reduction for outpatient services under the MaineCare Benefits Manual, Chapters II and III, Section 65, Behavioral Health Services included in Public Law 2009, chapter 571.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $451,719 | $451,719 |
| GENERAL FUND TOTAL | $451,719 | $451,719 |

### Mental Health Services - Community Medicaid 0732

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,877,661 | $2,034,379 |
| GENERAL FUND TOTAL | $1,877,661 | $2,034,379 |

### Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of MaineCare-dedicated tax revenues to comport with Revenue Forecasting Committee reprojections.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($166,228) | ($166,228) |
| GENERAL FUND TOTAL | ($166,228) | ($166,228) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $166,228 | $166,228 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $166,228 | $166,228 |

## MENTAL HEALTH SERVICES - COMMUNITY MEDICAID 0732

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $37,399,636 | $37,556,354 |
| GENERAL FUND TOTAL | $37,399,636 | $37,556,354 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,428,785 | $5,428,785 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,428,785 | $5,428,785 |

### Office of Advocacy - BDS 0632

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.500 | 7.500 |
| Personal Services | $576,480 | $595,761 |
| All Other | $38,596 | $38,596 |
| GENERAL FUND TOTAL | $615,076 | $634,357 |

## OFFICE OF ADVOCACY - BDS 0632

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.500 | 7.500 |
| Personal Services | $576,480 | $595,761 |
| All Other | $38,596 | $38,596 |
| GENERAL FUND TOTAL | $615,076 | $634,357 |

### Office of Substance Abuse 0679

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $860,858 | $890,823 |
| All Other | $6,778,619 | $6,778,619 |
| GENERAL FUND TOTAL | $7,639,477 | $7,669,442 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $380,333 | $386,751 |
| All Other | $10,748,373 | $10,748,373 |
| FEDERAL EXPENDITURES FUND TOTAL | $11,128,706 | $11,135,124 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $532,902 | $532,902 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $532,902 | $532,902 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $471,153 | $491,647 |
| All Other | $6,569,954 | $6,569,954 |
| FEDERAL BLOCK GRANT FUND TOTAL | $7,041,107 | $7,061,601 |

### Office of Substance Abuse 0679

Initiative: Reduces funding to align allocations with current resources.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,648,190) | ($2,648,190) |
| FEDERAL EXPENDITURES FUND TOTAL | ($2,648,190) | ($2,648,190) |

### Office of Substance Abuse 0679

Initiative: Adjusts allocations to align with current resources.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,449,000) | ($1,449,000) |
| FEDERAL EXPENDITURES FUND TOTAL | ($1,449,000) | ($1,449,000) |

### Office of Substance Abuse 0679

Initiative: Continues one limited-period Education Specialist I position originally established by financial order to continue work with Healthy Maine Partnerships. The position will end on June 15, 2013.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $85,893 | $91,012 |
| All Other | $4,000 | $4,000 |
| FEDERAL BLOCK GRANT FUND TOTAL | $89,893 | $95,012 |

### Office of Substance Abuse 0679

Initiative: Provides funding for gambling addiction analysis, prevention and treatment services.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,000 | $50,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $50,000 | $50,000 |

### Office of Substance Abuse 0679

Initiative: Provides funding for grants as a partial restoration of Fund for a Healthy Maine reductions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,500,000 | $2,500,000 |
| GENERAL FUND TOTAL | $2,500,000 | $2,500,000 |

## OFFICE OF SUBSTANCE ABUSE 0679
## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $860,858 | $890,823 |
| All Other | $9,278,619 | $9,278,619 |
| GENERAL FUND TOTAL | $10,139,477 | $10,169,442 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $380,333 | $386,751 |
| All Other | $6,651,183 | $6,651,183 |
| FEDERAL EXPENDITURES FUND TOTAL | $7,031,516 | $7,037,934 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $582,902 | $582,902 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $582,902 | $582,902 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $557,046 | $582,659 |
| All Other | $6,573,954 | $6,573,954 |
| FEDERAL BLOCK GRANT FUND TOTAL | $7,131,000 | $7,156,613 |

### Office of Substance Abuse - Medicaid Seed 0844

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,171,370 | $2,171,370 |
| GENERAL FUND TOTAL | $2,171,370 | $2,171,370 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $636,083 | $636,083 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $636,083 | $636,083 |

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Adjusts funding related to the rate reduction for outpatient services under the MaineCare Benefits Manual, Chapters II and III, Section 65, Behavioral Health Services included in Public Law 2009, chapter 571.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($108,318) | ($108,318) |
| GENERAL FUND TOTAL | ($108,318) | ($108,318) |

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $152,996 | $165,766 |
| GENERAL FUND TOTAL | $152,996 | $165,766 |

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Provides funding for the growth in the MaineCare program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $384,458 | $384,458 |
| GENERAL FUND TOTAL | $384,458 | $384,458 |

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of MaineCare-dedicated tax revenues to comport with Revenue Forecasting Committee reprojections.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $21,763 | $21,763 |
| GENERAL FUND TOTAL | $21,763 | $21,763 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($21,763) | ($21,763) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($21,763) | ($21,763) |

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Provides funding to offset a one-time reduction related to the enhanced Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $510,970 | $510,970 |
| GENERAL FUND TOTAL | $510,970 | $510,970 |

## OFFICE OF SUBSTANCE ABUSE - MEDICAID SEED 0844

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,133,239 | $3,146,009 |
| GENERAL FUND TOTAL | $3,133,239 | $3,146,009 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $614,320 | $614,320 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $614,320 | $614,320 |

**Residential Treatment Facilities Assessment 0978**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,553,655 | $1,553,655 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,553,655 | $1,553,655 |

**Residential Treatment Facilities Assessment 0978**

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of MaineCare-dedicated tax revenues to comport with Revenue Forecasting Committee reprojections.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $305,719 | $305,719 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $305,719 | $305,719 |

## RESIDENTIAL TREATMENT FACILITIES ASSESSMENT 0978

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,859,374 | $1,859,374 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,859,374 | $1,859,374 |

### Riverview Psychiatric Center 0105

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $459,504 | $475,871 |
| All Other | $180,903 | $180,903 |
| GENERAL FUND TOTAL | $640,407 | $656,774 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 304.000 | 304.000 |
| POSITIONS - FTE COUNT | 0.360 | 0.360 |
| Personal Services | $14,195,552 | $14,702,755 |
| All Other | $8,750,718 | $8,750,718 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $22,946,270 | $23,453,473 |

### Riverview Psychiatric Center 0105

Initiative: Adjusts funding for Medicaid services as a result of the decrease of the Federal Medical Assistance Percentage.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($347,211) | ($389,106) |
| All Other | ($111,251) | ($119,027) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($458,462) | ($508,133) |

### Riverview Psychiatric Center 0105

Initiative: Eliminates one Accounting Assistant position, one Inventory and Property Associate I position, one Office Associate II position, one Planning and Research Assistant position, one Public Service Manager III position and one Quality Assurance Director position and establishes 5 Hospital Nurse III positions, one Intensive Case Manager position and 15 Hospital Nurse II positions. The cost of these positions is allocated between the General Fund and Other Special Revenue Funds in accordance with MaineCare match rates, and the additional net General Fund cost is offset by a reduction in All Other.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.000 | 15.000 |
| Personal Services | $818,240 | $859,923 |
| All Other | $9,163 | $9,665 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $827,403 | $869,588 |

### Riverview Psychiatric Center 0105

Initiative: Eliminates one part-time Physician III position and transfers the Personal Services savings to All Other in order to contract for physician services.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (0.500) | (0.500) |
| Personal Services | ($78,526) | ($79,829) |
| All Other | $78,526 | $79,829 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Riverview Psychiatric Center 0105

Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric Center and Dorothea Dix Psychiatric Center from Medicare and other third-party payers and to ensure that sufficient resources are available to provide the appropriate level of General Fund match.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,500,000 | $1,500,000 |
| GENERAL FUND TOTAL | $1,500,000 | $1,500,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,717,000) | ($1,784,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($1,717,000) | ($1,784,000) |

## RIVERVIEW PSYCHIATRIC CENTER 0105

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $459,504 | $475,871 |
| All Other | $1,680,903 | $1,680,903 |
| GENERAL FUND TOTAL | $2,140,407 | $2,156,774 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 318.500 | 318.500 |
| POSITIONS - FTE COUNT | 0.360 | 0.360 |
| Personal Services | $14,588,055 | $15,093,743 |
| All Other | $7,010,156 | $6,937,185 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $21,598,211 | $22,030,928 |

### Traumatic Brain Injury Seed Z042

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $111,160 | $111,160 |
| GENERAL FUND TOTAL | $111,160 | $111,160 |

### Traumatic Brain Injury Seed Z042

Initiative: Provides funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,170 | $5,601 |
| GENERAL FUND TOTAL | $5,170 | $5,601 |

## TRAUMATIC BRAIN INJURY SEED Z042

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $116,330 | $116,761 |
| GENERAL FUND TOTAL | $116,330 | $116,761 |

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

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **GENERAL FUND** | **$306,722,516** | **$300,891,116** |
| **FEDERAL EXPENDITURES FUND** | **$21,136,429** | **$21,142,847** |
| **FUND FOR A HEALTHY MAINE** | **$3,105,972** | **$3,105,972** |
| **OTHER SPECIAL REVENUE FUNDS** | **$64,149,458** | **$66,126,748** |
| **FEDERAL BLOCK GRANT FUND** | **$9,051,776** | **$9,077,389** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$404,166,151** | **$400,344,072** |

**Sec. A-33. Appropriations and allocations.** The following appropriations and allocations are made.

## HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

### Additional Support for People in Retraining and Employment 0146

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 33.000 | 33.000 |
| Personal Services | $2,167,581 | $2,252,784 |
| All Other | $4,878,041 | $4,878,041 |
| GENERAL FUND TOTAL | $7,045,622 | $7,130,825 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $813,973 | $813,973 |
| FEDERAL EXPENDITURES FUND TOTAL | $813,973 | $813,973 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 49.500 | 49.500 |
| Personal Services | $3,040,902 | $3,161,936 |
| All Other | $20,724,258 | $20,724,258 |
| FEDERAL BLOCK GRANT FUND TOTAL | $23,765,160 | $23,886,194 |

### Additional Support for People in Retraining and Employment 0146

Initiative: Transfers one Office Associate II position from Other Special Revenue Funds in the Bureau of Family Independence - Regional program to the Federal Block Grant Fund in the Additional Support for People in Retraining and Employment program.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $46,463 | $49,626 |
| All Other | $4,992 | $5,077 |
| FEDERAL BLOCK GRANT FUND TOTAL | $51,455 | $54,703 |

## ADDITIONAL SUPPORT FOR PEOPLE IN RETRAINING AND EMPLOYMENT 0146

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 33.000 | 33.000 |
| Personal Services | $2,167,581 | $2,252,784 |
| All Other | $4,878,041 | $4,878,041 |
| GENERAL FUND TOTAL | $7,045,622 | $7,130,825 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $813,973 | $813,973 |
| FEDERAL EXPENDITURES FUND TOTAL | $813,973 | $813,973 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 50.500 | 50.500 |
| Personal Services | $3,087,365 | $3,211,562 |
| All Other | $20,729,250 | $20,729,335 |
| FEDERAL BLOCK GRANT FUND TOTAL | $23,816,615 | $23,940,897 |

### Aids Lodging House 0518

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $37,869 | $37,869 |
| GENERAL FUND TOTAL | $37,869 | $37,869 |

## AIDS LODGING HOUSE 0518

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $37,869 | $37,869 |
| GENERAL FUND TOTAL | $37,869 | $37,869 |

### Bone Marrow Screening Fund 0076

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

## BONE MARROW SCREENING FUND 0076

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

### Breast Cancer Services Special Program Fund Z069

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,800 | $10,800 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,800 | $10,800 |

**Breast Cancer Services Special Program Fund Z069**

Initiative: Provides funding to align allocations with current resources.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $111,528 | $111,528 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $111,528 | $111,528 |

## BREAST CANCER SERVICES SPECIAL PROGRAM FUND Z069

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $122,328 | $122,328 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $122,328 | $122,328 |

**Bureau of Child and Family Services - Central 0307**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 25.500 | 25.500 |
| Personal Services | $1,884,668 | $1,946,873 |
| All Other | $560,811 | $560,811 |
| GENERAL FUND TOTAL | $2,445,479 | $2,507,684 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.500 | 19.500 |
| Personal Services | $1,323,704 | $1,368,335 |
| All Other | $3,597,391 | $3,597,391 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,921,095 | $4,965,726 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $87,054 | $92,814 |
| All Other | $3,653,331 | $3,653,331 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,740,385 | $3,746,145 |

**Bureau of Child and Family Services - Central 0307**

Initiative: Transfers 26 full-time and 2 part-time positions and related All Other between various accounts within programs administered by the Bureau of Child and Family Services to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (9.500) | (9.500) |
| Personal Services | ($655,653) | ($680,185) |
| All Other | ($31,917) | ($31,917) |
| GENERAL FUND TOTAL | ($687,570) | ($712,102) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $478,437 | $496,411 |
| All Other | $43,323 | $43,955 |
| FEDERAL EXPENDITURES FUND TOTAL | $521,760 | $540,366 |

**Bureau of Child and Family Services - Central 0307**

Initiative: Transfers one Customer Representative Associate II - Human Services position from the Bureau of Child and Family Services - Regional program to the Bureau of Child and Family Services - Central program to place the position in the correct functional location and allow proper allocation of position costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $53,428 | $56,939 |
| All Other | $3,644 | $3,644 |
| GENERAL FUND TOTAL | $57,072 | $60,583 |

**Bureau of Child and Family Services - Central 0307**

Initiative: Transfers 5 Human Services Caseworker positions, one Human Services Caseworker Supervisor

position, 3 Social Services Program Specialist II positions and one Secretary Supervisor position from the State-funded Foster Care/Adoption Assistance program to other programs within the Bureau of Child and Family Services based upon changes in federal regulations. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $248,672 | $255,524 |
| All Other | ($248,672) | ($255,524) |
| GENERAL FUND TOTAL | $0 | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $90,963 | $93,270 |
| All Other | $6,986 | $7,067 |
| FEDERAL EXPENDITURES FUND TOTAL | $97,949 | $100,337 |

### Bureau of Child and Family Services - Central 0307

Initiative: Adjusts funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $62,249 | $69,184 |
| GENERAL FUND TOTAL | $62,249 | $69,184 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($86,392) | ($94,122) |
| FEDERAL EXPENDITURES FUND TOTAL | ($86,392) | ($94,122) |

### Bureau of Child and Family Services - Central 0307

Initiative: Transfers one Public Service Manager III position from the Bureau of Child and Family Services - Regional program to the Bureau of Child and Family Services - Central program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $126,231 | $128,991 |
| All Other | $3,644 | $3,644 |
| GENERAL FUND TOTAL | $129,875 | $132,635 |

## BUREAU OF CHILD AND FAMILY SERVICES - CENTRAL 0307

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,657,346 | $1,708,142 |
| All Other | $349,759 | $349,842 |
| GENERAL FUND TOTAL | $2,007,105 | $2,057,984 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 27.500 | 27.500 |
| Personal Services | $1,893,104 | $1,958,016 |
| All Other | $3,561,308 | $3,554,291 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,454,412 | $5,512,307 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $87,054 | $92,814 |
| All Other | $3,653,331 | $3,653,331 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,740,385 | $3,746,145 |

### Bureau of Child and Family Services - Regional 0452

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 462.500 | 462.500 |
| Personal Services | $32,767,444 | $34,095,178 |
| All Other | $2,566,588 | $2,566,588 |
| GENERAL FUND TOTAL | $35,334,032 | $36,661,766 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $21,941 | $21,941 |
| FEDERAL EXPENDITURES FUND TOTAL | $21,941 | $21,941 |

**Bureau of Child and Family Services - Regional 0452**

Initiative: Transfers 26 full-time and 2 part-time positions and related All Other between various accounts within programs administered by the Bureau of Child and Family Services to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.500 | 10.500 |
| Personal Services | $565,340 | $589,044 |
| All Other | $35,562 | $35,562 |
| GENERAL FUND TOTAL | $600,902 | $624,606 |

**Bureau of Child and Family Services - Regional 0452**

Initiative: Transfers one Customer Representative Associate II - Human Services position from the Bureau of Child and Family Services - Regional program to the Bureau of Child and Family Services - Central program to place the position in the correct functional location and allow proper allocation of position costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($53,428) | ($56,939) |
| All Other | ($3,644) | ($3,644) |
| GENERAL FUND TOTAL | ($57,072) | ($60,583) |

**Bureau of Child and Family Services - Regional 0452**

Initiative: Transfers 5 Human Services Caseworker positions, one Human Services Caseworker Supervisor position, 3 Social Services Program Specialist II positions and one Secretary Supervisor position from the State-funded Foster Care/Adoption Assistance program to other programs within the Bureau of Child and Family Services based upon changes in federal regulations. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $406,123 | $422,047 |
| All Other | ($406,123) | ($422,047) |
| GENERAL FUND TOTAL | $0 | $0 |

**Bureau of Child and Family Services - Regional 0452**

Initiative: Transfers one Public Service Manager III position from the Bureau of Child and Family Services - Regional program to the Bureau of Child and Family Services - Central program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($126,231) | ($128,991) |
| All Other | ($3,644) | ($3,644) |
| GENERAL FUND TOTAL | ($129,875) | ($132,635) |

## BUREAU OF CHILD AND FAMILY SERVICES - REGIONAL 0452

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 477.000 | 477.000 |
| Personal Services | $33,559,248 | $34,920,339 |
| All Other | $2,188,739 | $2,172,815 |
| GENERAL FUND TOTAL | $35,747,987 | $37,093,154 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $21,941 | $21,941 |
| FEDERAL EXPENDITURES FUND TOTAL | $21,941 | $21,941 |

**Bureau of Family Independence - Regional 0453**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 231.000 | 231.000 |
| Personal Services | $14,269,188 | $14,930,910 |
| All Other | $1,902,959 | $1,902,959 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $16,172,147 | $16,833,869 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 232.500 | 232.500 |
| Personal Services | $13,637,765 | $14,271,991 |
| All Other | $2,655,283 | $2,655,955 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,293,048 | $16,927,946 |

**Bureau of Family Independence - Regional 0453**

Initiative: Reallocates funding for 460 full-time positions and 4 part-time positions to 50% General Fund and 50% Other Special Revenue Funds based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($338,958) | ($354,272) |
| All Other | ($463,127) | ($463,127) |
| GENERAL FUND TOTAL | ($802,085) | ($817,399) |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| Personal Services | $338,958 | $354,272 |
| All Other | $7,612 | $7,612 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $346,570 | $361,884 |

**Bureau of Family Independence - Regional 0453**

Initiative: Transfers one Office Associate II position from Other Special Revenue Funds in the Bureau of Family Independence - Regional program to the Federal Block Grant Fund in the Additional Support for People in Retraining and Employment program.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($46,463) | ($49,626) |
| All Other | ($1,904) | ($1,904) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($48,367) | ($51,530) |

**Bureau of Family Independence - Regional 0453**

Initiative: Continues 6 limited-period Customer Representative Associate II - Human Services positions which were originally established by financial order and continued in Public Law 2009, chapter 213 to target the improvement of accuracy for food supplement eligibility and benefits. These positions will end on June 15, 2013.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $169,338 | $180,966 |
| GENERAL FUND TOTAL | $169,338 | $180,966 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| Personal Services | $169,362 | $180,978 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $169,362 | $180,978 |

**Bureau of Family Independence - Regional 0453**

Initiative: Establishes 15 limited-period Customer Service Representative Associate II positions in the Bureau of Family Independence - Regional program to expedite disability determinations and reduce the time period for determination of disability by an average of 15 days and achieve one-time savings by decreasing payments for benefits with state funds. These positions are established through June 15, 2013.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $247,548 | $298,548 |
| All Other | $41,453 | $41,453 |
| GENERAL FUND TOTAL | $289,001 | $340,001 |

## BUREAU OF FAMILY INDEPENDENCE - REGIONAL 0453

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 231.000 | 231.000 |
| Personal Services | $14,347,116 | $15,056,152 |
| All Other | $1,481,285 | $1,481,285 |
| GENERAL FUND TOTAL | $15,828,401 | $16,537,437 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 231.500 | 231.500 |
| Personal Services | $14,099,622 | $14,757,615 |
| All Other | $2,660,991 | $2,661,663 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,760,613 | $17,419,278 |

**Bureau of Medical Services 0129**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 45.000 | 45.000 |
| Personal Services | $5,032,079 | $5,261,423 |
| All Other | $25,630,748 | $25,630,748 |
| GENERAL FUND TOTAL | $30,662,827 | $30,892,171 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 131.500 | 131.500 |
| Personal Services | $7,794,969 | $8,133,804 |
| All Other | $72,092,004 | $72,092,004 |
| FEDERAL EXPENDITURES FUND TOTAL | $79,886,973 | $80,225,808 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,468,917 | $1,468,917 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,468,917 | $1,468,917 |

| **FEDERAL BLOCK GRANT FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $795,334 | $795,334 |
| FEDERAL BLOCK GRANT FUND TOTAL | $795,334 | $795,334 |

**Bureau of Medical Services 0129**

Initiative: Transfers funding from the Medical Care - Payments to Providers program to the Long Term Care - Human Services program and the Developmental Services - Community program based on the unbundling of rates as required by the Maine Integrated Health Management Solution (MIHMS) system.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $310,632 | $310,632 |
| FEDERAL EXPENDITURES FUND TOTAL | $310,632 | $310,632 |

**Bureau of Medical Services 0129**

Initiative: Transfers 2 Public Service Coordinator I positions and one Public Service Manager II position from the Federal Expenditures Fund in the Bureau of Medical Services program to the Office of Management and Budget program and reallocates 50% of the cost from the Federal Expenditures Fund in the Bureau of Medical Services program to Other Special Revenue Funds in the Office of Management and Budget program; reallocates 50% of the cost of one Management Analyst II position from the General Fund to Other Special Revenue Funds in the Office of Management and Budget program; and transfers one Public Service Manager I position from the General Fund to Other Special Revenue Funds in the Office of Management and Budget program and reallocates 50% of the cost from the Federal Expenditures Fund in the Bureau of Medical Services program to Other Special Revenue Funds in the Office of Management and Budget program.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($188,763) | ($195,146) |
| All Other | ($12,548) | ($12,717) |
| FEDERAL EXPENDITURES FUND TOTAL | ($201,311) | ($207,863) |

**Bureau of Medical Services 0129**

Initiative: Reallocates the portion of the cost of 2 Office Associate II positions, one Office Associate II Manager position, one Mental Health Worker III position, one Public Service Manager III position, one Social Services Program Specialist I position, 3 Social Services Program Specialist II positions and one Social Services Program Manager position currently budgeted in the Bureau of Medical Services program, Federal Expenditures Fund to Other Special Revenue Funds in the Office of Management and Budget program based on the cost allocation plan. The final allocation for these positions is 60% General Fund and 40% Other Special Revenue Funds. Position detail is on file in the Bureau of the Budget.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|

| | | |
|---|---|---|
| Personal Services | ($239,382) | ($247,737) |
| All Other | ($5,043) | ($5,043) |
| FEDERAL EXPENDITURES FUND TOTAL | ($244,425) | ($252,780) |

**Bureau of Medical Services 0129**

Initiative: Reallocates the cost of one Assistant Director Division Medicaid/Medicare Services position, 2 Auditor II positions, 4 Comprehensive Health Planner I positions, 2 Comprehensive Health Planner II positions, one Medicaid Surveillance and Utilization Supervisor position, one Management Analyst II position and 2 Planning and Research Associate I positions from the Office of Management and Budget, General Fund and Bureau of Medical Services, Federal Expenditures Fund accounts to the Office of Management and Budget, General Fund and Office of Management and Budget, Other Special Revenue Funds accounts.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (7.000) | (7.000) |
| Personal Services | ($473,329) | ($492,700) |
| All Other | ($10,943) | ($10,943) |
| FEDERAL EXPENDITURES FUND TOTAL | ($484,272) | ($503,643) |

**Bureau of Medical Services 0129**

Initiative: Reallocates the cost of 10 Comprehensive Health Planner II positions, one Health Services Consultant position, one Medical Care Coordinator position, one Management Analyst I position, 2 Office Specialist I positions, one Public Service Manager I position and 2 Public Service Manager II positions within the Bureau of Medical Services program from 25% General Fund and 75% Federal Expenditures Fund to 50% General Fund and 50% Federal Expenditures Fund to align position funding with projected federal reimbursement.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $359,722 | $373,725 |
| All Other | $16,395 | $16,395 |
| GENERAL FUND TOTAL | $376,117 | $390,120 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($358,860) | ($372,863) |
| All Other | ($8,565) | ($8,565) |
| FEDERAL EXPENDITURES FUND TOTAL | ($367,425) | ($381,428) |

**Bureau of Medical Services 0129**

Initiative: Provides funding for the implementation and operation of new standards that regulate the electronic transmission of specific health care transactions.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $699,382 | $346,194 |
| GENERAL FUND TOTAL | $699,382 | $346,194 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $6,444,686 | $3,190,120 |
| FEDERAL EXPENDITURES FUND TOTAL | $6,444,686 | $3,190,120 |

**Bureau of Medical Services 0129**

Initiative: Provides funding for the implementation and operation of health information technology incentive payments.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $219,382 | $164,382 |
| GENERAL FUND TOTAL | $219,382 | $164,382 |

| **FEDERAL EXPENDITURES FUND ARRA** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,974,438 | $1,479,438 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $1,974,438 | $1,479,438 |

**Bureau of Medical Services 0129**

Initiative: Reallocates 25% of the cost of one Management Analyst II position and related All Other from the Office of Elder Services Central Office program, Federal Expenditures Fund to 12.5% in the Bureau of Medical Services program, Federal Expenditures Fund, and 12.5% in the Office of Elder Services program, General Fund. The additional General Fund Personal Services costs are offset by a reduction in the All Other line category.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|

| | | |
|---|---|---|
| Personal Services | $9,051 | $9,647 |
| All Other | $457 | $457 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,508 | $10,104 |

**Bureau of Medical Services 0129**

Initiative: Adjusts funding as a result of the certification of the Maine Integrated Health Management Solution (MIHMS) system by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | ($4,200,000) |
| GENERAL FUND TOTAL | $0 | ($4,200,000) |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $4,200,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $4,200,000 |

**Bureau of Medical Services 0129**

Initiative: Continues one Public Service Manager III position originally established by financial order to continue the necessary planning for the MaineCare managed care initiative. The cost of this position is offset by the elimination of one Comprehensive Health Planner I position and one Office Associate II Supervisor position.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($11,126) | ($11,917) |
| GENERAL FUND TOTAL | ($11,126) | ($11,917) |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($11,129) | ($11,920) |
| All Other | ($297) | ($319) |
| FEDERAL EXPENDITURES FUND TOTAL | ($11,426) | ($12,239) |

**Bureau of Medical Services 0129**

Initiative: Provides funding for a grant awarded by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services under the federal Children's Health Insurance Program Reauthorization Act of 2009.

| **FEDERAL BLOCK GRANT FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $2,573,092 | $2,571,292 |
| FEDERAL BLOCK GRANT FUND TOTAL | $2,573,092 | $2,571,292 |

**Bureau of Medical Services 0129**

Initiative: Transfers one Senior Contract/Grant Specialist position from the Bureau of Medical Services program, funded 50% General Fund and 50% Federal Expenditures Fund, to the Division of Purchased Services program, funded 66% General Fund and 34% Other Special Revenue Funds. The additional General Fund Personal Services costs will be offset by a reduction in the All Other line category.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($39,240) | ($41,495) |
| GENERAL FUND TOTAL | ($39,240) | ($41,495) |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($39,247) | ($41,497) |
| FEDERAL EXPENDITURES FUND TOTAL | ($39,247) | ($41,497) |

**Bureau of Medical Services 0129**

Initiative: Establishes a part-time limited-period Medical Director position. The position is funded for 20 hours per week through September 30, 2012 and for 16 hours per week from October 1, 2012 through June 15, 2013 and its cost is allocated among several programs within the department. General Fund position costs are offset through a reduction in the All Other line category. Additional position detail is on file in the Bureau of the Budget.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $32,393 | $39,007 |
| FEDERAL EXPENDITURES FUND TOTAL | $32,393 | $39,007 |

### Bureau of Medical Services 0129

Initiative: Adjusts funding on a one-time basis to recognize the estimated savings from the retroactive certification of the Maine Integrated Health Management Solution (MIHMS) system by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. General Fund savings are contingent upon a certification date retroactive to July 1, 2011 and that the certification occurs within fiscal year 2012-13.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($12,600,000) |
| GENERAL FUND TOTAL | $0 | ($12,600,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $12,600,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $12,600,000 |

### Bureau of Medical Services 0129

Initiative: Establishes 15 limited-period Customer Service Representative Associate II positions in the Bureau of Family Independence - Regional program to expedite disability determinations and reduce the time period for determination of disability by an average of 15 days and achieve one-time savings by decreasing payments for benefits with state funds. These positions are established through June 15, 2013.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $247,548 | $298,548 |
| All Other | $41,453 | $41,453 |
| FEDERAL EXPENDITURES FUND TOTAL | $289,001 | $340,001 |

## BUREAU OF MEDICAL SERVICES 0129

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 45.000 | 45.000 |
| Personal Services | $5,341,435 | $5,581,736 |
| All Other | $26,565,907 | $9,357,719 |
| GENERAL FUND TOTAL | $31,907,342 | $14,939,455 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 119.500 | 119.500 |
| Personal Services | $6,773,251 | $7,119,143 |
| All Other | $78,851,836 | $92,397,079 |
| FEDERAL EXPENDITURES FUND TOTAL | $85,625,087 | $99,516,222 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,468,917 | $1,468,917 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,468,917 | $1,468,917 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,368,426 | $3,366,626 |
| FEDERAL BLOCK GRANT FUND TOTAL | $3,368,426 | $3,366,626 |

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,974,438 | $1,479,438 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $1,974,438 | $1,479,438 |

### Child Care Food Program 0454

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $278,007 | $284,636 |
| All Other | $15,396,199 | $15,396,199 |
| FEDERAL EXPENDITURES FUND TOTAL | $15,674,206 | $15,680,835 |

## CHILD CARE FOOD PROGRAM 0454

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $278,007 | $284,636 |
| All Other | $15,396,199 | $15,396,199 |
| FEDERAL EXPENDITURES FUND TOTAL | $15,674,206 | $15,680,835 |

### Child Care Services 0563

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $300,000 | $300,000 |
| GENERAL FUND TOTAL | $300,000 | $300,000 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $383,329 | $395,244 |
| All Other | $15,845,368 | $15,845,368 |
| FEDERAL BLOCK GRANT FUND TOTAL | $16,228,697 | $16,240,612 |

### Child Care Services 0563

Initiative: Continues 8 limited-period Financial Resource Specialist positions and one limited-period Social Services Program Specialist II position that were originally established by financial order until June 15, 2013.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $532,832 | $567,199 |
| All Other | $18,745 | $19,954 |
| FEDERAL BLOCK GRANT FUND TOTAL | $551,577 | $587,153 |

## CHILD CARE SERVICES 0563 PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $300,000 | $300,000 |
| GENERAL FUND TOTAL | $300,000 | $300,000 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $916,161 | $962,443 |
| All Other | $15,864,113 | $15,865,322 |
| FEDERAL BLOCK GRANT FUND TOTAL | $16,780,274 | $16,827,765 |

### Child Support 0100

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 31.500 | 31.500 |
| Personal Services | $2,758,146 | $2,871,057 |
| All Other | $850,004 | $850,004 |
| GENERAL FUND TOTAL | $3,608,150 | $3,721,061 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 193.000 | 193.000 |
| Personal Services | $9,609,153 | $10,006,119 |
| All Other | $5,313,031 | $5,313,031 |
| FEDERAL EXPENDITURES FUND TOTAL | $14,922,184 | $15,319,150 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,039,626 | $2,124,631 |
| All Other | $5,871,584 | $5,871,584 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,911,210 | $7,996,215 |

### Child Support 0100

Initiative: Transfers one Office Assistant II position from Other Special Revenue Funds in the Office of Integrated Access and Support - Central Office program to 34% General Fund and 66% Federal Expenditures Fund in the Child Support program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $15,706 | $16,786 |

| | | |
|---|---|---|
| All Other | $1,239 | $1,239 |
| GENERAL FUND TOTAL | $16,945 | $18,025 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $30,489 | $32,583 |
| All Other | $3,289 | $3,345 |
| FEDERAL EXPENDITURES FUND TOTAL | $33,778 | $35,928 |

## CHILD SUPPORT 0100

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 32.500 | 32.500 |
| Personal Services | $2,773,852 | $2,887,843 |
| All Other | $851,243 | $851,243 |
| GENERAL FUND TOTAL | $3,625,095 | $3,739,086 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 193.000 | 193.000 |
| Personal Services | $9,639,642 | $10,038,702 |
| All Other | $5,316,320 | $5,316,376 |
| FEDERAL EXPENDITURES FUND TOTAL | $14,955,962 | $15,355,078 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,039,626 | $2,124,631 |
| All Other | $5,871,584 | $5,871,584 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,911,210 | $7,996,215 |

### Community Family Planning 0466

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $225,322 | $225,322 |
| GENERAL FUND TOTAL | $225,322 | $225,322 |

## COMMUNITY FAMILY PLANNING 0466

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $225,322 | $225,322 |
| GENERAL FUND TOTAL | $225,322 | $225,322 |

### Community Services Block Grant 0716

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $67,349 | $71,959 |
| All Other | $4,863,395 | $4,863,395 |
| FEDERAL BLOCK GRANT FUND TOTAL | $4,930,744 | $4,935,354 |

## COMMUNITY SERVICES BLOCK GRANT 0716

## PROGRAM SUMMARY

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $67,349 | $71,959 |
| All Other | $4,863,395 | $4,863,395 |
| FEDERAL BLOCK GRANT FUND TOTAL | $4,930,744 | $4,935,354 |

### Comprehensive Cancer Screening, Detection and Prevention Fund Z054

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## COMPREHENSIVE CANCER SCREENING, DETECTION AND PREVENTION FUND Z054

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Dental Disease Prevention 0486**

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $164,244 | $170,661 |
| All Other | $34,660 | $34,660 |
| FEDERAL BLOCK GRANT FUND TOTAL | $198,904 | $205,321 |

**DENTAL DISEASE PREVENTION 0486**

**PROGRAM SUMMARY**

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $164,244 | $170,661 |
| All Other | $34,660 | $34,660 |
| FEDERAL BLOCK GRANT FUND TOTAL | $198,904 | $205,321 |

**Disability Determination - Division of 0208**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 65.000 | 65.000 |
| Personal Services | $4,361,263 | $4,540,428 |
| All Other | $4,150,509 | $4,150,509 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,511,772 | $8,690,937 |

**Disability Determination - Division of 0208**

Initiative: Provides funding necessary due to an increase in applications for benefits.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,015,791 | $1,015,791 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,015,791 | $1,015,791 |

**DISABILITY DETERMINATION - DIVISION OF 0208**

**PROGRAM SUMMARY**

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 65.000 | 65.000 |
| Personal Services | $4,361,263 | $4,540,428 |
| All Other | $5,166,300 | $5,166,300 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,527,563 | $9,706,728 |

**Division of Administrative Hearings Z038**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $141,059 | $144,533 |
| All Other | $20,467 | $20,467 |
| GENERAL FUND TOTAL | $161,526 | $165,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $796,385 | $820,378 |
| All Other | $249,182 | $249,182 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,045,567 | $1,069,560 |

**Division of Administrative Hearings Z038**

Initiative: Reallocates the cost of one Hearings Examiner position and one Secretary Legal position from 100% General Fund to 42% General Fund and 58% Other Special Revenue Funds and 6 Hearings Examiner positions, 2 Secretary Legal positions, one Secretary Associate Legal Supervisor position and one Public Service Manager II position from 100% Other Special Revenue Funds to 58% Other Special Revenue Funds and 42% General Fund based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $252,673 | $260,729 |
| All Other | $31,157 | $31,157 |
| GENERAL FUND TOTAL | $283,830 | $291,886 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($252,673) | ($260,729) |
| All Other | ($4,342) | ($4,342) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($257,015) | ($265,071) |

## DIVISION OF ADMINISTRATIVE HEARINGS Z038

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $393,732 | $405,262 |
| All Other | $51,624 | $51,624 |
| GENERAL FUND TOTAL | $445,356 | $456,886 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $543,712 | $559,649 |
| All Other | $244,840 | $244,840 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $788,552 | $804,489 |

### Division of Data, Research and Vital Statistics Z037

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $473,697 | $484,677 |
| All Other | $885,796 | $885,796 |
| GENERAL FUND TOTAL | $1,359,493 | $1,370,473 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $215,306 | $220,155 |
| All Other | $1,766,739 | $1,766,739 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,982,045 | $1,986,894 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $564,475 | $589,008 |
| All Other | $2,223,646 | $2,223,646 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,788,121 | $2,812,654 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $72,956 | $74,589 |
| All Other | $8,387 | $8,387 |
| FEDERAL BLOCK GRANT FUND TOTAL | $81,343 | $82,976 |

## DIVISION OF DATA, RESEARCH AND VITAL STATISTICS Z037

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $473,697 | $484,677 |
| All Other | $885,796 | $885,796 |
| GENERAL FUND TOTAL | $1,359,493 | $1,370,473 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $215,306 | $220,155 |
| All Other | $1,766,739 | $1,766,739 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,982,045 | $1,986,894 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $564,475 | $589,008 |
| All Other | $2,223,646 | $2,223,646 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,788,121 | $2,812,654 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $72,956 | $74,589 |
| All Other | $8,387 | $8,387 |
| FEDERAL BLOCK GRANT FUND TOTAL | $81,343 | $82,976 |

**Division of Licensing and Regulatory Services Z036**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 30.000 | 30.000 |
| Personal Services | $2,942,632 | $3,055,839 |
| All Other | $257,519 | $257,519 |
| GENERAL FUND TOTAL | $3,200,151 | $3,313,358 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $52,644 | $56,140 |
| All Other | $159,056 | $159,056 |
| FEDERAL EXPENDITURES FUND TOTAL | $211,700 | $215,196 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 77.000 | 77.000 |
| Personal Services | $4,917,940 | $5,097,362 |
| All Other | $1,122,668 | $1,122,668 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,040,608 | $6,220,030 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,724 | $12,724 |
| FEDERAL BLOCK GRANT FUND TOTAL | $12,724 | $12,724 |

**Division of Licensing and Regulatory Services Z036**

Initiative: Reallocates funding for 105 positions to 35% General Fund and 65% Other Special Revenue Funds based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($148,360) | ($157,340) |
| All Other | $115,837 | $115,837 |
| GENERAL FUND TOTAL | ($32,523) | ($41,503) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($52,644) | ($56,140) |
| All Other | ($1,904) | ($1,904) |
| FEDERAL EXPENDITURES FUND TOTAL | ($54,548) | ($58,044) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $201,004 | $213,480 |
| All Other | $5,709 | $5,709 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $206,713 | $219,189 |

**Division of Licensing and Regulatory Services Z036**

Initiative: Transfers 4 Social Services Program Specialist I positions and one Office Associate II position from the FHM - Service Center program to the Division of Licensing and Regulatory Services program, funded 35% General Fund and 65% Other Special Revenue Funds. The additional General Fund costs are offset by the elimination of one Office Associate II position in the Mental Health Services - Community program, one Office Assistant II position in the OMB Division of Regional Operations program and one Social Services Program Specialist I position in the Division of Licensing and Regulatory Services program, as well as the reallocation of costs of 2 Health Care Financial Analyst positions from 50% General Fund and 50% Other Special Revenue Funds to 35% General Fund and 65% Other Special Revenue Funds

in the Division of Licensing and Regulatory Services program. Additional position detail is available in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | $72,477 | $76,120 |
| All Other | $6,982 | $8,771 |
| GENERAL FUND TOTAL | $79,459 | $84,891 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $205,077 | $213,361 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $205,077 | $213,361 |

## DIVISION OF LICENSING AND REGULATORY SERVICES Z036

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 29.000 | 29.000 |
| Personal Services | $2,866,749 | $2,974,619 |
| All Other | $380,338 | $382,127 |
| GENERAL FUND TOTAL | $3,247,087 | $3,356,746 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $0 | $0 |
| All Other | $157,152 | $157,152 |
| FEDERAL EXPENDITURES FUND TOTAL | $157,152 | $157,152 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 82.000 | 82.000 |
| Personal Services | $5,324,021 | $5,524,203 |
| All Other | $1,128,377 | $1,128,377 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,452,398 | $6,652,580 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,724 | $12,724 |
| FEDERAL BLOCK GRANT FUND TOTAL | $12,724 | $12,724 |

### Division of Purchased Services Z035

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $2,056,548 | $2,133,119 |
| All Other | $292,013 | $292,013 |
| GENERAL FUND TOTAL | $2,348,561 | $2,425,132 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $690,489 | $715,745 |
| All Other | $81,323 | $81,323 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $771,812 | $797,068 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,015 | $1,015 |
| FEDERAL BLOCK GRANT FUND TOTAL | $1,015 | $1,015 |

### Division of Purchased Services Z035

Initiative: Reallocates funding for 30 positions to 66% General Fund and 34% Other Special Revenue Funds based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($407,488) | ($422,262) |
| All Other | ($80,795) | ($80,795) |
| GENERAL FUND TOTAL | ($488,283) | ($503,057) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $407,488 | $422,262 |

| | | |
|---|---|---|
| All Other | $11,419 | $11,419 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $418,907 | $433,681 |

**Division of Purchased Services Z035**

Initiative: Transfers one Management Analyst II position from the General Fund and 3 Public Service Coordinator I positions from Other Special Revenue Funds within the Division of Purchased Services program to the General Fund in the Office of Management and Budget program and reallocates 40% of the cost to Other Special Revenue Funds based on the cost allocation plan.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($75,960) | ($78,488) |
| All Other | ($4,022) | ($4,022) |
| GENERAL FUND TOTAL | ($79,982) | ($82,510) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($287,587) | ($297,103) |
| All Other | ($5,709) | ($5,709) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($293,296) | ($302,812) |

**Division of Purchased Services Z035**

Initiative: Reduces funding to align allocation with available resources.

| **FEDERAL BLOCK GRANT FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($1,015) | ($1,015) |
| FEDERAL BLOCK GRANT FUND TOTAL | ($1,015) | ($1,015) |

**Division of Purchased Services Z035**

Initiative: Transfers one Senior Contract/Grant Specialist position from the Bureau of Medical Services program, funded 50% General Fund and 50% Federal Expenditures Fund, to the Division of Purchased Services program, funded 66% General Fund and 34% Other Special Revenue Funds. The additional General Fund Personal Services costs will be offset by a reduction in the All Other line category.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $51,803 | $54,776 |
| All Other | ($12,563) | ($13,281) |
| GENERAL FUND TOTAL | $39,240 | $41,495 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $26,684 | $28,216 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $26,684 | $28,216 |

## DIVISION OF PURCHASED SERVICES Z035

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 26.000 | 26.000 |
| Personal Services | $1,624,903 | $1,687,145 |
| All Other | $194,633 | $193,915 |
| GENERAL FUND TOTAL | $1,819,536 | $1,881,060 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $837,074 | $869,120 |
| All Other | $87,033 | $87,033 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $924,107 | $956,153 |

| **FEDERAL BLOCK GRANT FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $0 |
| FEDERAL BLOCK GRANT FUND TOTAL | $0 | $0 |

**Drinking Water Enforcement 0728**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $516,314 | $533,616 |
| All Other | $601,165 | $601,165 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,117,479 | $1,134,781 |

### Drinking Water Enforcement 0728

Initiative: Transfers one Quality Assurance Officer position from 80% Other Special Revenue Funds and 20% Federal Expenditures Fund in the Health - Bureau of program to 100% Other Special Revenue Funds in the Drinking Water Enforcement program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $81,941 | $83,704 |
| All Other | $4,284 | $4,297 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $86,225 | $88,001 |

### Drinking Water Enforcement 0728

Initiative: Reallocates 50% of the cost of one Office Associate II position from the Maine Water Well Drilling Program to the Drinking Water Enforcement program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $27,990 | $29,926 |
| All Other | $2,043 | $2,058 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $30,033 | $31,984 |

### Drinking Water Enforcement 0728

Initiative: Provides funding for a state match for federal funds allocated to the safe drinking water revolving loan fund, pursuant to the Maine Revised Statutes, Title 30-A, section 6006-B.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $570,000 | $0 |
| GENERAL FUND TOTAL | $570,000 | $0 |

## DRINKING WATER ENFORCEMENT 0728

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $570,000 | $0 |
| GENERAL FUND TOTAL | $570,000 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $626,245 | $647,246 |
| All Other | $607,492 | $607,520 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,233,737 | $1,254,766 |

### FHM - Bone Marrow Screening 0962

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $80,218 | $80,218 |
| FUND FOR A HEALTHY MAINE TOTAL | $80,218 | $80,218 |

### FHM - Bone Marrow Screening 0962

Initiative: Reduces funding to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($80,218) | ($80,218) |
| FUND FOR A HEALTHY MAINE TOTAL | ($80,218) | ($80,218) |

## FHM - BONE MARROW SCREENING 0962

## PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

### FHM - Bureau of Health 0953

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $929,657 | $962,442 |
| All Other | $20,149,239 | $20,149,323 |
| FUND FOR A HEALTHY MAINE TOTAL | $21,078,896 | $21,111,765 |

**FHM - Bureau of Health 0953**

Initiative: Reduces funding to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,278,652) | ($2,278,652) |
| FUND FOR A HEALTHY MAINE TOTAL | ($2,278,652) | ($2,278,652) |

**FHM - BUREAU OF HEALTH 0953**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $929,657 | $962,442 |
| All Other | $17,870,587 | $17,870,671 |
| FUND FOR A HEALTHY MAINE TOTAL | $18,800,244 | $18,833,113 |

**FHM - Bureau of Medical Services 0955**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,029 | $1,029 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,029 | $1,029 |

**FHM - Bureau of Medical Services 0955**

Initiative: Reduces funding to reflect a redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,029) | ($1,029) |
| FUND FOR A HEALTHY MAINE TOTAL | ($1,029) | ($1,029) |

**FHM - BUREAU OF MEDICAL SERVICES 0955**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

**FHM - Donated Dental 0958**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $36,463 | $36,463 |
| FUND FOR A HEALTHY MAINE TOTAL | $36,463 | $36,463 |

**FHM - DONATED DENTAL 0958**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $36,463 | $36,463 |
| FUND FOR A HEALTHY MAINE TOTAL | $36,463 | $36,463 |

**FHM - Drugs for the Elderly and Disabled Z015**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,934,230 | $11,934,230 |
| FUND FOR A HEALTHY MAINE TOTAL | $11,934,230 | $11,934,230 |

**FHM - DRUGS FOR THE ELDERLY AND DISABLED Z015**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,934,230 | $11,934,230 |
| FUND FOR A HEALTHY MAINE TOTAL | $11,934,230 | $11,934,230 |

**FHM - Family Planning 0956**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $401,430 | $401,430 |
| FUND FOR A HEALTHY MAINE TOTAL | $401,430 | $401,430 |

**FHM - FAMILY PLANNING 0956**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $401,430 | $401,430 |
| FUND FOR A HEALTHY MAINE TOTAL | $401,430 | $401,430 |

**FHM - Head Start 0959**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,354,580 | $1,354,580 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,354,580 | $1,354,580 |

**FHM - HEAD START 0959**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,354,580 | $1,354,580 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,354,580 | $1,354,580 |

**FHM - Immunization Z048**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,078,884 | $1,078,884 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,078,884 | $1,078,884 |

**FHM - IMMUNIZATION Z048**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,078,884 | $1,078,884 |
| FUND FOR A HEALTHY MAINE TOTAL | $1,078,884 | $1,078,884 |

**FHM - Medical Care 0960**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,520,177 | $7,520,177 |
| FUND FOR A HEALTHY MAINE TOTAL | $7,520,177 | $7,520,177 |

**FHM - Medical Care 0960**

Initiative: Adjusts funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $356,500 | $386,255 |
| FUND FOR A HEALTHY MAINE TOTAL | $356,500 | $386,255 |

**FHM - MEDICAL CARE 0960**

**PROGRAM SUMMARY**

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,876,677 | $7,906,432 |
| FUND FOR A HEALTHY MAINE TOTAL | $7,876,677 | $7,906,432 |

**FHM - Purchased Social Services 0961**

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $3,942,236 | $3,942,236 |
| FUND FOR A HEALTHY MAINE TOTAL | $3,942,236 | $3,942,236 |

## FHM - PURCHASED SOCIAL SERVICES 0961

## PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,942,236 | $3,942,236 |
| FUND FOR A HEALTHY MAINE TOTAL | $3,942,236 | $3,942,236 |

### FHM - Service Center 0957

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $344,903 | $361,440 |
| All Other | $7,648 | $7,648 |
| FUND FOR A HEALTHY MAINE TOTAL | $352,551 | $369,088 |

### FHM - Service Center 0957

Initiative: Transfers 4 Social Services Program Specialist I positions and one Office Associate II position from the FHM - Service Center program to the Division of Licensing and Regulatory Services program, funded 35% General Fund and 65% Other Special Revenue Funds. The additional General Fund costs are offset by the elimination of one Office Associate II position in the Mental Health Services - Community program, one Office Assistant II position in the OMB Division of Regional Operations program and one Social Services Program Specialist I position in the Division of Licensing and Regulatory Services program, as well as the reallocation of costs of 2 Health Care Financial Analyst positions from 50% General Fund and 50% Other Special Revenue Funds to 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program. Additional position detail is available in the Bureau of the Budget.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (5.000) | (5.000) |
| Personal Services | ($344,903) | ($361,440) |
| All Other | ($7,648) | ($7,648) |
| FUND FOR A HEALTHY MAINE TOTAL | ($352,551) | ($369,088) |

## FHM - SERVICE CENTER 0957

## PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

### Food Supplement Administration Z019

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,178,150 | $2,178,150 |
| GENERAL FUND TOTAL | $2,178,150 | $2,178,150 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,359,381 | $3,359,381 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,359,381 | $3,359,381 |

### Food Supplement Administration Z019

Initiative: Reduces funding by freezing enrollment for legal noncitizens for the state-funded food supplement program except for aged and disabled persons, victims of domestic violence and Department defined hardship cases.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($80,000) | ($80,000) |
| GENERAL FUND TOTAL | ($80,000) | ($80,000) |

## FOOD SUPPLEMENT ADMINISTRATION Z019

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,098,150 | $2,098,150 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $2,098,150 | $2,098,150 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,359,381 | $3,359,381 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,359,381 | $3,359,381 |

### General Assistance - Reimbursement to Cities and Towns 0130

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,974,622 | $5,974,622 |
| GENERAL FUND TOTAL | $5,974,622 | $5,974,622 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $276,586 | $288,106 |
| All Other | $627,864 | $627,864 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $904,450 | $915,970 |

## GENERAL ASSISTANCE - REIMBURSEMENT TO CITIES AND TOWNS 0130

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,974,622 | $5,974,622 |
| GENERAL FUND TOTAL | $5,974,622 | $5,974,622 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $276,586 | $288,106 |
| All Other | $627,864 | $627,864 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $904,450 | $915,970 |

### Head Start 0545

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,448,875 | $2,448,875 |
| GENERAL FUND TOTAL | $2,448,875 | $2,448,875 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $109,152 | $109,152 |
| FEDERAL EXPENDITURES FUND TOTAL | $109,152 | $109,152 |

## HEAD START 0545

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,448,875 | $2,448,875 |
| GENERAL FUND TOTAL | $2,448,875 | $2,448,875 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $109,152 | $109,152 |
| FEDERAL EXPENDITURES FUND TOTAL | $109,152 | $109,152 |

### Health - Bureau of 0143

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 74.500 | 74.500 |
| Personal Services | $6,058,097 | $6,238,632 |
| All Other | $3,553,971 | $3,553,971 |
| GENERAL FUND TOTAL | $9,612,068 | $9,792,603 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 148.000 | 148.000 |
| Personal Services | $10,906,207 | $11,373,340 |
| All Other | $57,173,922 | $57,173,922 |
| FEDERAL EXPENDITURES FUND TOTAL | $68,080,129 | $68,547,262 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 82.000 | 82.000 |
| POSITIONS - FTE COUNT | 1.500 | 1.500 |
| Personal Services | $6,025,230 | $6,248,165 |
| All Other | $8,818,874 | $8,818,874 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $14,844,104 | $15,067,039 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $197,079 | $201,548 |
| All Other | $98,560 | $98,560 |
| FEDERAL BLOCK GRANT FUND TOTAL | $295,639 | $300,108 |

### Health - Bureau of 0143

Initiative: Reorganizes one Public Service Coordinator I position to a Public Service Coordinator II position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $15,281 | $15,493 |
| All Other | ($15,281) | ($15,493) |
| GENERAL FUND TOTAL | $0 | $0 |

### Health - Bureau of 0143

Initiative: Transfers one Environmental Specialist III position and related All Other from the Plumbing - Control Over program to the Health - Bureau of program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $69,856 | $74,492 |
| All Other | $5,619 | $5,743 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $75,475 | $80,235 |

### Health - Bureau of 0143

Initiative: Reorganizes one Planning and Research Associate II position to a Health Program Manager position.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $17,114 | $14,936 |
| FEDERAL EXPENDITURES FUND TOTAL | $17,114 | $14,936 |

### Health - Bureau of 0143

Initiative: Reorganizes one Public Health Educator III position to a Comprehensive Health Planner II position.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,086 | $4,330 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,086 | $4,330 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,086 | $4,330 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,086 | $4,330 |

### Health - Bureau of 0143

Initiative: Reallocates 25% of the cost of one Senior Health Program Manager position from the Federal Block Grant Fund to the Federal Expenditures Fund within the Health - Bureau of program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $23,082 | $23,559 |
| All Other | $1,555 | $1,568 |
| FEDERAL EXPENDITURES FUND TOTAL | $24,637 | $25,127 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($23,082) | ($23,559) |
| All Other | ($395) | ($395) |
| FEDERAL BLOCK GRANT FUND TOTAL | ($23,477) | ($23,954) |

**Health - Bureau of 0143**

Initiative: Reallocates 25% of the cost of one Comprehensive Health Planner II position from the Risk Reduction program, Federal Block Grant Fund to the Health - Bureau of program, Federal Block Grant Fund.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $20,445 | $21,039 |
| All Other | $547 | $563 |
| FEDERAL BLOCK GRANT FUND TOTAL | $20,992 | $21,602 |

**Health - Bureau of 0143**

Initiative: Transfers one Public Service Coordinator II position and 50% of its cost from the Federal Expenditures Fund in the Health - Bureau of program to the General Fund in the Maternal and Child Health Block Grant Match program and offsets the additional Personal Services cost with a reduction in the All Other line category.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($46,473) | ($49,289) |
| All Other | ($2,002) | ($2,002) |
| FEDERAL EXPENDITURES FUND TOTAL | ($48,475) | ($51,291) |

**Health - Bureau of 0143**

Initiative: Reorganizes one Social Services Program Specialist I position and one Comprehensive Health Planner I position to 2 Comprehensive Health Planner II positions.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $18,814 | $19,375 |
| All Other | $503 | $518 |
| FEDERAL EXPENDITURES FUND TOTAL | $19,317 | $19,893 |

**Health - Bureau of 0143**

Initiative: Reallocates 25% of the cost of one Planning and Research Associate II position from the Federal Expenditures Fund to Other Special Revenue Funds within the Health - Bureau of program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($19,090) | ($20,250) |
| All Other | ($476) | ($476) |
| FEDERAL EXPENDITURES FUND TOTAL | ($19,566) | ($20,726) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $19,090 | $20,250 |
| All Other | $986 | $1,017 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $20,076 | $21,267 |

**Health - Bureau of 0143**

Initiative: Reallocates 25% of the cost of one Office Specialist I Manager Supervisor position from Other Special Revenue Funds to the Federal Expenditures Fund within the Health - Bureau of program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $16,196 | $17,302 |
| All Other | $2,756 | $2,786 |
| FEDERAL EXPENDITURES FUND TOTAL | $18,952 | $20,088 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($16,196) | ($17,302) |
| All Other | ($476) | ($476) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($16,672) | ($17,778) |

**Health - Bureau of 0143**

Initiative: Reallocates 80% of the cost of one Public Health Physician position from the Federal Expenditures Fund to Other Special Revenue Funds within the Health - Bureau of program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($108,253) | ($115,252) |
| All Other | ($1,522) | ($1,522) |
| FEDERAL EXPENDITURES FUND TOTAL | ($109,775) | ($116,774) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $108,253 | $115,252 |
| All Other | $5,894 | $6,081 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $114,147 | $121,333 |

**Health - Bureau of 0143**

Initiative: Transfers one Quality Assurance Officer position from 80% Other Special Revenue Funds and 20% Federal Expenditures Fund in the Health - Bureau of program to 100% Other Special Revenue Funds in the Drinking Water Enforcement program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($16,388) | ($16,742) |
| All Other | ($300) | ($300) |
| FEDERAL EXPENDITURES FUND TOTAL | ($16,688) | ($17,042) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($65,553) | ($66,962) |
| All Other | ($1,264) | ($1,264) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($66,817) | ($68,226) |

**Health - Bureau of 0143**

Initiative: Reallocates 50% of the cost of one Epidemiologist position from the Federal Expenditures Fund to the Other Special Revenue Funds within the Health - Bureau of program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($39,577) | ($42,223) |
| All Other | ($950) | ($950) |
| FEDERAL EXPENDITURES FUND TOTAL | ($40,527) | ($43,173) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $39,577 | $42,223 |
| All Other | $3,855 | $3,926 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $43,432 | $46,149 |

**Health - Bureau of 0143**

Initiative: Reorganizes 9 Sanitarian II positions and one Environmental Specialist II position to 10 Public Health Inspector I positions and reorganizes 2 Management Analyst II positions to 2 Public Health Inspector II positions.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $42,921 | $43,896 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $42,921 | $43,896 |

## HEALTH - BUREAU OF 0143

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 74.500 | 74.500 |
| Personal Services | $6,073,378 | $6,254,125 |
| All Other | $3,538,690 | $3,538,478 |
| GENERAL FUND TOTAL | $9,612,068 | $9,792,603 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 147.000 | 147.000 |
| Personal Services | $10,755,718 | $11,209,086 |
| All Other | $57,173,486 | $57,173,544 |
| FEDERAL EXPENDITURES FUND TOTAL | $67,929,204 | $68,382,630 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 82.000 | 82.000 |
| POSITIONS - FTE COUNT | 1.500 | 1.500 |
| Personal Services | $6,227,264 | $6,464,344 |
| All Other | $8,833,488 | $8,833,901 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $15,060,752 | $15,298,245 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $194,442 | $199,028 |
| All Other | $98,712 | $98,728 |
| FEDERAL BLOCK GRANT FUND TOTAL | $293,154 | $297,756 |

**Homeless Youth Program 0923**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $401,760 | $401,760 |
| GENERAL FUND TOTAL | $401,760 | $401,760 |

**HOMELESS YOUTH PROGRAM 0923**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $401,760 | $401,760 |
| GENERAL FUND TOTAL | $401,760 | $401,760 |

**Hypertension Control 0487**

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $26,204 | $26,204 |
| FEDERAL BLOCK GRANT FUND TOTAL | $26,204 | $26,204 |

**Hypertension Control 0487**

Initiative: Provides funding to align allocations with existing resources.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $30,000 | $30,000 |
| FEDERAL BLOCK GRANT FUND TOTAL | $30,000 | $30,000 |

**HYPERTENSION CONTROL 0487**

**PROGRAM SUMMARY**

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $56,204 | $56,204 |
| FEDERAL BLOCK GRANT FUND TOTAL | $56,204 | $56,204 |

**Independent Housing with Services 0211**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,760,608 | $1,760,608 |
| GENERAL FUND TOTAL | $1,760,608 | $1,760,608 |

**Independent Housing with Services 0211**

Initiative: Transfers funding for grants for assisted living services from the Long Term Care - Human Services program to the Independent Housing with Services program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,016,000 | $1,016,000 |
| GENERAL FUND TOTAL | $1,016,000 | $1,016,000 |

**INDEPENDENT HOUSING WITH SERVICES 0211**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,776,608 | $2,776,608 |
| GENERAL FUND TOTAL | $2,776,608 | $2,776,608 |

**IV-E Foster Care/Adoption Assistance 0137**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,222,540 | $13,222,540 |
| GENERAL FUND TOTAL | $13,222,540 | $13,222,540 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $526,558 | $552,231 |
| All Other | $37,356,582 | $37,356,582 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $37,883,140 | $37,908,813 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,101,863 | $6,101,863 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,101,863 | $6,101,863 |

### IV-E Foster Care/Adoption Assistance 0137

Initiative: Transfers 26 full-time and 2 part-time positions and related All Other between various accounts within programs administered by the Bureau of Child and Family Services to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (10.000) | (10.000) |
| Personal Services | ($526,558) | ($552,231) |
| All Other | ($18,386) | ($18,386) |
| FEDERAL EXPENDITURES FUND TOTAL | ($544,944) | ($570,617) |

### IV-E Foster Care/Adoption Assistance 0137

Initiative: Transfers funding from the IV-E Foster Care/Adoption Assistance program to the State-funded Foster Care/Adoption Assistance program to properly reflect anticipated earned revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($4,500,000) | ($4,500,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($4,500,000) | ($4,500,000) |

### IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding based on prior year expenditure trends.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,500,000) | ($2,500,000) |
| GENERAL FUND TOTAL | ($2,500,000) | ($2,500,000) |

### IV-E Foster Care/Adoption Assistance 0137

Initiative: Adjusts funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $514,928 | $558,082 |
| GENERAL FUND TOTAL | $514,928 | $558,082 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($714,637) | ($759,251) |
| FEDERAL EXPENDITURES FUND TOTAL | ($714,637) | ($759,251) |

## IV-E FOSTER CARE/ADOPTION ASSISTANCE 0137

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,237,468 | $11,280,622 |
| GENERAL FUND TOTAL | $11,237,468 | $11,280,622 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $36,623,559 | $36,578,945 |
| FEDERAL EXPENDITURES FUND TOTAL | $36,623,559 | $36,578,945 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,601,863 | $1,601,863 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,601,863 | $1,601,863 |

### Long Term Care - Human Services 0420

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $58,699 | $61,428 |
| All Other | $13,486,692 | $13,486,692 |
| GENERAL FUND TOTAL | $13,545,391 | $13,548,120 |

**Long Term Care - Human Services 0420**

Initiative: Transfers funding from the Medical Care - Payments to Providers program to the Long Term Care - Human Services program and the Developmental Services - Community program based on the unbundling of rates as required by the Maine Integrated Health Management Solution (MIHMS) system.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $139,632 | $139,632 |
| GENERAL FUND TOTAL | $139,632 | $139,632 |

**Long Term Care - Human Services 0420**

Initiative: Transfers funding for grants for assisted living services from the Long Term Care - Human Services program to the Independent Housing with Services program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,016,000) | ($1,016,000) |
| GENERAL FUND TOTAL | ($1,016,000) | ($1,016,000) |

**LONG TERM CARE - HUMAN SERVICES 0420**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $58,699 | $61,428 |
| All Other | $12,610,324 | $12,610,324 |
| GENERAL FUND TOTAL | $12,669,023 | $12,671,752 |

**Low-cost Drugs To Maine's Elderly 0202**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,962,967 | $4,962,967 |
| GENERAL FUND TOTAL | $4,962,967 | $4,962,967 |

**Low-cost Drugs To Maine's Elderly 0202**

Initiative: Provides funding to the Medical Care - Payments to Providers program for Medicare Part B payments, which is offset by reducing funding for the Low-cost Drugs To Maine's Elderly program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($500,000) | ($500,000) |
| GENERAL FUND TOTAL | ($500,000) | ($500,000) |

**LOW-COST DRUGS TO MAINE'S ELDERLY 0202**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,462,967 | $4,462,967 |
| GENERAL FUND TOTAL | $4,462,967 | $4,462,967 |

**Maine Asthma and Lung Disease Research Fund (DHHS) Z027**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $42,500 | $42,500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $42,500 | $42,500 |

**MAINE ASTHMA AND LUNG DISEASE RESEARCH FUND (DHHS) Z027**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $42,500 | $42,500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $42,500 | $42,500 |

**Maine Children's Growth Council Z074**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,500 | $10,500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,500 | $10,500 |

**MAINE CHILDREN'S GROWTH COUNCIL Z074**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,500 | $10,500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,500 | $10,500 |

**Maine Rx Plus Program 0927**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $105,815 | $105,815 |
| GENERAL FUND TOTAL | $105,815 | $105,815 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Maine Rx Plus Program 0927**

Initiative: Adjusts funding to reflect the establishment of a fee to fund the administrative and other operating costs of the Maine Rx Plus Program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($105,815) | ($105,815) |
| GENERAL FUND TOTAL | ($105,815) | ($105,815) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $135,315 | $135,315 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $135,315 | $135,315 |

**MAINE RX PLUS PROGRAM 0927**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $135,815 | $135,815 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $135,815 | $135,815 |

**Maine School Oral Health Fund Z025**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $25,000 | $25,000 |

**MAINE SCHOOL ORAL HEALTH FUND Z025**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $25,000 | $25,000 |

**Maine Water Well Drilling Program 0697**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $55,983 | $59,854 |
| All Other | $45,353 | $45,353 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $101,336 | $105,207 |

**Maine Water Well Drilling Program 0697**

Initiative: Reallocates 50% of the cost of one Office Associate II position from the Maine Water Well Drilling Program to the Drinking Water Enforcement program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($27,990) | ($29,926) |
| All Other | ($950) | ($950) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($28,940) | ($30,876) |

**MAINE WATER WELL DRILLING PROGRAM 0697**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |

| | | |
|---|---|---|
| Personal Services | $27,993 | $29,928 |
| All Other | $44,403 | $44,403 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $72,396 | $74,331 |

### Maternal and Child Health 0191

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $101,107 | $103,667 |
| All Other | $1,078,464 | $1,078,464 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,179,571 | $1,182,131 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 29.000 | 29.000 |
| Personal Services | $2,429,005 | $2,514,321 |
| All Other | $643,363 | $643,363 |
| FEDERAL BLOCK GRANT FUND TOTAL | $3,072,368 | $3,157,684 |

### Maternal and Child Health 0191

Initiative: Transfers one Health Program Manager position from the Federal Block Grant Fund to the Federal Expenditures Fund within the same program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $90,178 | $92,277 |
| All Other | $2,411 | $2,467 |
| FEDERAL EXPENDITURES FUND TOTAL | $92,589 | $94,744 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($90,178) | ($92,277) |
| All Other | ($2,411) | ($2,467) |
| FEDERAL BLOCK GRANT FUND TOTAL | ($92,589) | ($94,744) |

### Maternal and Child Health 0191

Initiative: Reorganizes one Comprehensive Health Planner I position to a Comprehensive Health Planner II position.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,293 | $7,484 |
| All Other | $195 | $200 |
| FEDERAL BLOCK GRANT FUND TOTAL | $7,488 | $7,684 |

## MATERNAL AND CHILD HEALTH 0191 PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $191,285 | $195,944 |
| All Other | $1,080,875 | $1,080,931 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,272,160 | $1,276,875 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 28.000 | 28.000 |
| Personal Services | $2,346,120 | $2,429,528 |
| All Other | $641,147 | $641,096 |
| FEDERAL BLOCK GRANT FUND TOTAL | $2,987,267 | $3,070,624 |

### Maternal and Child Health Block Grant Match Z008

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $328,085 | $344,634 |
| All Other | $4,341,324 | $4,341,324 |
| GENERAL FUND TOTAL | $4,669,409 | $4,685,958 |

**Maternal and Child Health Block Grant Match Z008**

Initiative: Reduces funding for recruitment and outreach in the Maine breast and cervical health program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($60,000) | ($60,000) |
| GENERAL FUND TOTAL | ($60,000) | ($60,000) |

**Maternal and Child Health Block Grant Match Z008**

Initiative: Reduces funding for specialty medical foods for both children and adults with inborn errors of metabolism.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($60,000) | ($60,000) |
| GENERAL FUND TOTAL | ($60,000) | ($60,000) |

**Maternal and Child Health Block Grant Match Z008**

Initiative: Transfers one Public Service Coordinator II position and 50% of its cost from the Federal Expenditures Fund in the Health - Bureau of program to the General Fund in the Maternal and Child Health Block Grant Match program and offsets the additional Personal Services cost with a reduction in the All Other line category.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $46,473 | $49,289 |
| All Other | ($46,473) | ($49,289) |
| GENERAL FUND TOTAL | $0 | $0 |

**Maternal and Child Health Block Grant Match Z008**

Initiative: Reduces funding for screening, assessing, training and consultation for primary care providers in the injury prevention program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($32,000) | ($32,000) |
| GENERAL FUND TOTAL | ($32,000) | ($32,000) |

**Maternal and Child Health Block Grant Match Z008**

Initiative: Appropriates funds for the home visiting network pursuant to 22 MRSA §262, that has demonstrated experience meeting state-established home visiting standards of practice for evidence-based services delivery.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,000,000 | $1,000,000 |
| GENERAL FUND TOTAL | $1,000,000 | $1,000,000 |

## MATERNAL AND CHILD HEALTH BLOCK GRANT MATCH Z008

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $374,558 | $393,923 |
| All Other | $5,142,851 | $5,140,035 |
| GENERAL FUND TOTAL | $5,517,409 | $5,533,958 |

**Medical Care - Payments to Providers 0147**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $279,781,173 | $279,781,173 |
| GENERAL FUND TOTAL | $279,781,173 | $279,781,173 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,189,093,780 | $1,189,093,780 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,189,093,780 | $1,189,093,780 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $139,958,791 | $139,958,791 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $139,958,791 | $139,958,791 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,397,323 | $25,397,323 |

| | | |
|---|---|---|
| FEDERAL BLOCK GRANT FUND TOTAL | $25,397,323 | $25,397,323 |

**Medical Care - Payments to Providers 0147**

Initiative: Transfers funding from the Medical Care - Payments to Providers program to the Long Term Care - Human Services program and the Developmental Services - Community program based on the unbundling of rates as required by the Maine Integrated Health Management Solution (MIHMS) system.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($310,632) | ($310,632) |
| GENERAL FUND TOTAL | ($310,632) | ($310,632) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($310,632) | ($310,632) |
| FEDERAL EXPENDITURES FUND TOTAL | ($310,632) | ($310,632) |

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding to distribute a portion of the funding provided to adjust and restore MaineCare rates for services that were subject to a 10% reduction in accordance with Public Law 2009, chapter 571, Part RRRR.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($828,053) | ($828,053) |
| GENERAL FUND TOTAL | ($828,053) | ($828,053) |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding as a result of establishing 15 limited-period Customer Service Representative Associate II positions in the Bureau of Family Independence - Regional program to expedite disability determinations and reduce the time period for determination of disability by an average of 15 days and achieve one-time savings by decreasing payments for benefits with state funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($4,296,550) | ($5,151,400) |
| GENERAL FUND TOTAL | ($4,296,550) | ($5,151,400) |

**Medical Care - Payments to Providers 0147**

Initiative: Transfers funding for interpretation and translation services from the Mental Health Services - Child Medicaid program and the Mental Health Services - Community Medicaid program to the Medical Care - Payments to Providers program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $38,265 | $38,265 |
| GENERAL FUND TOTAL | $38,265 | $38,265 |

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding in the MaineCare program to reflect enrollment growth and the conversion of payments to hospitals from a prospective interim payment methodology to payments based on diagnosis-related groupings and ambulatory patient classifications.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $83,184,870 | $79,792,782 |
| GENERAL FUND TOTAL | $83,184,870 | $79,792,782 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $172,705,601 | $167,522,030 |
| FEDERAL EXPENDITURES FUND TOTAL | $172,705,601 | $167,522,030 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,409,251 | $2,409,251 |
| FEDERAL BLOCK GRANT FUND TOTAL | $2,409,251 | $2,409,251 |

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding to offset the loss of supplemental rebates due to the federal Patient Protection and Affordable Care Act.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,804,095 | $4,939,918 |
| GENERAL FUND TOTAL | $5,804,095 | $4,939,918 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($5,804,095) | ($4,939,918) |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($5,804,095) | ($4,939,918) |

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding to continue the patient-centered medical home incentive payment program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $611,797 | $646,920 |
| GENERAL FUND TOTAL | $611,797 | $646,920 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,059,780 | $1,114,365 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,059,780 | $1,114,365 |

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,060,329 | $18,460,893 |
| GENERAL FUND TOTAL | $17,060,329 | $18,460,893 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($25,999,163) | ($28,145,802) |
| FEDERAL EXPENDITURES FUND TOTAL | ($25,999,163) | ($28,145,802) |

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding to the Medical Care - Payments to Providers program for Medicare Part B payments, which is offset by reducing funding for the Low-cost Drugs To Maine's Elderly program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500,000 | $500,000 |
| GENERAL FUND TOTAL | $500,000 | $500,000 |

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of MaineCare-dedicated tax revenues to comport with Revenue Forecasting Committee reprojections.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $379,606 | $379,606 |
| GENERAL FUND TOTAL | $379,606 | $379,606 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($379,606) | ($379,606) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($379,606) | ($379,606) |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding to reflect the annualized savings associated with the creation of a children's waiver.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($522,068) | ($516,646) |
| GENERAL FUND TOTAL | ($522,068) | ($516,646) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($904,347) | ($889,959) |
| FEDERAL EXPENDITURES FUND TOTAL | ($904,347) | ($889,959) |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding to reflect the establishment of a fee to fund the administrative and other operating costs of the Maine Rx Plus Program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($29,500) | ($29,500) |
| GENERAL FUND TOTAL | ($29,500) | ($29,500) |

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of increased contributions beginning January 1, 2012 from the Dirigo Health Fund for Medicaid seed for the MaineCare program for parents of children whose family income levels exceed 133% of the federal poverty level.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,155,211) | ($4,914,390) |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | ($1,155,211) | ($4,914,390) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,155,211 | $4,914,390 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,155,211 | $4,914,390 |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding from the implementation of a managed care strategy effective July 1, 2012.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($8,100,000) |
| GENERAL FUND TOTAL | $0 | ($8,100,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($13,952,818) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | ($13,952,818) |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding by limiting medical assistance benefits to certain legal noncitizens except for benefits for children and pregnant women.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,559,110) | ($2,559,110) |
| GENERAL FUND TOTAL | ($2,559,110) | ($2,559,110) |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding to reflect appropriate Federal Expenditures Fund baseline allocations in the Medical Care - Payments to Providers and Nursing Facilities programs.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($20,000,000) | ($10,000,000) |
| FEDERAL EXPENDITURES FUND TOTAL | ($20,000,000) | ($10,000,000) |

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding to recognize the savings from earned federal revenue.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,754,295) | ($1,754,295) |
| GENERAL FUND TOTAL | ($1,754,295) | ($1,754,295) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,754,295 | $1,754,295 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,754,295 | $1,754,295 |

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding for the federal disallowance related to targeted case management services provided in 2002 and 2003. The department is authorized to transfer expenditures from the Medical Care - Payments to Providers, Federal Expenditures Fund account to the Medical Care - Payments to Providers, General Fund account.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $29,736,437 | $0 |
| GENERAL FUND TOTAL | $29,736,437 | $0 |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding by extending the implementation date of the conversion of hospital prospective interim payments for hospital outpatient services to an ambulatory patient classification methodology to July 1, 2012.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($18,691,460) | $0 |
| GENERAL FUND TOTAL | ($18,691,460) | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($32,378,103) | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | ($32,378,103) | $0 |

**Medical Care - Payments to Providers 0147**

Initiative: Reduces funding to recognize savings from unnecessary emergency department utilization.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,500,000) | $0 |
| GENERAL FUND TOTAL | ($1,500,000) | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,598,361) | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | ($2,598,361) | $0 |

### Medical Care - Payments to Providers 0147

Initiative: Deappropriates funds resulting from a recovery of overpayments to boarding homes due to errors in calculating cost of care in state fiscal year 2010-11.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($4,200,000) | $0 |
| GENERAL FUND TOTAL | ($4,200,000) | $0 |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding as a result of savings from pharmaceuticals that are subject to patent expiration and can be replaced with generic drugs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($183,000) | ($1,579,390) |
| GENERAL FUND TOTAL | ($183,000) | ($1,579,390) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($317,000) | ($2,720,610) |
| FEDERAL EXPENDITURES FUND TOTAL | ($317,000) | ($2,720,610) |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding as a result of recoveries from Maine's recently approved state plan amendment to use a recovery audit contractor to address overpayments to providers.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($1,300,000) |
| GENERAL FUND TOTAL | $0 | ($1,300,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($2,239,341) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | ($2,239,341) |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding from reducing reimbursement for outpatient substance abuse and mental health services to MaineCare Section 65 rates effective July 1, 2012.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($1,000,000) |
| GENERAL FUND TOTAL | $0 | ($1,000,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($1,722,570) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | ($1,722,570) |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding from savings resulting from reductions in reimbursement for hospital acquired conditions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($120,000) | ($120,000) |
| GENERAL FUND TOTAL | ($120,000) | ($120,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($207,869) | ($206,708) |
| FEDERAL EXPENDITURES FUND TOTAL | ($207,869) | ($206,708) |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding as a result of implementation of medication therapy management to decrease inappropriate utilization of prescription drugs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($600,000) | ($1,200,000) |
| GENERAL FUND TOTAL | ($600,000) | ($1,200,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,039,344) | ($2,067,084) |
| FEDERAL EXPENDITURES FUND TOTAL | ($1,039,344) | ($2,067,084) |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding to recognize one-time savings during the 2012-2013 biennium from increased recoveries from third-party payers.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,000,000) | ($1,000,000) |
| GENERAL FUND TOTAL | ($1,000,000) | ($1,000,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,732,240) | ($1,722,570) |
| FEDERAL EXPENDITURES FUND TOTAL | ($1,732,240) | ($1,722,570) |

### Medical Care - Payments to Providers 0147

Initiative: Reduces funding to reflect the proper application of cost of care under the MaineCare Benefits Manual, Chapters II and III, Section 97, Appendix C and F.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($4,200,000) | ($4,200,000) |
| GENERAL FUND TOTAL | ($4,200,000) | ($4,200,000) |

## MEDICAL CARE - PAYMENTS TO PROVIDERS 0147

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $375,146,693 | $349,976,141 |
| GENERAL FUND TOTAL | $375,146,693 | $349,976,141 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,277,372,102 | $1,293,752,081 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,277,372,102 | $1,293,752,081 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $136,684,596 | $141,307,952 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $136,684,596 | $141,307,952 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $27,806,574 | $27,806,574 |
| FEDERAL BLOCK GRANT FUND TOTAL | $27,806,574 | $27,806,574 |

### Medical Use of Marijuana Fund Z118

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $134,890 | $144,075 |
| All Other | $73,659 | $73,659 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $208,549 | $217,734 |

## MEDICAL USE OF MARIJUANA FUND Z118

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $134,890 | $144,075 |
| All Other | $73,659 | $73,659 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $208,549 | $217,734 |

### MR/Elderly PNMI Room and Board Z009

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,274,174 | $6,274,174 |
| GENERAL FUND TOTAL | $6,274,174 | $6,274,174 |

### MR/Elderly PNMI Room and Board Z009

Initiative: Reduces funding from savings by imposing a penalty for certain transfers of assets to qualify for state support for boarding home services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($216,000) | ($216,000) |
| GENERAL FUND TOTAL | ($216,000) | ($216,000) |

## MR/ELDERLY PNMI ROOM AND BOARD Z009

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,058,174 | $6,058,174 |
| GENERAL FUND TOTAL | $6,058,174 | $6,058,174 |

### Multicultural Services Z034

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $92,864 | $99,131 |
| All Other | $10,993 | $10,993 |
| GENERAL FUND TOTAL | $103,857 | $110,124 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $85,047 | $81,545 |
| All Other | $1,469,767 | $1,469,767 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,554,814 | $1,551,312 |

## MULTICULTURAL SERVICES Z034

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $92,864 | $99,131 |
| All Other | $10,993 | $10,993 |
| GENERAL FUND TOTAL | $103,857 | $110,124 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $85,047 | $81,545 |
| All Other | $1,469,767 | $1,469,767 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,554,814 | $1,551,312 |

### Nursing Facilities 0148

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $69,509,265 | $69,509,265 |
| GENERAL FUND TOTAL | $69,509,265 | $69,509,265 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $276,068,439 | $276,068,439 |
| FEDERAL EXPENDITURES FUND TOTAL | $276,068,439 | $276,068,439 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $30,162,997 | $30,162,997 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $30,162,997 | $30,162,997 |

### Nursing Facilities 0148

Initiative: Adjusts funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,600,374 | $4,984,343 |
| GENERAL FUND TOTAL | $4,600,374 | $4,984,343 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($4,600,374) | ($4,984,343) |
| FEDERAL EXPENDITURES FUND TOTAL | ($4,600,374) | ($4,984,343) |

### Nursing Facilities 0148

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of MaineCare-dedicated tax revenues to comport with Revenue Forecasting Committee reprojections.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,240,543) | ($2,240,543) |
| GENERAL FUND TOTAL | ($2,240,543) | ($2,240,543) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,240,543 | $2,240,543 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,240,543 | $2,240,543 |

### Nursing Facilities 0148

Initiative: Reduces funding to reflect appropriate Federal Expenditures Fund baseline allocations in the Medical Care - Payments to Providers and Nursing Facilities programs.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($76,000,000) | ($77,000,000) |
| FEDERAL EXPENDITURES FUND TOTAL | ($76,000,000) | ($77,000,000) |

## NURSING FACILITIES 0148

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $71,869,096 | $72,253,065 |
| GENERAL FUND TOTAL | $71,869,096 | $72,253,065 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $195,468,065 | $194,084,096 |
| FEDERAL EXPENDITURES FUND TOTAL | $195,468,065 | $194,084,096 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,403,540 | $32,403,540 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $32,403,540 | $32,403,540 |

### Office of Elder Services Adult Protective Services Z040

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 69.000 | 69.000 |
| Personal Services | $5,145,078 | $5,317,414 |
| All Other | $944,930 | $944,930 |
| GENERAL FUND TOTAL | $6,090,008 | $6,262,344 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $126,528 | $126,528 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $126,528 | $126,528 |

### Office of Elder Services Adult Protective Services Z040

Initiative: Transfers one Intensive Case Manager position from the Mental Health Services - Community program to the Office of Elder Services Adult Protective Services program and reorganizes the position to a Human Services Caseworker position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $67,349 | $71,959 |
| GENERAL FUND TOTAL | $67,349 | $71,959 |

## OFFICE OF ELDER SERVICES ADULT PROTECTIVE SERVICES Z040

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 70.000 | 70.000 |
| Personal Services | $5,212,427 | $5,389,373 |
| All Other | $944,930 | $944,930 |
| GENERAL FUND TOTAL | $6,157,357 | $6,334,303 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $126,528 | $126,528 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $126,528 | $126,528 |

**Office of Elder Services Central Office 0140**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $737,752 | $758,171 |
| All Other | $2,554,555 | $2,554,555 |
| GENERAL FUND TOTAL | $3,292,307 | $3,312,726 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.500 | 6.500 |
| Personal Services | $554,408 | $575,168 |
| All Other | $9,114,424 | $9,114,424 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,668,832 | $9,689,592 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $204,000 | $204,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $204,000 | $204,000 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $415,000 | $415,000 |
| FEDERAL BLOCK GRANT FUND TOTAL | $415,000 | $415,000 |

**Office of Elder Services Central Office 0140**

Initiative: Transfers one Office Specialist I position from the Federal Expenditures Fund to the General Fund within the Office of Elder Services Central Office program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $60,674 | $62,138 |
| All Other | $3,644 | $3,644 |
| GENERAL FUND TOTAL | $64,318 | $65,782 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($60,674) | ($62,138) |
| All Other | ($1,904) | ($1,904) |
| FEDERAL EXPENDITURES FUND TOTAL | ($62,578) | ($64,042) |

**Office of Elder Services Central Office 0140**

Initiative: Transfers one Office Associate II position from the General Fund to the Federal Expenditures Fund within the Office of Elder Services Central Office program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($58,037) | ($59,463) |
| All Other | ($1,904) | ($1,904) |
| GENERAL FUND TOTAL | ($59,941) | ($61,367) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $58,037 | $59,463 |
| All Other | $4,315 | $4,330 |
| FEDERAL EXPENDITURES FUND TOTAL | $62,352 | $63,793 |

**Office of Elder Services Central Office 0140**

Initiative: Continues one limited-period Social Services Program Specialist II position that was originally established by Public Law 2009, chapter 571 until June 15, 2013.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $78,440 | $83,751 |

| | | |
|---|---|---|
| All Other | $858 | $905 |
| FEDERAL EXPENDITURES FUND TOTAL | $79,298 | $84,656 |

### Office of Elder Services Central Office 0140

Initiative: Transfers one limited-period Public Services Coordinator II position from the Office of Management and Budget program, funded 80% Federal Expenditures Fund in the Office of Management and Budget program and 20% Federal Expenditures Fund in the Office of Elder Services Central Office program, to the Office of Elder Services Central Office program, Federal Expenditures Fund, and continues the position through June 15, 2013.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $99,002 | $106,382 |
| All Other | $1,070 | $1,150 |
| FEDERAL EXPENDITURES FUND TOTAL | $100,072 | $107,532 |

### Office of Elder Services Central Office 0140

Initiative: Reallocates 25% of the cost of one Management Analyst II position and related All Other from the Office of Elder Services Central Office program, Federal Expenditures Fund to 12.5% in the Bureau of Medical Services program, Federal Expenditures Fund and 12.5% in the Office of Elder Services program, General Fund. The additional General Fund Personal Services costs are offset by a reduction in the All Other line category.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $9,056 | $9,650 |
| All Other | ($9,056) | ($9,650) |
| GENERAL FUND TOTAL | $0 | $0 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($18,107) | ($19,297) |
| All Other | ($476) | ($476) |
| FEDERAL EXPENDITURES FUND TOTAL | ($18,583) | ($19,773) |

### Office of Elder Services Central Office 0140

Initiative: Reallocates 20% of the costs of one Social Services Program Manager position and one Social Services Program Specialist II position and related All Other from the Federal Expenditures Fund to the General Fund within the Office of Elder Services Central Office program. The additional General Fund Personal Services costs are offset by a reduction in the All Other line category.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $35,078 | $36,246 |
| All Other | ($35,078) | ($36,246) |
| GENERAL FUND TOTAL | $0 | $0 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($35,078) | ($36,246) |
| All Other | ($4,620) | ($4,620) |
| FEDERAL EXPENDITURES FUND TOTAL | ($39,698) | ($40,866) |

## OFFICE OF ELDER SERVICES CENTRAL OFFICE 0140

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $784,523 | $806,742 |
| All Other | $2,512,161 | $2,510,399 |
| GENERAL FUND TOTAL | $3,296,684 | $3,317,141 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.500 | 6.500 |
| Personal Services | $676,028 | $707,083 |
| All Other | $9,113,667 | $9,113,809 |
| FEDERAL EXPENDITURES FUND TOTAL | $9,789,695 | $9,820,892 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $204,000 | $204,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $204,000 | $204,000 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $415,000 | $415,000 |
| FEDERAL BLOCK GRANT FUND TOTAL | $415,000 | $415,000 |

### Office of Integrated Access and Support - Central Office Z020

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,575,552 | $1,637,119 |
| All Other | $1,708,460 | $1,708,460 |
| GENERAL FUND TOTAL | $3,284,012 | $3,345,579 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $151,217 | $149,139 |
| All Other | $378,986 | $378,986 |
| FEDERAL EXPENDITURES FUND TOTAL | $530,203 | $528,125 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 49.500 | 49.500 |
| Personal Services | $3,113,789 | $3,226,636 |
| All Other | $7,832,464 | $7,832,464 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,946,253 | $11,059,100 |

### Office of Integrated Access and Support - Central Office Z020

Initiative: Reallocates funding for 70 positions to 50% General Fund and 50% Other Special Revenue Funds based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $745,965 | $770,052 |
| All Other | $2,994,291 | $2,994,291 |
| GENERAL FUND TOTAL | $3,740,256 | $3,764,343 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($745,965) | ($770,052) |
| All Other | ($19,032) | ($19,032) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($764,997) | ($789,084) |

### Office of Integrated Access and Support - Central Office Z020

Initiative: Transfers one Community Services Manager position and one Office Assistant II position from the General Fund in the OMB Division of Regional Business Operations program to 50% General Fund and 50% Other Special Revenue Funds in the Office of Integrated Access and Support - Central Office program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $83,078 | $85,039 |
| All Other | $4,446 | $4,446 |
| GENERAL FUND TOTAL | $87,524 | $89,485 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $83,070 | $85,032 |
| All Other | $1,904 | $1,904 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $84,974 | $86,936 |

### Office of Integrated Access and Support - Central Office Z020

Initiative: Transfers one Office Assistant II position from Other Special Revenue Funds in the Office of Integrated Access and Support - Central Office program to 34% General Fund and 66% Federal Expenditures Fund in the Child Support program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($46,195) | ($49,369) |
| All Other | ($1,903) | ($1,903) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($48,098) | ($51,272) |

## OFFICE OF INTEGRATED ACCESS AND SUPPORT - CENTRAL OFFICE Z020

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 23.000 | 23.000 |
| Personal Services | $2,404,595 | $2,492,210 |
| All Other | $4,707,197 | $4,707,197 |
| GENERAL FUND TOTAL | $7,111,792 | $7,199,407 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $151,217 | $149,139 |
| All Other | $378,986 | $378,986 |
| FEDERAL EXPENDITURES FUND TOTAL | $530,203 | $528,125 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 48.500 | 48.500 |
| Personal Services | $2,404,699 | $2,492,247 |
| All Other | $7,813,433 | $7,813,433 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,218,132 | $10,305,680 |

### Office of Management and Budget 0142

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 61.000 | 61.000 |
| Personal Services | $5,007,263 | $5,166,719 |
| All Other | $10,626,475 | $10,626,475 |
| GENERAL FUND TOTAL | $15,633,738 | $15,793,194 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $20,844 | $0 |
| All Other | $2,625,204 | $2,625,204 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,646,048 | $2,625,204 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 32.000 | 32.000 |
| Personal Services | $2,666,940 | $2,759,468 |
| All Other | $7,366,478 | $7,366,478 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,033,418 | $10,125,946 |

### Office of Management and Budget 0142

Initiative: Reallocates position funding based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $341,125 | $356,869 |
| All Other | ($2,822,872) | ($2,840,178) |
| GENERAL FUND TOTAL | ($2,481,747) | ($2,483,309) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($341,125) | ($356,869) |
| All Other | ($7,612) | ($7,612) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($348,737) | ($364,481) |

### Office of Management and Budget 0142

Initiative: Transfers 2 Public Service Coordinator I positions and one Public Service Manager II position from the Federal Expenditures Fund in the Bureau of Medical Services program to the Office of Management and Budget program and reallocates 50% of the cost from the Federal Expenditures Fund in the Bureau of Medical Services program to Other Special Revenue Funds in the Office of Management and Budget program; reallocates 50% of the cost of one Management Analyst II position from the General Fund to Other Special Revenue Funds in the Office of Management and Budget program; and transfers one Public Service Manager I position from the General Fund to Other Special Revenue Funds in the Office of Management and Budget program and reallocates 50% of the cost from the Federal Expenditures Fund in the Bureau of Medical Services program to Other Special Revenue Funds in the Office of Management and Budget program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |

| | | |
|---|---|---|
| Personal Services | ($41,161) | ($42,253) |
| All Other | ($2,011) | ($2,011) |
| GENERAL FUND TOTAL | ($43,172) | ($44,264) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $229,924 | $237,399 |
| All Other | $15,522 | $15,722 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $245,446 | $253,121 |

**Office of Management and Budget 0142**

Initiative: Reallocates the portion of the cost of 2 Office Associate II positions, one Office Associate II Manager position, one Mental Health Worker III position, one Public Service Manager III position, one Social Services Program Specialist I position, 3 Social Services Program Specialist II positions and one Social Services Program Manager position currently budgeted in the Bureau of Medical Services program, Federal Expenditures Fund to Other Special Revenue Funds in the Office of Management and Budget program based on the cost allocation plan. The final allocation for these positions is 60% General Fund and 40% Other Special Revenue Funds. Position detail is on file in the Bureau of the Budget.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($77,453) | ($79,520) |
| All Other | ($3,820) | ($3,820) |
| GENERAL FUND TOTAL | ($81,273) | ($83,340) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $316,835 | $327,257 |
| All Other | $21,238 | $21,495 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $338,073 | $348,752 |

**Office of Management and Budget 0142**

Initiative: Transfers one Management Analyst II position from the General Fund and 3 Public Service Coordinator I positions from Other Special Revenue Funds within the Division of Purchased Services program to the General Fund in the Office of Management and Budget program and reallocates 40% of the cost to Other Special Revenue Funds based on the cost allocation plan.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $218,127 | $225,354 |
| All Other | $9,652 | $9,652 |
| GENERAL FUND TOTAL | $227,779 | $235,006 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $145,420 | $150,237 |
| All Other | $3,045 | $3,045 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $148,465 | $153,282 |

**Office of Management and Budget 0142**

Initiative: Reallocates the cost of one Assistant Director Division Medicaid/Medicare Services position, 2 Auditor II positions, 4 Comprehensive Health Planner I positions, 2 Comprehensive Health Planner II positions, one Medicaid Surveillance and Utilization Supervisor position, one Management Analyst II position and 2 Planning and Research Associate I positions from the Office of Management and Budget, General Fund and Bureau of Medical Services, Federal Expenditures Fund accounts to the Office of Management and Budget, General Fund and Office of Management and Budget, Other Special Revenue Funds accounts.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($27,360) | ($29,130) |
| All Other | ($2,011) | ($2,011) |
| GENERAL FUND TOTAL | ($29,371) | ($31,141) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $500,689 | $521,830 |
| All Other | $25,277 | $25,843 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $525,966 | $547,673 |

**Office of Management and Budget 0142**

Initiative: Transfers one Social Services Manager I position and one Integrated Systems Manager position from the Office of Management and Budget program to the Mental Health Services - Community program within the General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($206,004) | ($210,662) |
| GENERAL FUND TOTAL | ($206,004) | ($210,662) |

**Office of Management and Budget 0142**

Initiative: Transfers one Public Service Manager II position from the General Fund in the Mental Health Services - Community program to 60% General Fund and 40% Other Special Revenue Funds in the Office of Management and Budget program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $51,220 | $52,023 |
| All Other | $2,413 | $2,413 |
| GENERAL FUND TOTAL | $53,633 | $54,436 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $34,148 | $34,683 |
| All Other | $762 | $762 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $34,910 | $35,445 |

**Office of Management and Budget 0142**

Initiative: Reduces funding to bring allocations into line with projected available resources.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($2,252,363) | ($2,252,363) |
| FEDERAL EXPENDITURES FUND TOTAL | ($2,252,363) | ($2,252,363) |

**Office of Management and Budget 0142**

Initiative: Transfers one Psychiatric Social Worker II position, one Secretary position, one Public Service Coordinator II position and one Public Service Manager III position from the Office of Management and Budget program to the Forensic Services program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (4.000) | (4.000) |
| Personal Services | ($402,729) | ($411,374) |
| All Other | ($16,086) | ($16,086) |
| GENERAL FUND TOTAL | ($418,815) | ($427,460) |

**Office of Management and Budget 0142**

Initiative: Reduces funding in the Office of Management and Budget program and provides funding in the Mental Health Services - Community program to properly account for the Olmstead Grant.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($512) | ($512) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($512) | ($512) |

**Office of Management and Budget 0142**

Initiative: Transfers one limited-period Public Services Coordinator II position from the Office of Management and Budget program, funded 80% Federal Expenditures Fund in the Office of Management and Budget program and 20% Federal Expenditures Fund in the Office of Elder Services Central Office program, to the Office of Elder Services Central Office program, Federal Expenditures Fund, and continues the position through June 15, 2013.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($20,844) | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | ($20,844) | $0 |

**Office of Management and Budget 0142**

Initiative: Establishes a part-time limited-period Medical Director position. The position is funded for 20 hours per week through September 30, 2012 and for 16 hours per week from October 1, 2012 through June 15, 2013 and its cost is allocated among several programs within the department. General Fund position costs are offset through a reduction in the All Other line category. Additional position detail is on file in the Bureau of the Budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| Personal Services | $14,950 | $18,247 |
| FEDERAL EXPENDITURES FUND TOTAL | $14,950 | $18,247 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $19,936 | $5,068 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $19,936 | $5,068 |

## OFFICE OF MANAGEMENT AND BUDGET 0142

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 58.000 | 58.000 |
| Personal Services | $4,863,028 | $5,028,026 |
| All Other | $7,791,740 | $7,774,434 |
| GENERAL FUND TOTAL | $12,654,768 | $12,802,460 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $14,950 | $18,247 |
| All Other | $372,841 | $372,841 |
| FEDERAL EXPENDITURES FUND TOTAL | $387,791 | $391,088 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 44.000 | 44.000 |
| Personal Services | $3,572,767 | $3,679,073 |
| All Other | $7,424,198 | $7,425,221 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,996,965 | $11,104,294 |

### OMB Division of Regional Business Operations 0196

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 109.500 | 109.500 |
| Personal Services | $5,629,785 | $5,909,826 |
| All Other | $7,451,437 | $7,451,437 |
| GENERAL FUND TOTAL | $13,081,222 | $13,361,263 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 98.500 | 98.500 |
| Personal Services | $5,393,703 | $5,653,909 |
| All Other | $4,448,304 | $4,448,640 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $9,842,007 | $10,102,549 |

### OMB Division of Regional Business Operations 0196

Initiative: Reallocates funding for all positions in the program to 55% General Fund and 45% Other Special Revenue Funds based on the cost allocation plan. Position detail is on file with the Bureau of the Budget.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $507,828 | $530,540 |
| All Other | ($624,006) | ($639,616) |
| GENERAL FUND TOTAL | ($116,178) | ($109,076) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($507,828) | ($530,540) |
| All Other | ($13,323) | ($13,323) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($521,151) | ($543,863) |

### OMB Division of Regional Business Operations 0196

Initiative: Transfers one Community Services Manager position and one Office Assistant II position from the General Fund in the OMB Division of Regional Business Operations program to 50% General Fund and 50% Other Special Revenue Funds in the Office of Integrated Access and Support - Central Office program.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($166,148) | ($170,071) |
| All Other | ($8,043) | ($8,043) |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | ($174,191) | ($178,114) |

**OMB Division of Regional Business Operations 0196**

Initiative: Transfers 4 Social Services Program Specialist I positions and one Office Associate II position from the FHM - Service Center program to the Division of Licensing and Regulatory Services program, funded 35% General Fund and 65% Other Special Revenue Funds. The additional General Fund costs are offset by the elimination of one Office Associate II position in the Mental Health Services - Community program, one Office Assistant II position in the OMB Division of Regional Operations program and one Social Services Program Specialist I position in the Division of Licensing and Regulatory Services program, as well as the reallocation of costs of 2 Health Care Financial Analyst positions from 50% General Fund and 50% Other Special Revenue Funds to 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program. Additional position detail is available in the Bureau of the Budget.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($23,009) | ($24,567) |
| GENERAL FUND TOTAL | ($23,009) | ($24,567) |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($18,826) | ($20,101) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($18,826) | ($20,101) |

**OMB DIVISION OF REGIONAL BUSINESS OPERATIONS 0196**

**PROGRAM SUMMARY**

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 106.500 | 106.500 |
| Personal Services | $5,948,456 | $6,245,728 |
| All Other | $6,819,388 | $6,803,778 |
| GENERAL FUND TOTAL | $12,767,844 | $13,049,506 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 98.500 | 98.500 |
| Personal Services | $4,867,049 | $5,103,268 |
| All Other | $4,434,981 | $4,435,317 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $9,302,030 | $9,538,585 |

**Plumbing - Control Over 0205**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $429,101 | $446,040 |
| All Other | $825,504 | $825,504 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,254,605 | $1,271,544 |

**Plumbing - Control Over 0205**

Initiative: Transfers one Environmental Specialist III position and related All Other from the Plumbing - Control Over program to the Health - Bureau of program.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($69,856) | ($74,492) |
| All Other | ($1,904) | ($1,904) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($71,760) | ($76,396) |

**PLUMBING - CONTROL OVER 0205**

**PROGRAM SUMMARY**

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $359,245 | $371,548 |
| All Other | $823,600 | $823,600 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,182,845 | $1,195,148 |

**Prescription Drug Academic Detailing Z055**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Prescription Drug Academic Detailing Z055**

Initiative: Provides funding to reflect the amount of anticipated annual revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $105,753 | $105,753 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $105,753 | $105,753 |

**PRESCRIPTION DRUG ACADEMIC DETAILING Z055**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $106,253 | $106,253 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $106,253 | $106,253 |

**Purchased Social Services 0228**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $144,837 | $147,500 |
| All Other | $6,225,659 | $6,225,659 |
| GENERAL FUND TOTAL | $6,370,496 | $6,373,159 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,382,844 | $4,382,844 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,382,844 | $4,382,844 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $289,943 | $289,943 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $289,943 | $289,943 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $62,196 | $63,244 |
| All Other | $11,413,772 | $11,413,772 |
| FEDERAL BLOCK GRANT FUND TOTAL | $11,475,968 | $11,477,016 |

**Purchased Social Services 0228**

Initiative: Transfers 26 full-time and 2 part-time positions and related All Other between various accounts within programs administered by the Bureau of Child and Family Services to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $138,434 | $146,961 |
| All Other | $7,287 | $7,287 |
| GENERAL FUND TOTAL | $145,721 | $154,248 |

**Purchased Social Services 0228**

Initiative: Establishes a part-time limited-period Medical Director position. The position is funded for 20 hours per week through September 30, 2012 and for 16 hours per week from October 1, 2012 through June 15, 2013 and its cost is allocated among several programs within the department. General Fund position costs are offset through a reduction in the All Other line category. Additional position detail is on file in the Bureau of the Budget.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $32,393 | $39,007 |
| All Other | ($32,393) | ($39,007) |
| GENERAL FUND TOTAL | $0 | $0 |

**Purchased Social Services 0228**

Initiative: Reduces funding from available funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | ($1,000,000) | ($1,000,000) |
| GENERAL FUND TOTAL | ($1,000,000) | ($1,000,000) |

### Purchased Social Services 0228

Initiative: Appropriates funds in compliance with the federally approved Child Care Development Fund state plan, for the home visiting program pursuant to the Maine Revised Statutes, Title 22, section 262, that has demonstrated experience meeting state-established home visiting standards of practice.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,000,000 | $1,000,000 |
| GENERAL FUND TOTAL | $1,000,000 | $1,000,000 |

## PURCHASED SOCIAL SERVICES 0228

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $315,664 | $333,468 |
| All Other | $6,200,553 | $6,193,939 |
| GENERAL FUND TOTAL | $6,516,217 | $6,527,407 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,382,844 | $4,382,844 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,382,844 | $4,382,844 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $289,943 | $289,943 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $289,943 | $289,943 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $62,196 | $63,244 |
| All Other | $11,413,772 | $11,413,772 |
| FEDERAL BLOCK GRANT FUND TOTAL | $11,475,968 | $11,477,016 |

### Rape Crisis Control 0488

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,720 | $32,720 |
| FEDERAL BLOCK GRANT FUND TOTAL | $32,720 | $32,720 |

## RAPE CRISIS CONTROL 0488

## PROGRAM SUMMARY

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,720 | $32,720 |
| FEDERAL BLOCK GRANT FUND TOTAL | $32,720 | $32,720 |

### Risk Reduction 0489

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $208,327 | $214,814 |
| All Other | $180,240 | $180,240 |
| FEDERAL BLOCK GRANT FUND TOTAL | $388,567 | $395,054 |

### Risk Reduction 0489

Initiative: Reallocates 25% of the cost of one Comprehensive Health Planner II position from the Risk Reduction program, Federal Block Grant Fund to the Health - Bureau of program, Federal Block Grant Fund.

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($20,445) | ($21,039) |
| All Other | ($547) | ($563) |
| FEDERAL BLOCK GRANT FUND TOTAL | ($20,992) | ($21,602) |

## RISK REDUCTION 0489

## PROGRAM SUMMARY

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $187,882 | $193,775 |
| All Other | $179,693 | $179,677 |
| FEDERAL BLOCK GRANT FUND TOTAL | $367,575 | $373,452 |

### Sexually Transmitted Diseases 0496

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $27,763 | $27,763 |
| FEDERAL BLOCK GRANT FUND TOTAL | $27,763 | $27,763 |

## SEXUALLY TRANSMITTED DISEASES 0496

## PROGRAM SUMMARY

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $27,763 | $27,763 |
| FEDERAL BLOCK GRANT FUND TOTAL | $27,763 | $27,763 |

### Special Children's Services 0204

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $939,153 | $975,331 |
| All Other | $129,403 | $129,403 |
| FEDERAL BLOCK GRANT FUND TOTAL | $1,068,556 | $1,104,734 |

## SPECIAL CHILDREN'S SERVICES 0204

## PROGRAM SUMMARY

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $939,153 | $975,331 |
| All Other | $129,403 | $129,403 |
| FEDERAL BLOCK GRANT FUND TOTAL | $1,068,556 | $1,104,734 |

### State Supplement to Federal Supplemental Security Income 0131

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,945,632 | $6,945,632 |
| GENERAL FUND TOTAL | $6,945,632 | $6,945,632 |

### State Supplement to Federal Supplemental Security Income 0131

Initiative: Reduces funding no longer required to meet expenditure requirements of the 2012-2013 biennium.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($700,000) | ($480,000) |
| GENERAL FUND TOTAL | ($700,000) | ($480,000) |

## STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME 0131

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,245,632 | $6,465,632 |
| GENERAL FUND TOTAL | $6,245,632 | $6,465,632 |

### State-funded Foster Care/Adoption Assistance 0139

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 24.000 | 24.000 |
| Personal Services | $1,882,594 | $1,947,133 |
| All Other | $35,738,926 | $35,738,926 |
| GENERAL FUND TOTAL | $37,621,520 | $37,686,059 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $745,998 | $771,097 |

| | | |
|---|---|---|
| All Other | $2,109,748 | $2,109,748 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,855,746 | $2,880,845 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,636,131 | $1,636,131 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,636,131 | $1,636,131 |

### State-funded Foster Care/Adoption Assistance 0139

Initiative: Transfers funding from the IV-E Foster Care/Adoption Assistance program to the State-funded Foster Care/Adoption Assistance program to properly reflect anticipated earned revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,500,000 | $4,500,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,500,000 | $4,500,000 |

### State-funded Foster Care/Adoption Assistance 0139

Initiative: Transfers 5 Human Services Caseworker positions, one Human Services Caseworker Supervisor position, 3 Social Services Program Specialist II positions and one Secretary Supervisor position from the State-funded Foster Care/Adoption Assistance program to other programs within the Bureau of Child and Family Services based upon changes in federal regulations. Position detail is on file in the Bureau of the Budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (10.000) | (10.000) |
| Personal Services | ($745,758) | ($770,841) |
| All Other | ($18,078) | ($18,078) |
| FEDERAL EXPENDITURES FUND TOTAL | ($763,836) | ($788,919) |

### State-funded Foster Care/Adoption Assistance 0139

Initiative: Adjusts funding for Medicaid services as the result of a decrease of the Federal Medical Assistance Percentage.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $55,731 | $60,382 |
| GENERAL FUND TOTAL | $55,731 | $60,382 |

## STATE-FUNDED FOSTER CARE/ADOPTION ASSISTANCE 0139

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 24.000 | 24.000 |
| Personal Services | $1,882,594 | $1,947,133 |
| All Other | $35,794,657 | $35,799,308 |
| GENERAL FUND TOTAL | $37,677,251 | $37,746,441 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $240 | $256 |
| All Other | $2,091,670 | $2,091,670 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,091,910 | $2,091,926 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,136,131 | $6,136,131 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,136,131 | $6,136,131 |

### Temporary Assistance for Needy Families 0138

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,144,078 | $25,144,078 |
| GENERAL FUND TOTAL | $25,144,078 | $25,144,078 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $124,458,311 | $124,458,311 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $124,458,311 | $124,458,311 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $52,303,361 | $52,303,361 |
| FEDERAL BLOCK GRANT FUND TOTAL | $52,303,361 | $52,303,361 |

### Temporary Assistance for Needy Families 0138

Initiative: Reduces funding by freezing enrollment for legal noncitizens for state-funded Temporary Assistance for Needy Families except for aged and disabled persons, victims of domestic violence and department-defined hardship cases.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($100,000) | ($100,000) |
| GENERAL FUND TOTAL | ($100,000) | ($100,000) |

### Temporary Assistance for Needy Families 0138

Initiative: Reduces funding for Temporary Assistance for Needy Families assistance by requiring convicted felons to submit to drug testing with a positive test resulting in the loss of benefits. Individuals participating in authorized drug treatment will remain eligible.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($50,000) | ($50,000) |
| GENERAL FUND TOTAL | ($50,000) | ($50,000) |

### Temporary Assistance for Needy Families 0138

Initiative: Reduces funding by requiring Temporary Assistance for Needy Families recipients to comply with family contracts as a condition of eligibility. A full family case closure will result upon the second infraction.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,250,000) | ($2,000,000) |
| GENERAL FUND TOTAL | ($1,250,000) | ($2,000,000) |

### Temporary Assistance for Needy Families 0138

Initiative: Reduces funding by implementing a 60-month lifetime limit for recipients of assistance under the Temporary Assistance for Needy Families program with the department authorized to approve hardship cases past 60 months.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,250,000) | ($500,000) |
| GENERAL FUND TOTAL | ($1,250,000) | ($500,000) |

## TEMPORARY ASSISTANCE FOR NEEDY FAMILIES 0138

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $22,494,078 | $22,494,078 |
| GENERAL FUND TOTAL | $22,494,078 | $22,494,078 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $124,458,311 | $124,458,311 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $124,458,311 | $124,458,311 |

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $52,303,361 | $52,303,361 |
| FEDERAL BLOCK GRANT FUND TOTAL | $52,303,361 | $52,303,361 |

### Tuberculosis Control Program 0497

Initiative: BASELINE BUDGET

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $144,641 | $151,513 |
| All Other | $44,159 | $44,159 |
| FEDERAL BLOCK GRANT FUND TOTAL | $188,800 | $195,672 |

## TUBERCULOSIS CONTROL PROGRAM 0497

## PROGRAM SUMMARY

| FEDERAL BLOCK GRANT FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $144,641 | $151,513 |
| All Other | $44,159 | $44,159 |
| FEDERAL BLOCK GRANT FUND TOTAL | $188,800 | $195,672 |

### Universal Childhood Immunization Program Z121

Initiative: BASELINE BUDGET

| PRIVATE TRUST FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| PRIVATE TRUST FUNDS TOTAL | $500 | $500 |

**Universal Childhood Immunization Program Z121**

Initiative: Deallocates funds to correct the allocation to an Other Special Revenue Funds allocation from which expenditures of the Childhood Immunization Trust Fund will be expended.

| PRIVATE TRUST FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($500) | ($500) |
| PRIVATE TRUST FUNDS TOTAL | ($500) | ($500) |

**Universal Childhood Immunization Program Z121**

Initiative: Provides an allocation to authorize expenditures from the Childhood Immunization Trust Fund that are authorized by the Maine Vaccine Board.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**UNIVERSAL CHILDHOOD IMMUNIZATION PROGRAM Z121**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

| PRIVATE TRUST FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| PRIVATE TRUST FUNDS TOTAL | $0 | $0 |

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

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $729,464,608 | $690,902,093 |
| FEDERAL EXPENDITURES FUND | $1,735,083,221 | $1,765,060,477 |
| FUND FOR A HEALTHY MAINE | $45,424,744 | $45,487,368 |
| OTHER SPECIAL REVENUE FUNDS | $392,372,467 | $398,742,848 |
| FEDERAL BLOCK GRANT FUND | $146,211,972 | $146,532,539 |
| FEDERAL EXPENDITURES FUND ARRA | $1,974,438 | $1,479,438 |
| PRIVATE TRUST FUNDS | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $3,050,531,450 | $3,048,204,763 |

**Sec. A-34. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH DATA ORGANIZATION, MAINE**

**Maine Health Data Organization 0848**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $521,750 | $537,060 |
| All Other | $1,631,359 | $1,631,359 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,153,109 | $2,168,419 |

**Maine Health Data Organization 0848**

Initiative: Provides funding for the receipt of federal funds from the United States Department of Health and Human Services through the federal Patient Protection and Affordable Care Act Grant provided to the insurance regulation federal grants program in the Department of Professional and Financial Regulation.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $50,000 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $50,000 | $0 |

## MAINE HEALTH DATA ORGANIZATION 0848

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,000 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $50,000 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $521,750 | $537,060 |
| All Other | $1,631,359 | $1,631,359 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,153,109 | $2,168,419 |

| HEALTH DATA ORGANIZATION, MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $50,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS | $2,153,109 | $2,168,419 |
| DEPARTMENT TOTAL - ALL FUNDS | $2,203,109 | $2,168,419 |

**Sec. A-35. Appropriations and allocations.** The following appropriations and allocations are made.

## HISTORIC PRESERVATION COMMISSION, MAINE

### Historic Commercial Rehabilitation Fund Z067

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## HISTORIC COMMERCIAL REHABILITATION FUND Z067

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Historic Preservation Commission 0036

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $287,869 | $296,275 |
| All Other | $13,879 | $13,879 |
| GENERAL FUND TOTAL | $301,748 | $310,154 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $422,272 | $433,141 |
| All Other | $349,595 | $349,595 |
| FEDERAL EXPENDITURES FUND TOTAL | $771,867 | $782,736 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| POSITIONS - FTE COUNT | 4.731 | 4.731 |
| Personal Services | $468,709 | $486,782 |
| All Other | $123,620 | $123,620 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $592,329 | $610,402 |

### Historic Preservation Commission 0036

Initiative: Reduces funding to bring allocations in line with anticipated dedicated revenues.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($8,986) | ($8,986) |
| FEDERAL EXPENDITURES FUND TOTAL | ($8,986) | ($8,986) |

## HISTORIC PRESERVATION COMMISSION 0036

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $287,869 | $296,275 |
| All Other | $13,879 | $13,879 |
| GENERAL FUND TOTAL | $301,748 | $310,154 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $422,272 | $433,141 |
| All Other | $340,609 | $340,609 |
| FEDERAL EXPENDITURES FUND TOTAL | $762,881 | $773,750 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| POSITIONS - FTE COUNT | 4.731 | 4.731 |
| Personal Services | $468,709 | $486,782 |
| All Other | $123,620 | $123,620 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $592,329 | $610,402 |

### Historic Preservation Revolving Fund Z109

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## HISTORIC PRESERVATION REVOLVING FUND Z109

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

| HISTORIC PRESERVATION COMMISSION, MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $301,748 | $310,154 |
| FEDERAL EXPENDITURES FUND | $762,881 | $773,750 |
| OTHER SPECIAL REVENUE FUNDS | $593,329 | $611,402 |
| DEPARTMENT TOTAL - ALL FUNDS | $1,657,958 | $1,695,306 |

**Sec. A-36. Appropriations and allocations.** The following appropriations and allocations are made.

## HISTORICAL SOCIETY, MAINE

### Historical Society 0037

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $46,544 | $46,544 |
| GENERAL FUND TOTAL | $46,544 | $46,544 |

## HISTORICAL SOCIETY 0037

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $46,544 | $46,544 |
| GENERAL FUND TOTAL | $46,544 | $46,544 |

**Sec. A-37. Appropriations and allocations.** The following appropriations and allocations are made.

## HOSPICE COUNCIL, MAINE

### Maine Hospice Council 0663

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $65,884 | $65,884 |
| GENERAL FUND TOTAL | $65,884 | $65,884 |

**MAINE HOSPICE COUNCIL 0663**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $65,884 | $65,884 |
| GENERAL FUND TOTAL | $65,884 | $65,884 |

**Sec. A-38. Appropriations and allocations.** The following appropriations and allocations are made.

**HOUSING AUTHORITY, MAINE STATE**

**Housing Authority - State 0442**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,182,365 | $7,182,365 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,182,365 | $7,182,365 |

**HOUSING AUTHORITY - STATE 0442**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,182,365 | $7,182,365 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,182,365 | $7,182,365 |

**Low-income Home Energy Assistance - MSHA 0708**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $545 | $545 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $545 | $545 |

**LOW-INCOME HOME ENERGY ASSISTANCE - MSHA 0708**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $545 | $545 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $545 | $545 |

**Maine Energy, Housing and Economic Recovery Program Z124**

Initiative: Provides funding in accordance with Public Law 2009, chapter 372.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,318,041 | $4,316,212 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,318,041 | $4,316,212 |

**MAINE ENERGY, HOUSING AND ECONOMIC RECOVERY PROGRAM Z124**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,318,041 | $4,316,212 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,318,041 | $4,316,212 |

**Shelter Operating Subsidy 0661**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $378,298 | $378,298 |
| GENERAL FUND TOTAL | $378,298 | $378,298 |

**SHELTER OPERATING SUBSIDY 0661**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $378,298 | $378,298 |
| GENERAL FUND TOTAL | $378,298 | $378,298 |

**HOUSING AUTHORITY, MAINE STATE**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $378,298 | $378,298 |
| OTHER SPECIAL REVENUE FUNDS | $11,500,951 | $11,499,122 |
| DEPARTMENT TOTAL - ALL FUNDS | $11,879,249 | $11,877,420 |

**Sec. A-39. Appropriations and allocations.** The following appropriations and allocations are made.

## HUMAN RIGHTS COMMISSION, MAINE

### Human Rights Commission - Regulation 0150

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $493,092 | $513,219 |
| All Other | $27,268 | $27,268 |
| GENERAL FUND TOTAL | $520,360 | $540,487 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $333,369 | $350,451 |
| All Other | $95,337 | $95,337 |
| FEDERAL EXPENDITURES FUND TOTAL | $428,706 | $445,788 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,698 | $5,698 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,698 | $5,698 |

### Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved reorganization effective June 2010 of one Public Service Coordinator II position to a Public Service Coordinator III position, 2 Field Investigator positions to 2 Maine Human Rights Investigator positions and one Chief Field Investigator position to one Maine Human Rights Investigation Supervisor position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $45,517 | $25,697 |
| GENERAL FUND TOTAL | $45,517 | $25,697 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,122 | $3,445 |
| FEDERAL EXPENDITURES FUND TOTAL | $7,122 | $3,445 |

## HUMAN RIGHTS COMMISSION - REGULATION 0150

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $538,609 | $538,916 |
| All Other | $27,268 | $27,268 |
| GENERAL FUND TOTAL | $565,877 | $566,184 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $340,491 | $353,896 |
| All Other | $95,337 | $95,337 |
| FEDERAL EXPENDITURES FUND TOTAL | $435,828 | $449,233 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,698 | $5,698 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,698 | $5,698 |

| HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $565,877 | $566,184 |
| FEDERAL EXPENDITURES FUND | $435,828 | $449,233 |
| OTHER SPECIAL REVENUE FUNDS | $5,698 | $5,698 |

| | | |
|---|---|---|
| **DEPARTMENT TOTAL - ALL FUNDS** | **$1,007,403** | **$1,021,115** |

**Sec. A-40. Appropriations and allocations.** The following appropriations and allocations are made.

**HUMANITIES COUNCIL, MAINE**

**Humanities Council 0942**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $55,355 | $55,355 |
| GENERAL FUND TOTAL | $55,355 | $55,355 |

**HUMANITIES COUNCIL 0942**

**PROGRAM SUMMARY**

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $55,355 | $55,355 |
| GENERAL FUND TOTAL | $55,355 | $55,355 |

**Sec. A-41. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIAN TRIBAL-STATE COMMISSION, MAINE**

**Maine Indian Tribal-state Commission 0554**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $78,000 | $78,000 |
| GENERAL FUND TOTAL | $78,000 | $78,000 |

**Maine Indian Tribal-state Commission 0554**

Initiative: Provides funding to allow for additional staff support for the commission.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $7,000 | $12,000 |
| GENERAL FUND TOTAL | $7,000 | $12,000 |

**MAINE INDIAN TRIBAL-STATE COMMISSION 0554**

**PROGRAM SUMMARY**

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $85,000 | $90,000 |
| GENERAL FUND TOTAL | $85,000 | $90,000 |

**INDIAN TRIBAL-STATE COMMISSION, MAINE**

| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **GENERAL FUND** | **$85,000** | **$90,000** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$85,000** | **$90,000** |

**Sec. A-42. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $646,564 | $681,963 |
| All Other | $9,358,836 | $9,358,836 |
| GENERAL FUND TOTAL | $10,005,400 | $10,040,799 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $506,497 | $506,497 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $506,497 | $506,497 |

**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides funding for representation to indigent persons who are entitled to counsel.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $441,164 | $441,164 |
| GENERAL FUND TOTAL | $441,164 | $441,164 |

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES Z112**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $646,564 | $681,963 |
| All Other | $9,800,000 | $9,800,000 |
| GENERAL FUND TOTAL | $10,446,564 | $10,481,963 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $506,497 | $506,497 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $506,497 | $506,497 |

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $10,446,564 | $10,481,963 |
| OTHER SPECIAL REVENUE FUNDS | $506,497 | $506,497 |
| DEPARTMENT TOTAL - ALL FUNDS | $10,953,061 | $10,988,460 |

**Sec. A-43. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Administrative Services - Inland Fisheries and Wildlife 0530**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $288,799 | $297,748 |
| All Other | $2,514,255 | $2,514,255 |
| GENERAL FUND TOTAL | $2,803,054 | $2,812,003 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $578,308 | $578,308 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $578,308 | $578,308 |

**Administrative Services - Inland Fisheries and Wildlife 0530**

Initiative: Continues one limited-period Public Relations Representative position funded 39% Other Special Revenue Funds in the Administrative Services - Inland Fisheries and Wildlife program and 61% General Fund in the Public Information and Education, Division of program through June 9, 2012. This position was changed to limited-period and the headcount was eliminated in Public Law 2009, chapter 213.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $26,383 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $26,383 | $0 |

**ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE 0530**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $288,799 | $297,748 |
| All Other | $2,514,255 | $2,514,255 |
| GENERAL FUND TOTAL | $2,803,054 | $2,812,003 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $26,383 | $0 |
| All Other | $578,308 | $578,308 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $604,691 | $578,308 |

**ATV Safety and Educational Program 0559**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $95,567 | $95,567 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $95,567 | $95,567 |

### ATV Safety and Educational Program 0559

Initiative: Transfers funding for support expenses from the Enforcement Operations - Inland Fisheries and Wildlife program to the ATV Safety and Educational program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $23,170 | $23,170 |
| GENERAL FUND TOTAL | $23,170 | $23,170 |

## ATV SAFETY AND EDUCATIONAL PROGRAM 0559

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $23,170 | $23,170 |
| GENERAL FUND TOTAL | $23,170 | $23,170 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $95,567 | $95,567 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $95,567 | $95,567 |

### Boating Access Sites 0631

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $43,616 | $43,616 |
| FEDERAL EXPENDITURES FUND TOTAL | $43,616 | $43,616 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $59,767 | $61,620 |
| All Other | $93,233 | $93,233 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $153,000 | $154,853 |

### Boating Access Sites 0631

Initiative: Provides funding to purchase and improve land for boat launch facilities throughout the State.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $575,000 | $575,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $575,000 | $575,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $175,000 | $175,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $175,000 | $175,000 |

### Boating Access Sites 0631

Initiative: Provides funding for improvements and maintenance activities at publicly owned boat launch facilities on inland waters.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,000 | $4,000 |
| Capital Expenditures | $90,000 | $90,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $94,000 | $94,000 |

## BOATING ACCESS SITES 0631

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $43,616 | $43,616 |
| Capital Expenditures | $575,000 | $575,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $618,616 | $618,616 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $59,767 | $61,620 |
| All Other | $97,233 | $97,233 |
| Capital Expenditures | $265,000 | $265,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $422,000 | $423,853 |

### Endangered Nongame Operations 0536

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $19,655 | $20,884 |
| All Other | $4,731 | $4,731 |
| GENERAL FUND TOTAL | $24,386 | $25,615 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $349,001 | $363,139 |
| All Other | $520,464 | $520,464 |
| FEDERAL EXPENDITURES FUND TOTAL | $869,465 | $883,603 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $258,067 | $266,387 |
| All Other | $132,747 | $132,747 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $390,814 | $399,134 |

### Endangered Nongame Operations 0536

Initiative: Continues one limited-period Biology Specialist position through June 9, 2012. This position was previously authorized to continue in Public Law 2009, chapter 213.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $32,120 | $0 |
| GENERAL FUND TOTAL | $32,120 | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $32,497 | $0 |
| All Other | $760 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $33,257 | $0 |

## ENDANGERED NONGAME OPERATIONS 0536 PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $51,775 | $20,884 |
| All Other | $4,731 | $4,731 |
| GENERAL FUND TOTAL | $56,506 | $25,615 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $381,498 | $363,139 |
| All Other | $521,224 | $520,464 |
| FEDERAL EXPENDITURES FUND TOTAL | $902,722 | $883,603 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $258,067 | $266,387 |
| All Other | $132,747 | $132,747 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $390,814 | $399,134 |

### Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 123.000 | 123.000 |
| POSITIONS - FTE COUNT | 0.500 | 0.500 |
| Personal Services | $11,296,109 | $11,650,129 |
| All Other | $1,799,773 | $1,799,773 |
| GENERAL FUND TOTAL | $13,095,882 | $13,449,902 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $529,393 | $547,053 |
| All Other | $418,300 | $418,311 |
| FEDERAL EXPENDITURES FUND TOTAL | $947,693 | $965,364 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $504,617 | $520,555 |
| All Other | $222,076 | $222,077 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $726,693 | $742,632 |

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Provides funding for the same level of dispatch services administered by the Department of Public Safety, Bureau of Consolidated Emergency Communications.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $159,540 | $171,552 |
| GENERAL FUND TOTAL | $159,540 | $171,552 |

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Transfers funding for support expenses from the Enforcement Operations - Inland Fisheries and Wildlife program to the ATV Safety and Educational program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($23,170) | ($23,170) |
| GENERAL FUND TOTAL | ($23,170) | ($23,170) |

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Provides funding in the Enforcement Operations - Inland Fisheries and Wildlife program by establishing allocation for Operation Stonegarden funded by the United States Department of Homeland Security.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $249,297 | $254,368 |
| All Other | $125,000 | $125,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $374,297 | $379,368 |

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Provides funding for applications and database support services to be provided by the Department of Administrative and Financial Services, Office of Information Technology to the Maine Warden Service.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $39,857 | $38,980 |
| FEDERAL EXPENDITURES FUND TOTAL | $39,857 | $38,980 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $61,636 | $61,636 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $61,636 | $61,636 |

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Provides funding for increased vehicle lease costs from Central Fleet Management.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $270,476 | $329,467 |
| GENERAL FUND TOTAL | $270,476 | $329,467 |

## ENFORCEMENT OPERATIONS - INLAND FISHERIES AND WILDLIFE 0537

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 123.000 | 123.000 |
| POSITIONS - FTE COUNT | 0.500 | 0.500 |
| Personal Services | $11,296,109 | $11,650,129 |
| All Other | $2,206,619 | $2,277,622 |
| GENERAL FUND TOTAL | $13,502,728 | $13,927,751 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $778,690 | $801,421 |
| All Other | $583,157 | $582,291 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,361,847 | $1,383,712 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $504,617 | $520,555 |
| All Other | $283,712 | $283,713 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $788,329 | $804,268 |

### Fisheries and Hatcheries Operations 0535

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 58.000 | 58.000 |
| POSITIONS - FTE COUNT | 1.731 | 1.731 |
| Personal Services | $2,843,951 | $2,950,265 |
| All Other | $970,885 | $970,885 |
| GENERAL FUND TOTAL | $3,814,836 | $3,921,150 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,683,236 | $1,745,081 |
| All Other | $1,048,398 | $1,048,398 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,731,634 | $2,793,479 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.500 | 2.500 |
| Personal Services | $79,764 | $82,558 |
| All Other | $75,997 | $75,997 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $155,761 | $158,555 |

### FISHERIES AND HATCHERIES OPERATIONS 0535

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 58.000 | 58.000 |
| POSITIONS - FTE COUNT | 1.731 | 1.731 |
| Personal Services | $2,843,951 | $2,950,265 |
| All Other | $970,885 | $970,885 |
| GENERAL FUND TOTAL | $3,814,836 | $3,921,150 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,683,236 | $1,745,081 |
| All Other | $1,048,398 | $1,048,398 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,731,634 | $2,793,479 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.500 | 2.500 |
| Personal Services | $79,764 | $82,558 |
| All Other | $75,997 | $75,997 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $155,761 | $158,555 |

### Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 18.000 | 18.000 |
| Personal Services | $1,098,589 | $1,141,967 |
| All Other | $438,638 | $438,638 |
| GENERAL FUND TOTAL | $1,537,227 | $1,580,605 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $76,328 | $76,328 |
| FEDERAL EXPENDITURES FUND TOTAL | $76,328 | $76,328 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $316,484 | $316,484 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $316,484 | $316,484 |

### Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Reduces funding to align allocation with revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($79,104) | ($79,104) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($79,104) | ($79,104) |

## LICENSING SERVICES - INLAND FISHERIES AND WILDLIFE 0531

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 18.000 | 18.000 |
| Personal Services | $1,098,589 | $1,141,967 |
| All Other | $438,638 | $438,638 |
| GENERAL FUND TOTAL | $1,537,227 | $1,580,605 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $76,328 | $76,328 |
| FEDERAL EXPENDITURES FUND TOTAL | $76,328 | $76,328 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $237,380 | $237,380 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $237,380 | $237,380 |

### Maine Outdoor Heritage Fund 0829

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,144,926 | $1,144,926 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,144,926 | $1,144,926 |

## MAINE OUTDOOR HERITAGE FUND 0829

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,144,926 | $1,144,926 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,144,926 | $1,144,926 |

### Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $442,582 | $453,802 |
| All Other | $145,662 | $145,662 |
| GENERAL FUND TOTAL | $588,244 | $599,464 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $105,351 | $105,351 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $105,351 | $105,351 |

## OFFICE OF THE COMMISSIONER - INLAND FISHERIES AND WILDLIFE 0529

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $442,582 | $453,802 |
| All Other | $145,662 | $145,662 |
| GENERAL FUND TOTAL | $588,244 | $599,464 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $105,351 | $105,351 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $105,351 | $105,351 |

### Public Information and Education, Division of 0729

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| POSITIONS - FTE COUNT | 4.841 | 4.841 |
| Personal Services | $613,303 | $633,912 |
| All Other | $274,080 | $274,080 |
| GENERAL FUND TOTAL | $887,383 | $907,992 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $141,944 | $144,805 |
| All Other | $147,843 | $147,843 |
| FEDERAL EXPENDITURES FUND TOTAL | $289,787 | $292,648 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $307,502 | $321,386 |
| All Other | $569,100 | $569,100 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $876,602 | $890,486 |

### Public Information and Education, Division of 0729

Initiative: Continues one limited-period Public Relations Representative position funded 39% Other Special Revenue Funds in the Administrative Services - Inland Fisheries and Wildlife program and 61% General Fund in the Public Information and Education, Division of program through June 9, 2012. This position was changed to limited-period and the headcount was eliminated in Public Law 2009, chapter 213.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $41,397 | $0 |
| GENERAL FUND TOTAL | $41,397 | $0 |

### Public Information and Education, Division of 0729

Initiative: Establishes one Public Service Coordinator I position for landowner relations.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

## PUBLIC INFORMATION AND EDUCATION, DIVISION OF 0729

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| POSITIONS - FTE COUNT | 4.841 | 4.841 |
| Personal Services | $654,700 | $633,912 |
| All Other | $274,080 | $274,080 |
| GENERAL FUND TOTAL | $928,780 | $907,992 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $141,944 | $144,805 |
| All Other | $147,843 | $147,843 |
| FEDERAL EXPENDITURES FUND TOTAL | $289,787 | $292,648 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $307,502 | $321,386 |
| All Other | $569,100 | $569,100 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $876,602 | $890,486 |

### Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $1,289,885 | $1,338,680 |
| All Other | $258,043 | $258,043 |
| GENERAL FUND TOTAL | $1,547,928 | $1,596,723 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 37.000 | 37.000 |
| Personal Services | $2,456,291 | $2,545,015 |
| All Other | $494,183 | $494,183 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,950,474 | $3,039,198 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| POSITIONS - FTE COUNT | 0.991 | 0.991 |
| Personal Services | $362,912 | $378,865 |
| All Other | $237,676 | $237,676 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $600,588 | $616,541 |

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding for the purchase of land, to construct dams and to construct storage buildings to house equipment used at wildlife management areas.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $95,000 | $95,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $95,000 | $95,000 |

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding needed for the department to evaluate and recalibrate its model that estimates Maine's deer population.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $21,125 | $21,125 |
| GENERAL FUND TOTAL | $21,125 | $21,125 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $64,125 | $64,125 |
| FEDERAL EXPENDITURES FUND TOTAL | $64,125 | $64,125 |

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding needed for the department to assess moose populations.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $18,750 |
| GENERAL FUND TOTAL | $0 | $18,750 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $56,915 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $56,915 |

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding needed for the department to evaluate and recalibrate its model that estimates Maine's bear population.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $11,250 |
| GENERAL FUND TOTAL | $0 | $11,250 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $34,149 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $34,149 |

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding to expand aerial inventory and survey of deer wintering areas for deer population management.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $5,000 | $5,000 |
| GENERAL FUND TOTAL | $5,000 | $5,000 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $15,177 | $15,177 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $15,177 | $15,177 |

## RESOURCE MANAGEMENT SERVICES - INLAND FISHERIES AND WILDLIFE 0534

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $1,289,885 | $1,338,680 |
| All Other | $284,168 | $314,168 |
| GENERAL FUND TOTAL | $1,574,053 | $1,652,848 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 37.000 | 37.000 |
| Personal Services | $2,456,291 | $2,545,015 |
| All Other | $573,485 | $664,549 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,029,776 | $3,209,564 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| POSITIONS - FTE COUNT | 0.991 | 0.991 |
| Personal Services | $362,912 | $378,865 |
| All Other | $237,676 | $237,676 |
| Capital Expenditures | $95,000 | $95,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $695,588 | $711,541 |

### Search and Rescue 0538

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $228,923 | $234,734 |
| All Other | $135,220 | $135,220 |
| GENERAL FUND TOTAL | $364,143 | $369,954 |

## SEARCH AND RESCUE 0538

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $228,923 | $234,734 |
| All Other | $135,220 | $135,220 |
| GENERAL FUND TOTAL | $364,143 | $369,954 |

### Sport Hunter Program 0827

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,809 | $2,848 |
| All Other | $10,905 | $10,905 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $13,714 | $13,753 |

## SPORT HUNTER PROGRAM 0827

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,809 | $2,848 |
| All Other | $10,905 | $10,905 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $13,714 | $13,753 |

### Support Landowners Program 0826

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $938 | $951 |
| All Other | $51,357 | $51,357 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $52,295 | $52,308 |

## SUPPORT LANDOWNERS PROGRAM 0826

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $938 | $951 |
| All Other | $51,357 | $51,357 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $52,295 | $52,308 |

**Waterfowl Habitat Acquisition and Management 0561**

Initiative: BASELINE BUDGET

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $25,000 | $25,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $25,000 | $25,000 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $13,085 | $13,085 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $13,085 | $13,085 |

**Waterfowl Habitat Acquisition and Management 0561**

Initiative: Provides funding for the federal North American Wetland Conservation Act grants and for coastal wetland grants for the acquisition of wildlife habitat.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,500,000 | $1,500,000 |
| Capital Expenditures | $1,800,000 | $1,800,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,300,000 | $3,300,000 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $10,000 | $10,000 |
| Capital Expenditures | $400,000 | $400,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $410,000 | $410,000 |

## WATERFOWL HABITAT ACQUISITION AND MANAGEMENT 0561

## PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,525,000 | $1,525,000 |
| Capital Expenditures | $1,800,000 | $1,800,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,325,000 | $3,325,000 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $23,085 | $23,085 |
| Capital Expenditures | $400,000 | $400,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $423,085 | $423,085 |

**Whitewater Rafting - Inland Fisheries and Wildlife 0539**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $74,283 | $78,850 |
| All Other | $43,327 | $43,327 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $117,610 | $122,177 |

## WHITEWATER RAFTING - INLAND FISHERIES AND WILDLIFE 0539

## PROGRAM SUMMARY

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $74,283 | $78,850 |
| All Other | $43,327 | $43,327 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $117,610 | $122,177 |

**Whitewater Rafting Fund 0533**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $10,904 | $10,904 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,904 | $10,904 |

**WHITEWATER RAFTING FUND 0533**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,904 | $10,904 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,904 | $10,904 |

| INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$25,192,741** | **$25,820,552** |
| **FEDERAL EXPENDITURES FUND** | **$12,335,710** | **$12,582,950** |
| **OTHER SPECIAL REVENUE FUNDS** | **$6,134,617** | **$6,171,596** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$43,663,068** | **$44,575,098** |

**Sec. A-44. Appropriations and allocations.** The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 493.000 | 493.000 |
| Personal Services | $36,727,983 | $38,524,400 |
| All Other | $15,127,401 | $15,127,401 |
| GENERAL FUND TOTAL | $51,855,384 | $53,651,801 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $1,760,438 | $1,856,712 |
| All Other | $1,090,199 | $1,090,199 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,850,637 | $2,946,911 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $507,039 | $532,207 |
| All Other | $3,598,601 | $3,598,601 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,105,640 | $4,130,808 |

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding to support judicial branch capital expenditures for courthouse facilities throughout the State.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $300,000 | $300,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $300,000 | $300,000 |

**Courts - Supreme, Superior and District 0063**

Initiative: Reduces funding for witness fees no longer paid by the judicial branch.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($75,000) | ($75,000) |
| GENERAL FUND TOTAL | ($75,000) | ($75,000) |

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Project Coordinator position through June 15, 2013. This position was previously authorized by Public Law 2009, chapter 213.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $84,056 | $90,008 |
| FEDERAL EXPENDITURES FUND TOTAL | $84,056 | $90,008 |

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Project Coordinator position, one limited-period Court Improvement Program Project Coordinator position and one limited-period Administrative Assistant position through June 15, 2013. These positions were previously authorized in Public Law 2009, chapter 213.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $227,775 | $244,295 |
| FEDERAL EXPENDITURES FUND TOTAL | $227,775 | $244,295 |

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Court Appointed Special Advocate Regional Coordinator position through June 15, 2013 and transfers All Other to Personal Services in the General Fund to fund 35% of the position. This position was previously authorized in Public Law 2009, chapter 213.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $26,495 | $32,234 |
| All Other | ($26,495) | ($32,234) |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $49,211 | $48,352 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $49,211 | $48,352 |

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Court Appointed Special Advocate Volunteer Supervisor position through June 15, 2013. This position was previously authorized on Financial Order JJ1105 F1.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $92,717 | $98,530 |
| FEDERAL EXPENDITURES FUND TOTAL | $92,717 | $98,530 |

**Courts - Supreme, Superior and District 0063**

Initiative: Deappropriates funds from eliminating merit pay increases during the 2012-2013 biennium.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($259,352) | ($530,558) |
| GENERAL FUND TOTAL | ($259,352) | ($530,558) |

**Courts - Supreme, Superior and District 0063**

Initiative: Deappropriates funds from eliminating longevity payments for individuals not eligible on June 30, 2011 and maintains the longevity payment level for those eligible on June 30, 2011 to the rate in effect on June 30, 2011 during the 2012-2013 biennium.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($15,136) | ($30,271) |
| GENERAL FUND TOTAL | ($15,136) | ($30,271) |

**Courts - Supreme, Superior and District 0063**

Initiative: Deappropriates funds from eliminating cost-of-living increases for judges and law magistrates in the 2012-2013 biennium.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($267,957) | ($546,720) |
| GENERAL FUND TOTAL | ($267,957) | ($546,720) |

**Courts - Supreme, Superior and District 0063**

Initiative: Deappropriates salary savings generated by staggering the hiring of vacant positions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($250,000) | $0 |
| GENERAL FUND TOTAL | ($250,000) | $0 |

**Courts - Supreme, Superior and District 0063**

Initiative: Reduces funding to reflect projected savings from changes to future pension obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($1,629,306) | ($1,289,554) |
| GENERAL FUND TOTAL | ($1,629,306) | ($1,289,554) |

**Courts - Supreme, Superior and District 0063**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($163,139) | ($265,003) |
| GENERAL FUND TOTAL | ($163,139) | ($265,003) |

**Courts - Supreme, Superior and District 0063**

Initiative: Reduces funding to reflect projected savings from changes to future retiree health obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($361,302) | ($596,949) |
| GENERAL FUND TOTAL | ($361,302) | ($596,949) |

### Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to reflect projected savings from maintaining the cost of health insurance at the fiscal year 2010-11 level.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($411,832) | ($856,737) |
| GENERAL FUND TOTAL | ($411,832) | ($856,737) |

## COURTS - SUPREME, SUPERIOR AND DISTRICT 0063

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 493.000 | 493.000 |
| Personal Services | $33,396,454 | $34,440,842 |
| All Other | $15,025,906 | $15,020,167 |
| GENERAL FUND TOTAL | $48,422,360 | $49,461,009 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.500 | 1.500 |
| Personal Services | $2,164,986 | $2,289,545 |
| All Other | $1,090,199 | $1,090,199 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,255,185 | $3,379,744 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $556,250 | $580,559 |
| All Other | $3,598,601 | $3,598,601 |
| Capital Expenditures | $300,000 | $300,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,454,851 | $4,479,160 |

### FHM - Judicial Department 0963

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $113,200 | $116,053 |
| All Other | $2,334 | $2,334 |
| FUND FOR A HEALTHY MAINE TOTAL | $115,534 | $118,387 |

### FHM - Judicial Department 0963

Initiative: Eliminates one Diversion and Rehabilitation Coordinator position and related All Other to reflect the redistribution of funding and the reduction of revenue available in the Fund for a Healthy Maine.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($113,200) | ($116,053) |
| All Other | ($2,334) | ($2,334) |
| FUND FOR A HEALTHY MAINE TOTAL | ($115,534) | ($118,387) |

## FHM - JUDICIAL DEPARTMENT 0963

## PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

### Judicial - Debt Service Z097

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,061,446 | $7,061,446 |
| GENERAL FUND TOTAL | $7,061,446 | $7,061,446 |

### Judicial - Debt Service Z097

Initiative: Provides funding for the increase in debt service for the Augusta and Machias courthouse projects.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $1,073,764 |
| GENERAL FUND TOTAL | $0 | $1,073,764 |

**Judicial - Debt Service Z097**

Initiative: Reduces funding for debt service required for the Augusta courthouse project.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($307,000) | $0 |
| GENERAL FUND TOTAL | ($307,000) | $0 |

**JUDICIAL - DEBT SERVICE Z097**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,754,446 | $8,135,210 |
| GENERAL FUND TOTAL | $6,754,446 | $8,135,210 |

| JUDICIAL DEPARTMENT DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $55,176,806 | $57,596,219 |
| FEDERAL EXPENDITURES FUND | $3,255,185 | $3,379,744 |
| FUND FOR A HEALTHY MAINE | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS | $4,454,851 | $4,479,160 |
| DEPARTMENT TOTAL - ALL FUNDS | $62,886,842 | $65,455,123 |

**Sec. A-45. Appropriations and allocations.** The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF**

**Administration - Bureau of Labor Standards 0158**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $98,491 | $100,886 |
| All Other | $36,716 | $36,716 |
| GENERAL FUND TOTAL | $135,207 | $137,602 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $134,819 | $143,112 |
| All Other | $229,367 | $229,367 |
| FEDERAL EXPENDITURES FUND TOTAL | $364,186 | $372,479 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,000 | $200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,000 | $200,000 |

**ADMINISTRATION - BUREAU OF LABOR STANDARDS 0158**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $98,491 | $100,886 |
| All Other | $36,716 | $36,716 |
| GENERAL FUND TOTAL | $135,207 | $137,602 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $134,819 | $143,112 |
| All Other | $229,367 | $229,367 |
| FEDERAL EXPENDITURES FUND TOTAL | $364,186 | $372,479 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,000 | $200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,000 | $200,000 |

### Administration - Labor 0030

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $56,620 | $57,753 |
| All Other | $139,171 | $139,171 |
| GENERAL FUND TOTAL | $195,791 | $196,924 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $798,541 | $824,665 |
| All Other | $3,938,071 | $3,938,071 |
| FEDERAL EXPENDITURES FUND TOTAL | $4,736,612 | $4,762,736 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $47,785 | $48,892 |
| All Other | $529,584 | $529,584 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $577,369 | $578,476 |

### Administration - Labor 0030

Initiative: Reduces funding to reflect a change in billing allocation methods.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,373,722) | ($1,373,722) |
| FEDERAL EXPENDITURES FUND TOTAL | ($1,373,722) | ($1,373,722) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($111,246) | ($111,246) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($111,246) | ($111,246) |

### Administration - Labor 0030

Initiative: Transfers one Employment and Training Specialist IV position from the Administration - Labor program to the Employment Services Activity program and reallocates 50% of its cost from the Federal Expenditures Fund in the Administration - Labor program to the Federal Expenditures Fund in the Employment Services Activity program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($36,232) | ($38,805) |
| All Other | ($2,081) | ($2,229) |
| FEDERAL EXPENDITURES FUND TOTAL | ($38,313) | ($41,034) |

### Administration - Labor 0030

Initiative: Reallocates funding for the Personal Service costs of various positions and related All Other to newly created accounts to better align costs with the appropriate federal funding streams and other funding sources. Position detail is on file at the Bureau of the Budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($80,904) | ($81,532) |
| FEDERAL EXPENDITURES FUND TOTAL | ($80,904) | ($81,532) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $80,904 | $81,532 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $80,904 | $81,532 |

## ADMINISTRATION - LABOR 0030

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $56,620 | $57,753 |
| All Other | $139,171 | $139,171 |
| GENERAL FUND TOTAL | $195,791 | $196,924 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $762,309 | $785,860 |
| All Other | $2,481,364 | $2,480,588 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $3,243,673 | $3,266,448 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $47,785 | $48,892 |
| All Other | $499,242 | $499,870 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $547,027 | $548,762 |

### Blind and Visually Impaired - Division for the 0126

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $629,140 | $649,777 |
| All Other | $2,260,514 | $2,260,514 |
| GENERAL FUND TOTAL | $2,889,654 | $2,910,291 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 25.500 | 25.500 |
| Personal Services | $1,774,270 | $1,848,998 |
| All Other | $2,037,122 | $2,037,122 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,811,392 | $3,886,120 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $130,525 | $134,648 |
| All Other | $108,063 | $108,063 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $238,588 | $242,711 |

### BLIND AND VISUALLY IMPAIRED - DIVISION FOR THE 0126

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $629,140 | $649,777 |
| All Other | $2,260,514 | $2,260,514 |
| GENERAL FUND TOTAL | $2,889,654 | $2,910,291 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 25.500 | 25.500 |
| Personal Services | $1,774,270 | $1,848,998 |
| All Other | $2,037,122 | $2,037,122 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,811,392 | $3,886,120 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $130,525 | $134,648 |
| All Other | $108,063 | $108,063 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $238,588 | $242,711 |

### Employment Security Services 0245

Initiative: BASELINE BUDGET

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 206.500 | 206.500 |
| POSITIONS - FTE COUNT | 0.500 | 0.500 |
| Personal Services | $13,731,313 | $14,403,999 |
| All Other | $19,885,061 | $19,788,116 |
| FEDERAL EXPENDITURES FUND TOTAL | $33,616,374 | $34,192,115 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $41,465 | $42,906 |
| All Other | $323,655 | $323,655 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $365,120 | $366,561 |

| EMPLOYMENT SECURITY TRUST FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $128,178,880 | $128,178,880 |
| EMPLOYMENT SECURITY TRUST FUND TOTAL | $128,178,880 | $128,178,880 |

**Employment Security Services 0245**

Initiative: Establishes one limited-period Hearings Examiner position and one limited-period Policy Development Specialist position and continues the following positions, which were originally established by financial order through June 9, 2012: 7 limited-period Customer Representative Specialist Benefits positions, 10 limited-period Customer Representative Associate I Employment positions, 5 limited-period Hearings Examiner positions, 4 limited-period Office Assistant II positions, 5 limited-period Claims Adjudicator positions and one limited-period Secretary Legal position.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,075,911 | $0 |
| All Other | $24,890 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,100,801 | $0 |

**Employment Security Services 0245**

Initiative: Transfers one Public Service Manager I position from 95% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Employment Security Services program to 100% Federal Expenditures Fund in the Employment Services Activity program and transfers one CareerCenter Consultant position from the Employment Services Activity program, Federal Expenditures Fund to the Employment Security Services program, Federal Expenditures Fund.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($32,029) | ($29,787) |
| All Other | ($384) | ($357) |
| FEDERAL EXPENDITURES FUND TOTAL | ($32,413) | ($30,144) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($5,006) | ($5,129) |
| All Other | ($84) | ($86) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($5,090) | ($5,215) |

**Employment Security Services 0245**

Initiative: Provides funding for information technology services.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,971,553 | $2,133,505 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,971,553 | $2,133,505 |

**Employment Security Services 0245**

Initiative: Reallocates the funding for one Principal Economic Research Analyst position and one Planning and Research Assistant position from 90% Employment Security Services program, Federal Expenditures Fund and 10% Governor's Training Initiative Program, General Fund to 100% Employment Security Services program, Federal Expenditures Fund and eliminates one Labor Program Specialist position and remaining All Other funding in the Governor's Training Initiative Program, General Fund to reflect the elimination of the program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $13,465 | $14,404 |
| FEDERAL EXPENDITURES FUND TOTAL | $13,465 | $14,404 |

## EMPLOYMENT SECURITY SERVICES 0245

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 206.500 | 206.500 |
| POSITIONS - FTE COUNT | 0.500 | 0.500 |
| Personal Services | $15,788,660 | $14,388,616 |
| All Other | $21,881,120 | $21,921,264 |
| FEDERAL EXPENDITURES FUND TOTAL | $37,669,780 | $36,309,880 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $36,459 | $37,777 |

| | | |
|---|---|---|
| All Other | $323,571 | $323,569 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $360,030 | $361,346 |

| EMPLOYMENT SECURITY TRUST FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $128,178,880 | $128,178,880 |
| EMPLOYMENT SECURITY TRUST FUND TOTAL | $128,178,880 | $128,178,880 |

### Employment Services Activity 0852

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $605,377 | $628,424 |
| All Other | $481,388 | $481,388 |
| GENERAL FUND TOTAL | $1,086,765 | $1,109,812 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 129.000 | 129.000 |
| Personal Services | $8,276,417 | $8,668,628 |
| All Other | $21,412,064 | $21,412,064 |
| FEDERAL EXPENDITURES FUND TOTAL | $29,688,481 | $30,080,692 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $488,106 | $488,106 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $488,106 | $488,106 |

| COMPETITIVE SKILLS SCHOLARSHIP FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $160,735 | $166,739 |
| All Other | $2,836,518 | $2,836,518 |
| COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL | $2,997,253 | $3,003,257 |

### Employment Services Activity 0852

Initiative: Transfers one Employment and Training Specialist IV position from the Administration - Labor program to the Employment Services Activity program and reallocates 50% of its cost from the Federal Expenditures Fund in the Administration - Labor program to the Federal Expenditures Fund in the Employment Services Activity program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $36,232 | $38,805 |
| All Other | $607 | $650 |
| FEDERAL EXPENDITURES FUND TOTAL | $36,839 | $39,455 |

### Employment Services Activity 0852

Initiative: Provides funding for operating costs to reflect increased activity in the program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,597 | $20,597 |
| FEDERAL EXPENDITURES FUND TOTAL | $20,597 | $20,597 |

### Employment Services Activity 0852

Initiative: Continues one limited-period Media and Graphics Supervisor position, originally established by financial order, through June 8, 2013.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $85,619 | $88,270 |
| All Other | $1,435 | $1,479 |
| FEDERAL EXPENDITURES FUND TOTAL | $87,054 | $89,749 |

### Employment Services Activity 0852

Initiative: Transfers one Public Service Manager I position from 95% Federal Expenditures Fund and 5%

Other Special Revenue Funds in the Employment Security Services program to 100% Federal Expenditures Fund in the Employment Services Activity program and transfers one CareerCenter Consultant position from the Employment Services Activity program, Federal Expenditures Fund to the Employment Security Services program, Federal Expenditures Fund.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $37,035 | $34,916 |
| All Other | $621 | $585 |
| FEDERAL EXPENDITURES FUND TOTAL | $37,656 | $35,501 |

**Employment Services Activity 0852**

Initiative: Reduces funding to reflect actual program activity.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($365,201) | ($365,201) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($365,201) | ($365,201) |

**Employment Services Activity 0852**

Initiative: Provides funding for expanded information technology applications and new federal mandates.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $439,040 | $447,159 |
| FEDERAL EXPENDITURES FUND TOTAL | $439,040 | $447,159 |

**Employment Services Activity 0852**

Initiative: Transfers one CareerCenter Consultant position, one Employment and Training Specialist IV position and one Director, Labor Outreach and Education position from the Migrant and Immigrant Services program to the Employment Services Activity program and reduces funding for grants in the Migrant and Immigrant Services program to reflect the transfer of program responsibilities to the Employment Services Activity program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $241,043 | $253,265 |
| All Other | $4,040 | $4,245 |
| FEDERAL EXPENDITURES FUND TOTAL | $245,083 | $257,510 |

**Employment Services Activity 0852**

Initiative: Reallocates the cost of one Labor Program Specialist position from 98% General Fund and 2% Federal Expenditures Fund to 92% General Fund and 8% Federal Expenditures Fund and reorganizes the position to a Program Manager Employment and Training position.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($4,100) | ($1,540) |
| GENERAL FUND TOTAL | ($4,100) | ($1,540) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,612 | $7,020 |
| All Other | $111 | $118 |
| FEDERAL EXPENDITURES FUND TOTAL | $6,723 | $7,138 |

**Employment Services Activity 0852**

Initiative: Reallocates funding for the Personal Service costs of various positions and related All Other to newly created accounts to better align costs with the appropriate federal funding streams and other funding sources. Position detail is on file at the Bureau of the Budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (11.000) | (11.000) |
| Personal Services | ($724,911) | ($757,216) |
| All Other | ($991,990) | ($992,795) |
| FEDERAL EXPENDITURES FUND TOTAL | ($1,716,901) | ($1,750,011) |

**Employment Services Activity 0852**

Initiative: Reallocates funding for the Personal Service costs of various positions and related All Other to newly created accounts to better align costs with the appropriate federal funding streams and other funding

sources. Position detail is on file at the Bureau of the Budget.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $828,699 | $864,049 |
| All Other | $991,986 | $992,794 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,820,685 | $1,856,843 |

| COMPETITIVE SKILLS SCHOLARSHIP FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($103,788) | ($106,833) |
| COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL | ($103,788) | ($106,833) |

### Employment Services Activity 0852

Initiative: Provides funding to pay overhead expenses associated with the various career centers located throughout the state. Revenue will be collected from the nonprofit agencies who are colocated with the Department of Labor for their portion of the expenditures.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $455,955 | $455,955 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $455,955 | $455,955 |

## EMPLOYMENT SERVICES ACTIVITY 0852

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $601,277 | $626,884 |
| All Other | $481,388 | $481,388 |
| GENERAL FUND TOTAL | $1,082,665 | $1,108,272 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 122.000 | 122.000 |
| Personal Services | $7,958,047 | $8,333,688 |
| All Other | $20,886,525 | $20,894,102 |
| FEDERAL EXPENDITURES FUND TOTAL | $28,844,572 | $29,227,790 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $828,699 | $864,049 |
| All Other | $1,570,846 | $1,571,654 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,399,545 | $2,435,703 |

| COMPETITIVE SKILLS SCHOLARSHIP FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $56,947 | $59,906 |
| All Other | $2,836,518 | $2,836,518 |
| COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL | $2,893,465 | $2,896,424 |

### Foreign Labor Certification Process Fund Z120

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## FOREIGN LABOR CERTIFICATION PROCESS FUND Z120

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Governor's Training Initiative Program 0842

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $92,790 | $95,696 |
| All Other | $861,812 | $861,812 |
| GENERAL FUND TOTAL | $954,602 | $957,508 |

### Governor's Training Initiative Program 0842

Initiative: Reallocates the funding for one Principal Economic Research Analyst position and one Planning and Research Assistant position from 90% Employment Security Services program, Federal Expenditures Fund and 10% Governor's Training Initiative Program, General Fund to 100% Employment Security Services program, Federal Expenditures Fund and eliminates one Labor Program Specialist position and remaining All Other funding in the Governor's Training Initiative Program, General Fund to reflect the elimination of the program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($92,790) | ($95,696) |
| All Other | ($861,812) | ($861,812) |
| GENERAL FUND TOTAL | ($954,602) | ($957,508) |

### GOVERNOR'S TRAINING INITIATIVE PROGRAM 0842

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| GENERAL FUND TOTAL | $0 | $0 |

### Labor Relations Board 0160

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $472,170 | $484,452 |
| All Other | $23,332 | $23,332 |
| GENERAL FUND TOTAL | $495,502 | $507,784 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $47,500 | $47,500 |
| All Other | $34,046 | $34,046 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $81,546 | $81,546 |

### Labor Relations Board 0160

Initiative: Provides funding for STA-CAP charges.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,173 | $7,173 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,173 | $7,173 |

### Labor Relations Board 0160

Initiative: Provides funding for additional election expenses.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $1,500 |
| GENERAL FUND TOTAL | $0 | $1,500 |

### LABOR RELATIONS BOARD 0160

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $472,170 | $484,452 |
| All Other | $23,332 | $24,832 |
| GENERAL FUND TOTAL | $495,502 | $509,284 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $47,500 | $47,500 |
| All Other | $41,219 | $41,219 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $88,719 | $88,719 |

### Maine Centers for Women, Work and Community 0132

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $880,342 | $880,342 |
| GENERAL FUND TOTAL | $880,342 | $880,342 |

## MAINE CENTERS FOR WOMEN, WORK AND COMMUNITY 0132

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $880,342 | $880,342 |
| GENERAL FUND TOTAL | $880,342 | $880,342 |

### Migrant and Immigrant Services 0920

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $241,043 | $253,265 |
| All Other | $87,520 | $87,520 |
| FEDERAL EXPENDITURES FUND TOTAL | $328,563 | $340,785 |

### Migrant and Immigrant Services 0920

Initiative: Transfers one CareerCenter Consultant position, one Employment and Training Specialist IV position and one Director, Labor Outreach and Education position from the Migrant and Immigrant Services program to the Employment Services Activity program and reduces funding for grants in the Migrant and Immigrant Services program to reflect the transfer of program responsibilities to the Employment Services Activity program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($241,043) | ($253,265) |
| All Other | ($87,520) | ($87,520) |
| FEDERAL EXPENDITURES FUND TOTAL | ($328,563) | ($340,785) |

## MIGRANT AND IMMIGRANT SERVICES 0920

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

### Regulation and Enforcement 0159

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $617,882 | $640,136 |
| All Other | $83,195 | $83,195 |
| GENERAL FUND TOTAL | $701,077 | $723,331 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $367,380 | $384,095 |
| All Other | $148,642 | $148,642 |
| FEDERAL EXPENDITURES FUND TOTAL | $516,022 | $532,737 |

## REGULATION AND ENFORCEMENT 0159

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $617,882 | $640,136 |
| All Other | $83,195 | $83,195 |
| GENERAL FUND TOTAL | $701,077 | $723,331 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $367,380 | $384,095 |

| | | |
|---|---|---|
| All Other | $148,642 | $148,642 |
| FEDERAL EXPENDITURES FUND TOTAL | $516,022 | $532,737 |

**Rehabilitation Services 0799**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 17.000 | 17.000 |
| Personal Services | $1,150,836 | $1,207,850 |
| All Other | $2,950,281 | $2,950,281 |
| GENERAL FUND TOTAL | $4,101,117 | $4,158,131 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 95.500 | 95.500 |
| Personal Services | $6,627,469 | $6,909,906 |
| All Other | $9,811,108 | $9,811,108 |
| FEDERAL EXPENDITURES FUND TOTAL | $16,438,577 | $16,721,014 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $363,146 | $363,146 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $363,146 | $363,146 |

## REHABILITATION SERVICES 0799

## PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 17.000 | 17.000 |
| Personal Services | $1,150,836 | $1,207,850 |
| All Other | $2,950,281 | $2,950,281 |
| GENERAL FUND TOTAL | $4,101,117 | $4,158,131 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 95.500 | 95.500 |
| Personal Services | $6,627,469 | $6,909,906 |
| All Other | $9,811,108 | $9,811,108 |
| FEDERAL EXPENDITURES FUND TOTAL | $16,438,577 | $16,721,014 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $363,146 | $363,146 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $363,146 | $363,146 |

**Safety Education and Training Programs 0161**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 27.000 | 27.000 |
| Personal Services | $2,010,121 | $2,104,802 |
| All Other | $1,137,108 | $1,137,108 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,147,229 | $3,241,910 |

## SAFETY EDUCATION AND TRAINING PROGRAMS 0161

## PROGRAM SUMMARY

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 27.000 | 27.000 |
| Personal Services | $2,010,121 | $2,104,802 |
| All Other | $1,137,108 | $1,137,108 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,147,229 | $3,241,910 |

| **LABOR, DEPARTMENT OF** | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$10,481,355** | **$10,624,177** |
| **FEDERAL EXPENDITURES FUND** | **$90,888,202** | **$90,316,468** |
| **OTHER SPECIAL REVENUE FUNDS** | **$7,344,784** | **$7,482,797** |
| **EMPLOYMENT SECURITY TRUST FUND** | **$128,178,880** | **$128,178,880** |

| | | |
|---|---|---|
| **COMPETITIVE SKILLS SCHOLARSHIP FUND** | **$2,893,465** | **$2,896,424** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$239,786,686** | **$239,498,746** |

**Sec. A-46. Appropriations and allocations.** The following appropriations and allocations are made.

**LAW AND LEGISLATIVE REFERENCE LIBRARY**

**Law and Legislative Reference Library 0636**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |
| Personal Services | $1,236,298 | $1,285,266 |
| All Other | $356,757 | $356,757 |
| GENERAL FUND TOTAL | $1,593,055 | $1,642,023 |

**Law and Legislative Reference Library 0636**

Initiative: Reduces funding to reflect projected savings from maintaining the cost of health insurance at the fiscal year 2010-11 level.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($11,613) | ($24,158) |
| GENERAL FUND TOTAL | ($11,613) | ($24,158) |

**Law and Legislative Reference Library 0636**

Initiative: Reduces funding to reflect projected savings from changes to future retiree health obligations.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($16,590) | ($27,411) |
| GENERAL FUND TOTAL | ($16,590) | ($27,411) |

**Law and Legislative Reference Library 0636**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($7,491) | ($12,168) |
| GENERAL FUND TOTAL | ($7,491) | ($12,168) |

**Law and Legislative Reference Library 0636**

Initiative: Reduces funding to reflect projected savings from changes to future pension obligations.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($63,802) | ($65,215) |
| GENERAL FUND TOTAL | ($63,802) | ($65,215) |

**LAW AND LEGISLATIVE REFERENCE LIBRARY 0636**

**PROGRAM SUMMARY**

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.000 | 14.000 |
| Personal Services | $1,136,802 | $1,156,314 |
| All Other | $356,757 | $356,757 |
| GENERAL FUND TOTAL | $1,493,559 | $1,513,071 |

| **LAW AND LEGISLATIVE REFERENCE LIBRARY DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **GENERAL FUND** | **$1,493,559** | **$1,513,071** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$1,493,559** | **$1,513,071** |

**Sec. A-47. Appropriations and allocations.** The following appropriations and allocations are made.

**LEGISLATURE**

**Interstate Cooperation - Commission on 0053**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $219,557 | $219,557 |
| GENERAL FUND TOTAL | $219,557 | $219,557 |

**Interstate Cooperation - Commission on 0053**

Initiative: Reduces funding for dues to the National Conference of State Legislatures and the Council of State Governments.

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($21,942) | ($21,942) |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | ($21,942) | ($21,942) |

## INTERSTATE COOPERATION - COMMISSION ON 0053

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $197,615 | $197,615 |
| GENERAL FUND TOTAL | $197,615 | $197,615 |

### Legislative Apportionment Commission 0722

Initiative: Provides funding in fiscal year 2012-13 due to the constitutional requirement that House and Senate districts must be apportioned every 10 years and that the Legislature establish a budget for the apportioning commission to conduct its work.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $0 | $24,000 |
| All Other | $0 | $376,000 |
| GENERAL FUND TOTAL | $0 | $400,000 |

### Legislative Apportionment Commission 0722

Initiative: Reduces funding for the apportioning commission to conduct its work.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($120,000) |
| GENERAL FUND TOTAL | $0 | ($120,000) |

## LEGISLATIVE APPORTIONMENT COMMISSION 0722

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $0 | $24,000 |
| All Other | $0 | $256,000 |
| GENERAL FUND TOTAL | $0 | $280,000 |

### Legislature 0081

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 146.500 | 146.500 |
| POSITIONS - FTE COUNT | 35.698 | 35.698 |
| Personal Services | $20,505,292 | $22,504,432 |
| All Other | $4,899,453 | $4,899,453 |
| GENERAL FUND TOTAL | $25,404,745 | $27,403,885 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,320 | $1,320 |
| All Other | $1,250 | $1,250 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,570 | $2,570 |

### Legislature 0081

Initiative: Reduces funding to reflect operational needs, savings achieved through more efficient operations, including the negotiated publishing rates for advertising and lower printing costs, and the difference in costs between the first and second regular sessions of the Legislature.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($566,970) | ($179,135) |
| GENERAL FUND TOTAL | ($566,970) | ($179,135) |

### Legislature 0081

Initiative: Reduces funding to reflect projected savings from maintaining the cost of health insurance at the fiscal year 2010-11 level.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($322,325) | ($668,726) |
| GENERAL FUND TOTAL | ($322,325) | ($668,726) |

### Legislature 0081

Initiative: Reduces funding to reflect projected savings due to a change in the employer share of health insurance during the interim for session-only employees.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($42,678) | ($32,008) |
| GENERAL FUND TOTAL | ($42,678) | ($32,008) |

### Legislature 0081

Initiative: Reduces funding to reflect projected savings from a reduction in out-of-state travel.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($32,704) | ($32,704) |
| GENERAL FUND TOTAL | ($32,704) | ($32,704) |

**Legislature 0081**

Initiative: Reduces funding as a result of the suspension of the annual cost-of-living increase for legislators for the Second Regular Session of the 125th Legislature and the First Regular Session of the 126th Legislature.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($39,825) | ($120,055) |
| GENERAL FUND TOTAL | ($39,825) | ($120,055) |

**Legislature 0081**

Initiative: Reduces funding to reflect projected savings from changes to future retiree health obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($213,832) | ($353,297) |
| GENERAL FUND TOTAL | ($213,832) | ($353,297) |

**Legislature 0081**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($96,552) | ($156,838) |
| GENERAL FUND TOTAL | ($96,552) | ($156,838) |

**Legislature 0081**

Initiative: Reduces funding to reflect projected savings from changes to future pension obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($831,482) | ($870,674) |
| GENERAL FUND TOTAL | ($831,482) | ($870,674) |

## LEGISLATURE 0081

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 146.500 | 146.500 |
| POSITIONS - FTE COUNT | 35.698 | 35.698 |
| Personal Services | $18,958,598 | $20,302,834 |
| All Other | $4,299,779 | $4,687,614 |
| GENERAL FUND TOTAL | $23,258,377 | $24,990,448 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,320 | $1,320 |
| All Other | $1,250 | $1,250 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,570 | $2,570 |

**State House and Capitol Park Commission 0615**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $67,834 | $67,834 |
| GENERAL FUND TOTAL | $67,834 | $67,834 |

## STATE HOUSE AND CAPITOL PARK COMMISSION 0615

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $67,834 | $67,834 |
| GENERAL FUND TOTAL | $67,834 | $67,834 |

**Study Commissions - Funding 0444**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,725 | $3,725 |
| All Other | $6,275 | $6,275 |
| GENERAL FUND TOTAL | $10,000 | $10,000 |

## STUDY COMMISSIONS - FUNDING 0444

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,725 | $3,725 |
| All Other | $6,275 | $6,275 |
| GENERAL FUND TOTAL | $10,000 | $10,000 |

| LEGISLATURE | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$23,533,826** | **$25,545,897** |
| **OTHER SPECIAL REVENUE FUNDS** | **$2,570** | **$2,570** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$23,536,396** | **$25,548,467** |

**Sec. A-48. Appropriations and allocations.** The following appropriations and allocations are made.

## LIBRARY, MAINE STATE

### Administration - Library 0215

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $112,699 | $114,399 |
| All Other | $92,937 | $92,937 |
| GENERAL FUND TOTAL | $205,636 | $207,336 |

### ADMINISTRATION - LIBRARY 0215

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $112,699 | $114,399 |
| All Other | $92,937 | $92,937 |
| GENERAL FUND TOTAL | $205,636 | $207,336 |

### Maine State Library 0217

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 31.500 | 31.500 |
| Personal Services | $1,935,467 | $2,014,165 |
| All Other | $813,802 | $813,802 |
| GENERAL FUND TOTAL | $2,749,269 | $2,827,967 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $800,725 | $839,000 |
| All Other | $587,578 | $587,578 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,388,303 | $1,426,578 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $468,072 | $468,072 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $468,072 | $468,072 |

### Maine State Library 0217

Initiative: Provides funding to establish a baseline allocation for private support of the Maine State Library as authorized in Public Law 2009, chapter 571, Part YYY.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $221,905 | $221,905 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $221,905 | $221,905 |

### MAINE STATE LIBRARY 0217

### PROGRAM SUMMARY

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 31.500 | 31.500 |
| Personal Services | $1,935,467 | $2,014,165 |
| All Other | $813,802 | $813,802 |
| GENERAL FUND TOTAL | $2,749,269 | $2,827,967 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 13.000 | 13.000 |
| Personal Services | $800,725 | $839,000 |
| All Other | $587,578 | $587,578 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,388,303 | $1,426,578 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $689,977 | $689,977 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $689,977 | $689,977 |

**Statewide Library Information System 0185**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $225,000 | $225,000 |
| GENERAL FUND TOTAL | $225,000 | $225,000 |

**STATEWIDE LIBRARY INFORMATION SYSTEM 0185**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $225,000 | $225,000 |
| GENERAL FUND TOTAL | $225,000 | $225,000 |

| LIBRARY, MAINE STATE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $3,179,905 | $3,260,303 |
| FEDERAL EXPENDITURES FUND | $1,388,303 | $1,426,578 |
| OTHER SPECIAL REVENUE FUNDS | $689,977 | $689,977 |
| DEPARTMENT TOTAL - ALL FUNDS | $5,258,185 | $5,376,858 |

**Sec. A-49. Appropriations and allocations.** The following appropriations and allocations are made.

**LICENSURE OF WATER SYSTEM OPERATORS, BOARD OF**

**Water System Operators - Board of Licensure 0104**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $86,539 | $86,539 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $86,539 | $86,539 |

**WATER SYSTEM OPERATORS - BOARD OF LICENSURE 0104**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $86,539 | $86,539 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $86,539 | $86,539 |

**Sec. A-50. Appropriations and allocations.** The following appropriations and allocations are made.

**LOBSTER PROMOTION COUNCIL**

**Lobster Promotion Fund 0701**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $436,000 | $436,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $436,000 | $436,000 |

**LOBSTER PROMOTION FUND 0701**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $436,000 | $436,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $436,000 | $436,000 |

**Sec. A-51. Appropriations and allocations.** The following appropriations and allocations are made.

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Resource Management 0027**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 29.000 | 29.000 |
| POSITIONS - FTE COUNT | 1.500 | 1.500 |
| Personal Services | $2,475,669 | $2,567,097 |
| All Other | $856,991 | $856,990 |
| GENERAL FUND TOTAL | $3,332,660 | $3,424,087 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.500 | 16.500 |
| POSITIONS - FTE COUNT | 0.500 | 0.500 |
| Personal Services | $908,403 | $940,606 |
| All Other | $508,682 | $508,682 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,417,085 | $1,449,288 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 24.000 | 24.000 |
| POSITIONS - FTE COUNT | 4.000 | 4.000 |
| Personal Services | $2,249,762 | $2,341,972 |
| All Other | $1,246,346 | $1,246,346 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,496,108 | $3,588,318 |

**Bureau of Resource Management 0027**

Initiative: Transfers 2 seasonal Conservation Aide positions from the Bureau of Resource Management program, Other Special Revenue Funds to the Sea Run Fisheries and Habitat program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | (2.000) | (2.000) |
| Personal Services | ($71,699) | ($74,332) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($71,699) | ($74,332) |

**Bureau of Resource Management 0027**

Initiative: Provides funding for STA-CAP fees calculated by the Department of Administrative and Financial Services, Office of the State Controller.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $906 | $1,045 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $906 | $1,045 |

**Bureau of Resource Management 0027**

Initiative: Reduces funding to align allocation with current revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($319,363) | ($324,015) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($319,363) | ($324,015) |

**Bureau of Resource Management 0027**

Initiative: Transfers 2 seasonal Marine Patrol Officer positions and one Marine Patrol Officer position and related support costs from the Bureau of Resource Management program, Other Special Revenue Funds to the Marine Patrol - Bureau of program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| POSITIONS - FTE COUNT | (1.000) | (1.000) |
| Personal Services | ($153,848) | ($163,267) |
| All Other | ($30,571) | ($31,633) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($184,419) | ($194,900) |

**Bureau of Resource Management 0027**

Initiative: Transfers 2 Marine Resource Specialist I positions, and one Marine Resource Scientist I position and related support costs from the Bureau of Resource Management program, Other Special Revenue Funds to the Sea Run Fisheries and Habitat program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($198,148) | ($204,630) |
| All Other | ($25,407) | ($24,345) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($223,555) | ($228,975) |

**Bureau of Resource Management 0027**

Initiative: Transfers 50% of the cost of one Marine Resource Scientist IV position, one Marine Resource Scientist III position and one Marine Specialist I posi-

tion, from the Bureau of Resource Management program, Other Special Revenue Funds to the Sea Run Fisheries and Habitat program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($135,051) | ($138,430) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($135,051) | ($138,430) |

**Bureau of Resource Management 0027**

Initiative: Transfers 2 Marine Resource Scientist II positions and one Marine Resource Scientist III position from the Division of Community Resource Development program, Other Special Revenue Funds to the Bureau of Resource Management program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $258,878 | $271,072 |
| All Other | $6,847 | $6,847 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $265,725 | $277,919 |

**Bureau of Resource Management 0027**

Initiative: Transfers one Planning and Research Associate I position and related support costs from the Division of Community Resource Development program, General Fund to the Bureau of Resource Management program, General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $64,954 | $66,469 |
| All Other | $8,098 | $8,098 |
| GENERAL FUND TOTAL | $73,052 | $74,567 |

**Bureau of Resource Management 0027**

Initiative: Transfers one Resource Management Coordinator position and related support costs from the Division of Community Resource Development program, Other Special Revenue Funds to the Office of the Commissioner program, 50% Other Special Revenue Funds and the Bureau of Resource Management program, 50% Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $37,247 | $39,591 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $37,247 | $39,591 |

**Bureau of Resource Management 0027**

Initiative: Continues 2 limited-period Marine Resource Scientist I positions, 4 limited-period Marine Resource Specialist I positions, 2 limited-period Marine Resource Specialist II positions and one limited-period Office Associate I position previously authorized in Public Law 2007, chapter 240 and one limited-period Office Associate I position and one limited-period Marine Resource Specialist I position established by financial order. These positions will end on June 8, 2013. Also provides funding for related support costs.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $742,368 | $780,743 |
| All Other | $738,576 | $337,907 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,480,944 | $1,118,650 |

**Bureau of Resource Management 0027**

Initiative: Reallocates the cost of one Marine Resource Education Coordinator position from 85% Federal Expenditures Fund and 15% Other Special Revenue Funds to 100% Federal Expenditures Fund within the same program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $15,445 | $15,824 |
| FEDERAL EXPENDITURES FUND TOTAL | $15,445 | $15,824 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($15,445) | ($15,824) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($15,445) | ($15,824) |

**Bureau of Resource Management 0027**

Initiative: Transfers funding from the Department of Conservation Submerged Lands Fund to the Department of Marine Resources Shellfish Fund and transfers Personal Services to All Other within the same

program to partially fund 3 positions and related costs in the Public Health Division shellfish program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($21,581) | ($22,910) |
| All Other | $21,581 | $22,910 |
| GENERAL FUND TOTAL | $0 | $0 |

## BUREAU OF RESOURCE MANAGEMENT 0027

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 30.000 | 30.000 |
| POSITIONS - FTE COUNT | 1.500 | 1.500 |
| Personal Services | $2,519,042 | $2,610,656 |
| All Other | $886,670 | $887,998 |
| GENERAL FUND TOTAL | $3,405,712 | $3,498,654 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.500 | 16.500 |
| POSITIONS - FTE COUNT | 0.500 | 0.500 |
| Personal Services | $1,666,216 | $1,737,173 |
| All Other | $1,247,258 | $846,589 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,913,474 | $2,583,762 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 23.000 | 23.000 |
| POSITIONS - FTE COUNT | 1.000 | 1.000 |
| Personal Services | $1,971,696 | $2,056,152 |
| All Other | $878,758 | $874,245 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,850,454 | $2,930,397 |

### Division of Community Resource Development 0043

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $64,954 | $66,469 |
| All Other | $16,197 | $16,197 |
| GENERAL FUND TOTAL | $81,151 | $82,666 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $333,378 | $350,254 |
| All Other | $44,428 | $44,428 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $377,806 | $394,682 |

### Division of Community Resource Development 0043

Initiative: Transfers 2 Marine Resource Scientist II positions and one Marine Resource Scientist III position from the Division of Community Resource Development program, Other Special Revenue Funds to the Bureau of Resource Management program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($258,878) | ($271,072) |
| All Other | ($6,847) | ($6,847) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($265,725) | ($277,919) |

### Division of Community Resource Development 0043

Initiative: Transfers one Planning and Research Associate I position and related support costs from the Division of Community Resource Development program, General Fund to the Bureau of Resource Management program, General Fund.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($64,954) | ($66,469) |
| All Other | ($8,098) | ($8,098) |
| GENERAL FUND TOTAL | ($73,052) | ($74,567) |

### Division of Community Resource Development 0043

Initiative: Transfers one Resource Management Coordinator position and related support costs from the Division of Community Resource Development program, Other Special Revenue Funds to the Office of the Commissioner program, 50% Other Special Revenue Funds and the Bureau of Resource Management program, 50% Other Special Revenue Funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($8,099) | ($8,099) |
| GENERAL FUND TOTAL | ($8,099) | ($8,099) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($74,500) | ($79,182) |
| All Other | ($7,915) | ($7,915) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($82,415) | ($87,097) |

### Division of Community Resource Development 0043

Initiative: Eliminates funding for the seafood market development and the publications revolving fund due to lack of revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($29,666) | ($29,666) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($29,666) | ($29,666) |

## DIVISION OF COMMUNITY RESOURCE DEVELOPMENT 0043

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Marine Patrol - Bureau of 0029

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 39.000 | 39.000 |
| Personal Services | $3,662,478 | $3,774,104 |
| All Other | $512,274 | $512,274 |
| GENERAL FUND TOTAL | $4,174,752 | $4,286,378 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $502,384 | $525,520 |
| All Other | $262,512 | $262,512 |
| FEDERAL EXPENDITURES FUND TOTAL | $764,896 | $788,032 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $897,689 | $938,368 |
| All Other | $766,663 | $766,663 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,664,352 | $1,705,031 |

### Marine Patrol - Bureau of 0029

Initiative: Provides funding for STA-CAP fees calculated by the Department of Administrative and Financial Services, Office of the State Controller.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,688 | $3,243 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,688 | $3,243 |

### Marine Patrol - Bureau of 0029

Initiative: Reduces funding to align allocation with current revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($115,501) | ($115,501) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($115,501) | ($115,501) |

### Marine Patrol - Bureau of 0029

Initiative: Transfers 2 seasonal Marine Patrol Officer positions and one Marine Patrol Officer position and related support costs from the Bureau of Resource Management program, Other Special Revenue Funds to the Marine Patrol - Bureau of program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 1.000 | 1.000 |
| Personal Services | $153,848 | $163,267 |
| All Other | $30,571 | $31,633 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $184,419 | $194,900 |

### Marine Patrol - Bureau of 0029

Initiative: Continues one limited-period Office Associate II position originally established in Public Law 2003, chapter 673. The position will end on June 8, 2013.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $66,481 | $68,614 |
| All Other | $1,995 | $2,059 |
| FEDERAL EXPENDITURES FUND TOTAL | $68,476 | $70,673 |

## MARINE PATROL - BUREAU OF 0029

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 39.000 | 39.000 |
| Personal Services | $3,662,478 | $3,774,104 |
| All Other | $512,274 | $512,274 |
| GENERAL FUND TOTAL | $4,174,752 | $4,286,378 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $568,865 | $594,134 |
| All Other | $264,507 | $264,571 |
| FEDERAL EXPENDITURES FUND TOTAL | $833,372 | $858,705 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| POSITIONS - FTE COUNT | 1.000 | 1.000 |
| Personal Services | $1,051,537 | $1,101,635 |
| All Other | $684,421 | $686,038 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,735,958 | $1,787,673 |

### Office of the Commissioner 0258

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $624,839 | $640,837 |
| All Other | $1,144,022 | $1,144,020 |
| GENERAL FUND TOTAL | $1,768,861 | $1,784,857 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,086 | $73,816 |
| All Other | $1,109 | $1,109 |
| FEDERAL EXPENDITURES FUND TOTAL | $74,195 | $74,925 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| Personal Services | $749,302 | $782,507 |
| All Other | $621,217 | $621,217 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,370,519 | $1,403,724 |

**Office of the Commissioner 0258**

Initiative: Provides funding for STA-CAP fees calculated by the Department of Administrative and Financial Services, Office of the State Controller.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,716 | $2,743 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,716 | $2,743 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,848 | $3,526 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,848 | $3,526 |

**Office of the Commissioner 0258**

Initiative: Provides funding to maintain the same level of dispatch services provided by the Department of Public Safety, Bureau of Consolidated Emergency Communications.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,991 | $8,741 |
| GENERAL FUND TOTAL | $7,991 | $8,741 |

**Office of the Commissioner 0258**

Initiative: Reduces funding to align allocation with current revenue.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($148,810) | ($148,810) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($148,810) | ($148,810) |

**Office of the Commissioner 0258**

Initiative: Transfers one Resource Management Coordinator position and related support costs from the Division of Community Resource Development program, Other Special Revenue Funds to the Office of the Commissioner program, 50% Other Special Revenue Funds and the Bureau of Resource Management program, 50% Other Special Revenue Funds.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,099 | $8,099 |
| GENERAL FUND TOTAL | $8,099 | $8,099 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $37,253 | $39,591 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $37,253 | $39,591 |

**Office of the Commissioner 0258**

Initiative: Continues one limited-period Office Associate II position originally established by financial order. The position will end on June 8, 2013.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $54,796 | $58,649 |
| All Other | $1,644 | $1,760 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $56,440 | $60,409 |

**Office of the Commissioner 0258**

Initiative: Provides funding to meet the current rates published by the Department of Administrative and Financial Services, Office of Information Technology for the replacement of desktop and laptop computers.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $43,709 | $43,709 |
| GENERAL FUND TOTAL | $43,709 | $43,709 |

**Office of the Commissioner 0258**

Initiative: Provides funding to meet the current rates published by the Department of Administrative and Financial Services, Office of Information Technology for the department's share of costs related to the office of the Chief Information Officer and the agency management services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,090 | $10,090 |
| GENERAL FUND TOTAL | $10,090 | $10,090 |

**Office of the Commissioner 0258**

Initiative: Provides funding for geographic information system support services provided by the Department of Administrative and Financial Services, Office of Information Technology.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,600 | $12,000 |
| GENERAL FUND TOTAL | $6,600 | $12,000 |

**Office of the Commissioner 0258**

Initiative: Provides funding for the transition to a public alert system for public health notifications to the public.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,398 | $5,090 |
| GENERAL FUND TOTAL | $6,398 | $5,090 |

**Office of the Commissioner 0258**

Initiative: Provides funding for current level of geographic information system support services provided by the Department of Administrative and Financial Services, Office of Information Technology.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,750 | $19,625 |
| GENERAL FUND TOTAL | $16,750 | $19,625 |

**Office of the Commissioner 0258**

Initiative: Provides funding for the same level of radio support services provided by the Department of Administrative and Financial Services, Office of Information Technology.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,230 | $9,271 |
| GENERAL FUND TOTAL | $7,230 | $9,271 |

**OFFICE OF THE COMMISSIONER 0258**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $624,839 | $640,837 |
| All Other | $1,250,889 | $1,260,645 |
| GENERAL FUND TOTAL | $1,875,728 | $1,901,482 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,086 | $73,816 |
| All Other | $3,825 | $3,852 |
| FEDERAL EXPENDITURES FUND TOTAL | $76,911 | $77,668 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $841,351 | $880,747 |
| All Other | $476,899 | $477,693 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,318,250 | $1,358,440 |

**Sea Run Fisheries and Habitat Z049**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $420,642 | $434,925 |
| All Other | $107,660 | $107,660 |
| GENERAL FUND TOTAL | $528,302 | $542,585 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.000 | 16.000 |
| POSITIONS - FTE COUNT | 2.500 | 2.500 |
| Personal Services | $1,193,000 | $1,239,009 |
| All Other | $256,683 | $256,683 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,449,683 | $1,495,692 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 1.250 | 1.250 |
| Personal Services | $58,936 | $62,384 |
| All Other | $292,597 | $292,597 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $351,533 | $354,981 |

### Sea Run Fisheries and Habitat Z049

Initiative: Transfers 2 seasonal Conservation Aide positions from the Bureau of Resource Management program, Other Special Revenue Funds to the Sea Run Fisheries and Habitat program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 2.000 | 2.000 |
| Personal Services | $71,699 | $74,332 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $71,699 | $74,332 |

### Sea Run Fisheries and Habitat Z049

Initiative: Transfers 2 Marine Resource Specialist I positions, and one Marine Resource Scientist I position and related support costs from the Bureau of Resource Management program, Other Special Revenue Funds to the Sea Run Fisheries and Habitat program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $198,148 | $204,630 |
| All Other | $25,407 | $24,345 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $223,555 | $228,975 |

### Sea Run Fisheries and Habitat Z049

Initiative: Transfers 50% of the cost of one Marine Resource Scientist IV position, one Marine Resource Scientist III position and one Marine Specialist I position, from the Bureau of Resource Management program, Other Special Revenue Funds to the Sea Run Fisheries and Habitat program, Other Special Revenue Funds.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $135,051 | $138,430 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $135,051 | $138,430 |

## SEA RUN FISHERIES AND HABITAT Z049

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $420,642 | $434,925 |
| All Other | $107,660 | $107,660 |
| GENERAL FUND TOTAL | $528,302 | $542,585 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.000 | 16.000 |
| POSITIONS - FTE COUNT | 2.500 | 2.500 |
| Personal Services | $1,193,000 | $1,239,009 |
| All Other | $256,683 | $256,683 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,449,683 | $1,495,692 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| POSITIONS - FTE COUNT | 3.250 | 3.250 |
| Personal Services | $463,834 | $479,776 |
| All Other | $318,004 | $316,942 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $781,838 | $796,718 |

| MARINE RESOURCES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **GENERAL FUND** | **$9,984,494** | **$10,229,099** |
| **FEDERAL EXPENDITURES FUND** | **$5,273,440** | **$5,015,827** |

| | | |
|---|---|---|
| **OTHER SPECIAL REVENUE FUNDS** | **$6,686,500** | **$6,873,228** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$21,944,434** | **$22,118,154** |

**Sec. A-52. Appropriations and allocations.** The following appropriations and allocations are made.

**MARITIME ACADEMY, MAINE**

**Maritime Academy - Operations 0035**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $8,611,706 | $8,611,706 |
| GENERAL FUND TOTAL | $8,611,706 | $8,611,706 |

**MARITIME ACADEMY - OPERATIONS 0035**

**PROGRAM SUMMARY**

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $8,611,706 | $8,611,706 |
| GENERAL FUND TOTAL | $8,611,706 | $8,611,706 |

**Sec. A-53. Appropriations and allocations.** The following appropriations and allocations are made.

**MIXED MARTIAL ARTS AUTHORITY OF MAINE**

**Mixed Martial Arts Reserve Fund Z113**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Mixed Martial Arts Reserve Fund Z113**

Initiative: Eliminates funding that is not needed to carry out the activity enacted in Public Law 2009, chapter 352, section 2.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($500) | ($500) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($500) | ($500) |

**MIXED MARTIAL ARTS RESERVE FUND Z113**

**PROGRAM SUMMARY**

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**MIXED MARTIAL ARTS AUTHORITY OF MAINE**

| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$0** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$0** |

**Sec. A-54. Appropriations and allocations.** The following appropriations and allocations are made.

**MUNICIPAL BOND BANK, MAINE**

**Maine Municipal Bond Bank - Maine Rural Water Association 0699**

Initiative: BASELINE BUDGET

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $71,928 | $71,928 |
| GENERAL FUND TOTAL | $71,928 | $71,928 |

**MAINE MUNICIPAL BOND BANK - MAINE RURAL WATER ASSOCIATION 0699**

**PROGRAM SUMMARY**

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $71,928 | $71,928 |
| GENERAL FUND TOTAL | $71,928 | $71,928 |

**Sec. A-55. Appropriations and allocations.** The following appropriations and allocations are made.

**MUSEUM, MAINE STATE**

**Maine State Museum 0180**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| Personal Services | $1,388,693 | $1,433,495 |
| All Other | $191,111 | $191,111 |
| GENERAL FUND TOTAL | $1,579,804 | $1,624,606 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 0.839 | 0.839 |
| Personal Services | $75,068 | $76,663 |
| All Other | $78,937 | $78,937 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $154,005 | $155,600 |

**Maine State Museum 0180**

Initiative: Provides funding to support the Maine State Museum endowment for publishing program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $15,000 | $15,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $15,000 | $15,000 |

**Maine State Museum 0180**

Initiative: Adjusts the hours for 2 intermittent Customer Representative Assistant I positions by increasing one from 784 hours per year to 980 hours per year and by decreasing one from 480 hours per year to 288 per year.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.001 | 0.001 |
| Personal Services | $47 | $50 |
| All Other | ($47) | ($50) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**Maine State Museum 0180**

Initiative: Provides one-time funds for 2 seasonal Museum Technician I positions and related costs to support a one-year pilot project to allow the Maine State Museum to be open on Sundays through the summer and fall of 2011. This initiative is expected to generate $3,000 in General Fund revenue in fiscal year 2011-12.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 0.462 | 0.000 |
| Personal Services | $24,284 | $0 |
| All Other | $5,716 | $0 |
| GENERAL FUND TOTAL | $30,000 | $0 |

**MAINE STATE MUSEUM 0180**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 19.000 | 19.000 |
| POSITIONS - FTE COUNT | 0.462 | 0.000 |
| Personal Services | $1,412,977 | $1,433,495 |
| All Other | $196,827 | $191,111 |
| GENERAL FUND TOTAL | $1,609,804 | $1,624,606 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 0.840 | 0.840 |
| Personal Services | $75,115 | $76,713 |
| All Other | $93,890 | $93,887 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $169,005 | $170,600 |

**Research and Collection - Museum 0174**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $130,606 | $130,606 |
| FEDERAL EXPENDITURES FUND TOTAL | $130,606 | $130,606 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $163,238 | $163,238 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $163,238 | $163,238 |

**RESEARCH AND COLLECTION - MUSEUM 0174**

**PROGRAM SUMMARY**

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $130,606 | $130,606 |
| FEDERAL EXPENDITURES FUND TOTAL | $130,606 | $130,606 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $163,238 | $163,238 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $163,238 | $163,238 |

| MUSEUM, MAINE STATE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $1,609,804 | $1,624,606 |
| FEDERAL EXPENDITURES FUND | $130,606 | $130,606 |
| OTHER SPECIAL REVENUE FUNDS | $332,243 | $333,838 |
| DEPARTMENT TOTAL - ALL FUNDS | $2,072,653 | $2,089,050 |

**Sec. A-56. Appropriations and allocations.** The following appropriations and allocations are made.

**NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION**

**Maine Joint Environmental Training Coordinating Committee 0980**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,248 | $8,248 |
| GENERAL FUND TOTAL | $8,248 | $8,248 |

**MAINE JOINT ENVIRONMENTAL TRAINING COORDINATING COMMITTEE 0980**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,248 | $8,248 |
| GENERAL FUND TOTAL | $8,248 | $8,248 |

**Sec. A-57. Appropriations and allocations.** The following appropriations and allocations are made.

**PINE TREE LEGAL ASSISTANCE**

**Legal Assistance 0553**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $264,345 | $264,345 |
| GENERAL FUND TOTAL | $264,345 | $264,345 |

**LEGAL ASSISTANCE 0553**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $264,345 | $264,345 |
| GENERAL FUND TOTAL | $264,345 | $264,345 |

**Sec. A-58. Appropriations and allocations.** The following appropriations and allocations are made.

**POTATO BOARD, MAINE**

**Potato Board 0429**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,418,026 | $1,418,026 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,418,026 | $1,418,026 |

**POTATO BOARD 0429**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,418,026 | $1,418,026 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,418,026 | $1,418,026 |

**Sec. A-59. Appropriations and allocations.** The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $461,513 | $481,358 |
| All Other | $3,558,378 | $3,558,378 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,019,891 | $4,039,736 |

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Provides funding to establish baseline allocation for the Department of Professional and Financial Regulation to receive and expend federal funds.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,030 | $10,030 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,030 | $10,030 |

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Provides funding to support program development of an automated licensing management system.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $910,946 | $910,946 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $910,946 | $910,946 |

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Establishes headcount and provides funding for the Commissioner of Professional and Financial Regulation position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $131,457 | $134,533 |
| All Other | $380 | $389 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $131,837 | $134,922 |

**ADMINISTRATIVE SERVICES - PROFESSIONAL AND FINANCIAL REGULATION 0094**

**PROGRAM SUMMARY**

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,030 | $10,030 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,030 | $10,030 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $592,970 | $615,891 |
| All Other | $4,469,704 | $4,469,713 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,062,674 | $5,085,604 |

**Bureau of Consumer Credit Protection 0091**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.500 | 16.500 |
| Personal Services | $1,303,985 | $1,359,046 |
| All Other | $389,795 | $389,795 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,693,780 | $1,748,841 |

**Bureau of Consumer Credit Protection 0091**

Initiative: Provides funding to meet foreclosure prevention obligations.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $587,815 | $587,815 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $587,815 | $587,815 |

**Bureau of Consumer Credit Protection 0091**

Initiative: Reduces funding by freezing one vacant Principal Examiner position and one vacant Secretary Associate Supervisor position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($142,742) | ($152,584) |
| All Other | ($143) | ($153) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($142,885) | ($152,737) |

**Bureau of Consumer Credit Protection 0091**

Initiative: Establishes one limited-period Senior Consumer Credit Examiner position for the foreclosure prevention program to assist with the foreclosure hotline and case review. This position ends on June 8, 2013.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $72,033 | $76,835 |
| All Other | $72 | $77 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $72,105 | $76,912 |

## BUREAU OF CONSUMER CREDIT PROTECTION 0091

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.500 | 16.500 |
| Personal Services | $1,233,276 | $1,283,297 |
| All Other | $977,539 | $977,534 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,210,815 | $2,260,831 |

**Dental Examiners - Board of 0384**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $183,426 | $194,897 |
| All Other | $202,929 | $202,929 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $386,355 | $397,826 |

## DENTAL EXAMINERS - BOARD OF 0384

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $183,426 | $194,897 |
| All Other | $202,929 | $202,929 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $386,355 | $397,826 |

**Engineers - Board of Registration for Professional 0369**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 0.438 | 0.438 |
| Personal Services | $81,094 | $82,854 |
| All Other | $160,478 | $160,478 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $241,572 | $243,332 |

## ENGINEERS - BOARD OF REGISTRATION FOR PROFESSIONAL 0369

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| POSITIONS - FTE COUNT | 0.438 | 0.438 |
| Personal Services | $81,094 | $82,854 |
| All Other | $160,478 | $160,478 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $241,572 | $243,332 |

**Financial Institutions - Bureau of 0093**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,743,693 | $1,801,560 |
| All Other | $644,377 | $644,377 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,388,070 | $2,445,937 |

**FINANCIAL INSTITUTIONS - BUREAU OF 0093**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 21.000 | 21.000 |
| Personal Services | $1,743,693 | $1,801,560 |
| All Other | $644,377 | $644,377 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,388,070 | $2,445,937 |

**Insurance - Bureau of 0092**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 80.000 | 80.000 |
| Personal Services | $6,640,956 | $6,865,391 |
| All Other | $2,013,751 | $2,013,751 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $8,654,707 | $8,879,142 |

**Insurance - Bureau of 0092**

Initiative: Provides funding to establish baseline allocation to receive and expend federal funds to further purposes of the Bureau of Insurance.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $950,000 | $1,000,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $950,000 | $1,000,000 |

**INSURANCE - BUREAU OF 0092**

**PROGRAM SUMMARY**

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $950,000 | $1,000,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $950,000 | $1,000,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 80.000 | 80.000 |
| Personal Services | $6,640,956 | $6,865,391 |
| All Other | $2,013,751 | $2,013,751 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $8,654,707 | $8,879,142 |

**Licensing and Enforcement 0352**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 60.500 | 60.500 |
| Personal Services | $4,356,601 | $4,529,105 |
| All Other | $2,497,353 | $2,497,353 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,853,954 | $7,026,458 |

**Licensing and Enforcement 0352**

Initiative: Reduces funding to more closely reflect anticipated expenditures.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($469,171) | ($434,569) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($469,171) | ($434,569) |

**LICENSING AND ENFORCEMENT 0352**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 60.500 | 60.500 |
| Personal Services | $4,356,601 | $4,529,105 |
| All Other | $2,028,182 | $2,062,784 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,384,783 | $6,591,889 |

**Licensure in Medicine - Board of 0376**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| POSITIONS - FTE COUNT | 0.770 | 0.770 |
| Personal Services | $712,877 | $737,108 |
| All Other | $678,649 | $678,649 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,391,526 | $1,415,757 |

**Licensure in Medicine - Board of 0376**

Initiative: Continues one limited-period part-time Physician III position through June 8, 2013 and increases the hours of the position from 40 hours to 60 hours biweekly. This position was previously established in Public Law 2009, chapter 213.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $144,314 | $153,879 |
| All Other | $1,522 | $1,479 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $145,836 | $155,358 |

**Licensure in Medicine - Board of 0376**

Initiative: Provides funding for an online licensing application.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $15,191 | $15,191 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $15,191 | $15,191 |

**Licensure in Medicine - Board of 0376**

Initiative: Provides funding for education pertaining to prescribing narcotics.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,000 | $48,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $48,000 | $48,000 |

**Licensure in Medicine - Board of 0376**

Initiative: Reduces funding to maintain allocations within anticipated revenues.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($9,063) | ($9,275) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($9,063) | ($9,275) |

**Licensure in Medicine - Board of 0376**

Initiative: Continues one limited-period Office Associate II position previously authorized to continue in Public Law 2009, chapter 213. The position will end June 8, 2013.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $56,043 | $59,964 |
| All Other | $712 | $762 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $56,755 | $60,726 |

**LICENSURE IN MEDICINE - BOARD OF 0376**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.000 | 9.000 |
| POSITIONS - FTE COUNT | 0.770 | 0.770 |
| Personal Services | $913,234 | $950,951 |
| All Other | $735,011 | $734,806 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,648,245 | $1,685,757 |

**Manufactured Housing Board 0351**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $23,554 | $23,554 |
| FEDERAL EXPENDITURES FUND TOTAL | $23,554 | $23,554 |

## MANUFACTURED HOUSING BOARD 0351

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $23,554 | $23,554 |
| FEDERAL EXPENDITURES FUND TOTAL | $23,554 | $23,554 |

### Nursing - Board of 0372

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $497,741 | $514,613 |
| All Other | $483,690 | $483,690 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $981,431 | $998,303 |

### Nursing - Board of 0372

Initiative: Continues one limited-period Field Investigator position to enable the State Board of Nursing to investigate filed complaints. The position will end on June 8, 2013. This position was previously authorized in Public Law 2009, chapter 213.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $78,623 | $80,986 |
| All Other | $1,013 | $1,081 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $79,636 | $82,067 |

### Nursing - Board of 0372

Initiative: Provides funding to establish baseline allocation for the Nursing - Board of program to receive and expend federal funds.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,144 | $10,144 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,144 | $10,144 |

### Nursing - Board of 0372

Initiative: Reduces funding to maintain allocations within anticipated revenues.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($8,436) | ($8,435) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($8,436) | ($8,435) |

### Nursing - Board of 0372

Initiative: Provides funding for the reorganization of one Secretary position to one Secretary Associate position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,174 | $3,364 |
| All Other | $45 | $48 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,219 | $3,412 |

## NURSING - BOARD OF 0372

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,144 | $10,144 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,144 | $10,144 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $579,538 | $598,963 |
| All Other | $476,312 | $476,384 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,055,850 | $1,075,347 |

### Office of Securities 0943

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $987,117 | $1,018,301 |
| All Other | $431,363 | $431,363 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,418,480 | $1,449,664 |

### Office of Securities 0943

Initiative: Provides funding to support the procurement of expert witnesses necessary for the increase of enforcement cases with the Office of Securities.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $20,020 | $20,020 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $20,020 | $20,020 |

### Office of Securities 0943

Initiative: Provides funding for the increase in legal services provided by the Office of the Attorney General.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $28,489 | $26,192 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $28,489 | $26,192 |

### Office of Securities 0943

Initiative: Provides funding to establish baseline allocation for the Office of Securities program to receive and expend federal funds.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,113 | $10,113 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,113 | $10,113 |

### Office of Securities 0943

Initiative: Continues one limited-period Senior Securities Examiner position and one limited-period Securities Examiner-in-Charge position through June 8, 2013 that were previously established by Financial Order 6425 F11.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $156,608 | $166,996 |
| All Other | $1,762 | $1,879 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $158,370 | $168,875 |

## OFFICE OF SECURITIES 0943

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,113 | $10,113 |
| FEDERAL EXPENDITURES FUND TOTAL | $10,113 | $10,113 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $1,143,725 | $1,185,297 |
| All Other | $481,634 | $479,454 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,625,359 | $1,664,751 |

### Optometry - Board of 0385

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $48,754 | $50,416 |
| All Other | $19,052 | $19,052 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $67,806 | $69,468 |

### Optometry - Board of 0385

Initiative: Reduces funding to more closely approximate anticipated expenditures for the State Board of Optometry.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,578) | ($1,578) |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($1,578) | ($1,578) |

## OPTOMETRY - BOARD OF 0385

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $48,754 | $50,416 |
| All Other | $17,474 | $17,474 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $66,228 | $67,890 |

### Osteopathic Licensure - Board of 0383

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $72,159 | $73,743 |
| All Other | $125,658 | $125,658 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $197,817 | $199,401 |

### Osteopathic Licensure - Board of 0383

Initiative: Reduces funding to maintain allocations within anticipated revenues.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($596) | ($595) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($596) | ($595) |

## OSTEOPATHIC LICENSURE - BOARD OF 0383

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $72,159 | $73,743 |
| All Other | $125,062 | $125,063 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $197,221 | $198,806 |

| PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $1,003,841 | $1,053,841 |
| OTHER SPECIAL REVENUE FUNDS | $29,921,879 | $30,597,112 |
| DEPARTMENT TOTAL - ALL FUNDS | $30,925,720 | $31,650,953 |

**Sec. A-60. Appropriations and allocations.** The following appropriations and allocations are made.

## PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY, OFFICE OF

### Office of Program Evaluation and Government Accountability 0976

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $754,605 | $795,423 |
| All Other | $126,188 | $126,188 |
| GENERAL FUND TOTAL | $880,793 | $921,611 |

### Office of Program Evaluation and Government Accountability 0976

Initiative: Adjusts funding to reflect projected costs and operational needs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($3,586) | $0 |
| GENERAL FUND TOTAL | ($3,586) | $0 |

### Office of Program Evaluation and Government Accountability 0976

Initiative: Reduces funding to reflect projected savings from maintaining the cost of health insurance at the fiscal year 2010-11 level.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($5,730) | ($11,920) |
| GENERAL FUND TOTAL | ($5,730) | ($11,920) |

**Office of Program Evaluation and Government Accountability 0976**

Initiative: Reduces funding to reflect projected savings from changes to future retiree health obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($10,446) | ($17,259) |
| GENERAL FUND TOTAL | ($10,446) | ($17,259) |

**Office of Program Evaluation and Government Accountability 0976**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($4,717) | ($7,662) |
| GENERAL FUND TOTAL | ($4,717) | ($7,662) |

**Office of Program Evaluation and Government Accountability 0976**

Initiative: Reduces funding to reflect projected savings from changes to future pension obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($40,472) | ($42,024) |
| GENERAL FUND TOTAL | ($40,472) | ($42,024) |

## OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY 0976

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 7.000 | 7.000 |
| Personal Services | $693,240 | $716,558 |
| All Other | $122,602 | $126,188 |
| GENERAL FUND TOTAL | $815,842 | $842,746 |

| PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY, OFFICE OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $815,842 | $842,746 |
| DEPARTMENT TOTAL - ALL FUNDS | $815,842 | $842,746 |

**Sec. A-61. Appropriations and allocations.** The following appropriations and allocations are made.

## PROPERTY TAX REVIEW, STATE BOARD OF

**Property Tax Review - State Board of 0357**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,099 | $6,099 |
| All Other | $83,611 | $83,611 |
| GENERAL FUND TOTAL | $89,710 | $89,710 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,000 | $3,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,000 | $3,000 |

## PROPERTY TAX REVIEW - STATE BOARD OF 0357

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,099 | $6,099 |
| All Other | $83,611 | $83,611 |
| GENERAL FUND TOTAL | $89,710 | $89,710 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,000 | $3,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,000 | $3,000 |

**Sec. A-62. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC BROADCASTING CORPORATION, MAINE**

**Maine Public Broadcasting Corporation 0033**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,954,235 | $1,954,235 |
| GENERAL FUND TOTAL | $1,954,235 | $1,954,235 |

**Maine Public Broadcasting Corporation 0033**

Initiative: Reduces funding to maintain costs within available resources.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($200,000) |
| GENERAL FUND TOTAL | $0 | ($200,000) |

**MAINE PUBLIC BROADCASTING CORPORATION 0033**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,954,235 | $1,754,235 |
| GENERAL FUND TOTAL | $1,954,235 | $1,754,235 |

| PUBLIC BROADCASTING CORPORATION, MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $1,954,235 | $1,754,235 |
| DEPARTMENT TOTAL - ALL FUNDS | $1,954,235 | $1,754,235 |

**Sec. A-63. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $139,703 | $140,756 |
| All Other | $214,300 | $214,300 |
| GENERAL FUND TOTAL | $354,003 | $355,056 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $151,715 | $158,090 |
| All Other | $1,399,111 | $1,399,111 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,550,826 | $1,557,201 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $150,069 | $153,067 |
| All Other | $104,051 | $104,051 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $254,120 | $257,118 |

**ADMINISTRATION - PUBLIC SAFETY 0088**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $139,703 | $140,756 |
| All Other | $214,300 | $214,300 |
| GENERAL FUND TOTAL | $354,003 | $355,056 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $151,715 | $158,090 |
| All Other | $1,399,111 | $1,399,111 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,550,826 | $1,557,201 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $150,069 | $153,067 |
| All Other | $104,051 | $104,051 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $254,120 | $257,118 |

### Background Checks - Certified Nursing Assistants 0992

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $56,526 | $59,815 |
| All Other | $11,996 | $11,996 |
| GENERAL FUND TOTAL | $68,522 | $71,811 |

## BACKGROUND CHECKS - CERTIFIED NURSING ASSISTANTS 0992

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $56,526 | $59,815 |
| All Other | $11,996 | $11,996 |
| GENERAL FUND TOTAL | $68,522 | $71,811 |

### Bureau of Building Codes and Standards Z073

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $154,435 | $164,681 |
| All Other | $130,639 | $130,639 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $285,074 | $295,320 |

### Bureau of Building Codes and Standards Z073

Initiative: Provides funding for the increased cost of building rent.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $161 | $323 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $161 | $323 |

### Bureau of Building Codes and Standards Z073

Initiative: Reduces funding for the Bureau of Building Codes and Standards program to reflect revised revenue projections.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($54,000) | ($54,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($54,000) | ($54,000) |

## BUREAU OF BUILDING CODES AND STANDARDS Z073

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $154,435 | $164,681 |
| All Other | $76,800 | $76,962 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $231,235 | $241,643 |

### Capitol Police - Bureau of 0101

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 9.500 | 9.500 |
| Personal Services | $614,641 | $633,220 |
| All Other | $48,760 | $48,760 |
| GENERAL FUND TOTAL | $663,401 | $681,980 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,000 | $6,000 |
| All Other | $100 | $100 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,100 | $6,100 |

### Capitol Police - Bureau of 0101

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,111 | $2,055 |
| GENERAL FUND TOTAL | $1,111 | $2,055 |

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for mandated recertification training.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,500 | $300 |
| GENERAL FUND TOTAL | $1,500 | $300 |

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for 2 computers to provide a hot site back-up location for the Capitol Police - Bureau of program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,162 | $3,162 |
| GENERAL FUND TOTAL | $3,162 | $3,162 |

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for software maintenance and the communication connection between the Bureau of Capitol Police and the Augusta Police Department.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,393 | $7,393 |
| GENERAL FUND TOTAL | $7,393 | $7,393 |

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the reorganization of one Watchman position to a Capitol Police Officer position due to Capitol Police assuming duties previously performed by the Augusta Police Department.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,657 | $4,585 |
| GENERAL FUND TOTAL | $2,657 | $4,585 |

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for one Capitol Police Officer position and 4 Security Officer positions effective September 1, 2011 and related All Other for the express purpose of fully providing security screening and law enforcement presence on a full-time basis in and in the immediate vicinity of the State House.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $233,974 | $292,149 |
| All Other | $11,000 | $9,000 |
| GENERAL FUND TOTAL | $244,974 | $301,149 |

## CAPITOL POLICE - BUREAU OF 0101 PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 14.500 | 14.500 |
| Personal Services | $851,272 | $929,954 |
| All Other | $72,926 | $70,670 |
| GENERAL FUND TOTAL | $924,198 | $1,000,624 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,000 | $6,000 |
| All Other | $100 | $100 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,100 | $6,100 |

**Computer Crimes 0048**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $103,551 | $109,918 |
| All Other | $6,000 | $6,000 |
| GENERAL FUND TOTAL | $109,551 | $115,918 |

## COMPUTER CRIMES 0048 PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $103,551 | $109,918 |
| All Other | $6,000 | $6,000 |
| GENERAL FUND TOTAL | $109,551 | $115,918 |

**Consolidated Emergency Communications Z021**

Initiative: BASELINE BUDGET

| **CONSOLIDATED EMERGENCY COMMUNICATIONS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 77.000 | 77.000 |
| Personal Services | $6,071,734 | $6,329,340 |
| All Other | $646,028 | $646,028 |
| CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL | $6,717,762 | $6,975,368 |

**Consolidated Emergency Communications Z021**

Initiative: Eliminates 5 Emergency Communications Technician positions.

| **CONSOLIDATED EMERGENCY COMMUNICATIONS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (5.000) | (5.000) |
| Personal Services | ($308,555) | ($327,275) |
| CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL | ($308,555) | ($327,275) |

**Consolidated Emergency Communications Z021**

Initiative: Provides funding for the increased cost of building rent.

| **CONSOLIDATED EMERGENCY COMMUNICATIONS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $3,556 | $5,009 |
| CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL | $3,556 | $5,009 |

**Consolidated Emergency Communications Z021**

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| **CONSOLIDATED EMERGENCY COMMUNICATIONS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,009 | $2,514 |
| CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL | $1,009 | $2,514 |

**CONSOLIDATED EMERGENCY COMMUNICATIONS Z021**

**PROGRAM SUMMARY**

| **CONSOLIDATED EMERGENCY COMMUNICATIONS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 72.000 | 72.000 |
| Personal Services | $5,763,179 | $6,002,065 |
| All Other | $650,593 | $653,551 |
| CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL | $6,413,772 | $6,655,616 |

**Criminal Justice Academy 0290**

Initiative: BASELINE BUDGET

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $25,000 | $25,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $25,000 | $25,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $801,850 | $822,262 |
| All Other | $964,232 | $964,232 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,766,082 | $1,786,494 |

### Criminal Justice Academy 0290

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $477 | $1,096 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $477 | $1,096 |

## CRIMINAL JUSTICE ACADEMY 0290

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $25,000 | $25,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $801,850 | $822,262 |
| All Other | $964,709 | $965,328 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,766,559 | $1,787,590 |

### Drug Enforcement Agency 0388

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $194,577 | $199,808 |
| All Other | $2,239,010 | $2,239,010 |
| GENERAL FUND TOTAL | $2,433,587 | $2,438,818 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $933,432 | $933,432 |
| FEDERAL EXPENDITURES FUND TOTAL | $933,432 | $933,432 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $398,344 | $398,344 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $398,344 | $398,344 |

### Drug Enforcement Agency 0388

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $8,368 | $16,759 |
| GENERAL FUND TOTAL | $8,368 | $16,759 |

### Drug Enforcement Agency 0388

Initiative: Provides funding to continue contracting for approximately 17 drug enforcement agents.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $747,129 | $747,129 |
| GENERAL FUND TOTAL | $747,129 | $747,129 |

## DRUG ENFORCEMENT AGENCY 0388

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $194,577 | $199,808 |
| All Other | $2,994,507 | $3,002,898 |
| GENERAL FUND TOTAL | $3,189,084 | $3,202,706 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $933,432 | $933,432 |
| FEDERAL EXPENDITURES FUND TOTAL | $933,432 | $933,432 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $398,344 | $398,344 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $398,344 | $398,344 |

### Emergency Medical Services 0485

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $371,039 | $382,689 |
| All Other | $605,889 | $606,339 |
| GENERAL FUND TOTAL | $976,928 | $989,028 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $71,132 | $75,666 |
| All Other | $309,805 | $309,805 |
| FEDERAL EXPENDITURES FUND TOTAL | $380,937 | $385,471 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $80,640 | $82,754 |
| All Other | $77,370 | $72,415 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $158,010 | $155,169 |

### Emergency Medical Services 0485

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $284 | $628 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $284 | $628 |

## EMERGENCY MEDICAL SERVICES 0485

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $371,039 | $382,689 |
| All Other | $605,889 | $606,339 |
| GENERAL FUND TOTAL | $976,928 | $989,028 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $71,132 | $75,666 |
| All Other | $309,805 | $309,805 |
| FEDERAL EXPENDITURES FUND TOTAL | $380,937 | $385,471 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $80,640 | $82,754 |
| All Other | $77,654 | $73,043 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $158,294 | $155,797 |

### FHM - Fire Marshal 0964

Initiative: BASELINE BUDGET

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $237,456 | $243,902 |
| All Other | $12,963 | $12,963 |
| FUND FOR A HEALTHY MAINE TOTAL | $250,419 | $256,865 |

### FHM - Fire Marshal 0964

Initiative: Transfers 3 full-time Public Safety Inspector II positions and reallocates 50% of the cost of one Office Assistant II position from the FHM - Fire Marshal program along with related All Other funding to the Fire Marshal - Office of program, General Fund, to reflect a redistribution of funding and the reduction of revenue available in the Fund for Healthy Maine program.

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| Personal Services | ($237,456) | ($243,902) |
| All Other | ($12,963) | ($12,963) |
| FUND FOR A HEALTHY MAINE TOTAL | ($250,419) | ($256,865) |

## FHM - FIRE MARSHAL 0964

## PROGRAM SUMMARY

| FUND FOR A HEALTHY MAINE | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 0.000 |
| Personal Services | $0 | $0 |
| All Other | $0 | $0 |
| FUND FOR A HEALTHY MAINE TOTAL | $0 | $0 |

### Fire Marshal - Office of 0327

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 39.000 | 39.000 |
| Personal Services | $3,637,840 | $3,736,554 |
| All Other | $886,231 | $886,231 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,524,071 | $4,622,785 |

### Fire Marshal - Office of 0327

Initiative: Provides funding for the increased cost of building rent.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $222 | $1,177 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $222 | $1,177 |

### Fire Marshal - Office of 0327

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,759 | $9,400 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,759 | $9,400 |

### Fire Marshal - Office of 0327

Initiative: Provides funding for the replacement of vehicles.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $106,730 | $112,066 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $106,730 | $112,066 |

### Fire Marshal - Office of 0327

Initiative: Provides funding for the increased cost of STA-CAP.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $663 | $722 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $663 | $722 |

### Fire Marshal - Office of 0327

Initiative: Transfers 3 full-time Public Safety Inspector II positions and reallocates 50% of the cost of one Office Assistant II position from the FHM - Fire Marshal program along with related All Other funding to the Fire Marshal - Office of program, General Fund, to reflect a redistribution of funding and the reduction of revenue available in the Fund for Healthy Maine program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |

| | | |
|---|---|---|
| Personal Services | $237,456 | $243,902 |
| All Other | $11,359 | $11,359 |
| GENERAL FUND TOTAL | $248,815 | $255,261 |

## FIRE MARSHAL - OFFICE OF 0327

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $237,456 | $243,902 |
| All Other | $11,359 | $11,359 |
| GENERAL FUND TOTAL | $248,815 | $255,261 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 39.000 | 39.000 |
| Personal Services | $3,637,840 | $3,736,554 |
| All Other | $891,875 | $897,530 |
| Capital Expenditures | $106,730 | $112,066 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,636,445 | $4,746,150 |

### Gambling Control Board Z002

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 6.000 | 6.000 |
| Personal Services | $472,865 | $485,094 |
| All Other | $599,213 | $599,213 |
| GENERAL FUND TOTAL | $1,072,078 | $1,084,307 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $572,967 | $572,967 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $572,967 | $572,967 |

### Gambling Control Board Z002

Initiative: Continues one Office Specialist I position and one Public Safety Inspector I position established in fiscal year 2010-11 and contractual services for legal counsel to meet immediate needs associated with the Oxford County casino.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $124,547 | $132,685 |
| All Other | $134,357 | $142,368 |
| GENERAL FUND TOTAL | $258,904 | $275,053 |

## GAMBLING CONTROL BOARD Z002

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $597,412 | $617,779 |
| All Other | $733,570 | $741,581 |
| GENERAL FUND TOTAL | $1,330,982 | $1,359,360 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $572,967 | $572,967 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $572,967 | $572,967 |

### Highway Safety DPS 0457

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $321,667 | $338,694 |
| All Other | $1,720,114 | $1,720,114 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,041,781 | $2,058,808 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $33,121 | $35,113 |
| All Other | $309,035 | $309,035 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $342,156 | $344,148 |

### Highway Safety DPS 0457

Initiative: Continues one Highway Safety Coordinator position to serve as the Child Passenger Safety Program Coordinator as established in Financial Order 006310 F1.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $66,240 | $70,223 |
| All Other | $1,410 | $1,410 |
| FEDERAL EXPENDITURES FUND TOTAL | $67,650 | $71,633 |

### Highway Safety DPS 0457

Initiative: Provides funding for the replacement of breathalyzers and supplies needed for field sobriety testing.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $0 | $650,100 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $650,100 |

## HIGHWAY SAFETY DPS 0457

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $387,907 | $408,917 |
| All Other | $1,721,524 | $1,721,524 |
| Capital Expenditures | $0 | $650,100 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,109,431 | $2,780,541 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $33,121 | $35,113 |
| All Other | $309,035 | $309,035 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $342,156 | $344,148 |

### Licensing and Enforcement - Public Safety 0712

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $748,027 | $772,961 |
| All Other | $240,595 | $240,595 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $988,622 | $1,013,556 |

### Licensing and Enforcement - Public Safety 0712

Initiative: Provides funding for the increased cost of building rent.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $192 | $941 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $192 | $941 |

## LICENSING AND ENFORCEMENT - PUBLIC SAFETY 0712

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $748,027 | $772,961 |
| All Other | $240,787 | $241,536 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $988,814 | $1,014,497 |

### Liquor Enforcement 0293

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $789,852 | $811,953 |
| All Other | $130,891 | $130,891 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $920,743 | $942,844 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $19,190 | $19,190 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $19,190 | $19,190 |

## LIQUOR ENFORCEMENT 0293

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $789,852 | $811,953 |
| All Other | $130,891 | $130,891 |
| GENERAL FUND TOTAL | $920,743 | $942,844 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $19,190 | $19,190 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $19,190 | $19,190 |

### State Police 0291

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 314.500 | 314.500 |
| Personal Services | $17,884,217 | $18,438,657 |
| All Other | $6,856,362 | $6,856,362 |
| GENERAL FUND TOTAL | $24,740,579 | $25,295,019 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $327,467 | $344,173 |
| All Other | $2,120,304 | $2,120,304 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,447,771 | $2,464,477 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $603,867 | $632,860 |
| All Other | $531,000 | $531,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,134,867 | $1,163,860 |

### State Police 0291

Initiative: Establishes 2 22-week State Police Sergeant project positions to backfill when a troop sergeant is teaching at the Maine Criminal Justice Academy.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,342 | $5,684 |
| GENERAL FUND TOTAL | $5,342 | $5,684 |

### State Police 0291

Initiative: Provides funding for the increased cost of building rent.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,757 | $35,562 |
| GENERAL FUND TOTAL | $32,757 | $35,562 |

### State Police 0291

Initiative: Provides funding for the same level of dispatch services administered by the Department of Public Safety, Bureau of Consolidated Emergency Communications.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $342,103 | $422,771 |
| GENERAL FUND TOTAL | $342,103 | $422,771 |

### State Police 0291

Initiative: Provides funding to cover the extra equipment cost of filling 22 vacant positions within the State Police program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $79,872 | $0 |
| GENERAL FUND TOTAL | $79,872 | $0 |

### State Police 0291

Initiative: Provides funding to cover the increased cost of replacing state trooper vehicles.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $204,000 | $204,000 |
| GENERAL FUND TOTAL | $204,000 | $204,000 |

### State Police 0291

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $29,531 | $55,803 |
| GENERAL FUND TOTAL | $29,531 | $55,803 |

### State Police 0291

Initiative: Provides funding for the increased cost of gasoline.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $124,119 | $124,119 |
| GENERAL FUND TOTAL | $124,119 | $124,119 |

### State Police 0291

Initiative: Provides funding for the criminal history records information project.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $37,361 | $37,361 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $37,361 | $37,361 |

## STATE POLICE 0291

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 314.500 | 314.500 |
| Personal Services | $17,889,559 | $18,444,341 |
| All Other | $7,668,744 | $7,698,617 |
| GENERAL FUND TOTAL | $25,558,303 | $26,142,958 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $327,467 | $344,173 |
| All Other | $2,120,304 | $2,120,304 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,447,771 | $2,464,477 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $603,867 | $632,860 |
| All Other | $568,361 | $568,361 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,172,228 | $1,201,221 |

### Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $329,178 | $338,551 |
| All Other | $5,347 | $5,347 |
| FEDERAL EXPENDITURES FUND TOTAL | $334,525 | $343,898 |

## TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $329,178 | $338,551 |
| All Other | $5,347 | $5,347 |
| FEDERAL EXPENDITURES FUND TOTAL | $334,525 | $343,898 |

### Turnpike Enforcement 0547

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 36.000 | 36.000 |

| | | |
|---|---|---|
| Personal Services | $4,728,566 | $4,861,365 |
| All Other | $1,080,303 | $1,080,303 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,808,869 | $5,941,668 |

**Turnpike Enforcement 0547**

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $7,332 | $13,842 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,332 | $13,842 |

**Turnpike Enforcement 0547**

Initiative: Provides funding for the replacement of vehicles.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Capital Expenditures | $99,724 | $99,724 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $99,724 | $99,724 |

**Turnpike Enforcement 0547**

Initiative: Provides funding for the increased cost of gasoline.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $63,966 | $63,966 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $63,966 | $63,966 |

**TURNPIKE ENFORCEMENT 0547**

**PROGRAM SUMMARY**

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 36.000 | 36.000 |
| Personal Services | $4,728,566 | $4,861,365 |
| All Other | $1,151,601 | $1,158,111 |
| Capital Expenditures | $99,724 | $99,724 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,979,891 | $6,119,200 |

| **PUBLIC SAFETY, DEPARTMENT OF** **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **GENERAL FUND** | **$33,681,129** | **$34,435,566** |
| **FEDERAL EXPENDITURES FUND** | **$7,781,922** | **$8,490,020** |
| **FUND FOR A HEALTHY MAINE** | **$0** | **$0** |
| **OTHER SPECIAL REVENUE FUNDS** | **$16,526,343** | **$16,863,965** |
| **CONSOLIDATED EMERGENCY COMMUNICATIONS FUND** | **$6,413,772** | **$6,655,616** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$64,403,166** | **$66,445,167** |

**Sec. A-64. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC UTILITIES COMMISSION**

**Emergency Services Communication Bureau 0994**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $474,764 | $493,470 |
| All Other | $8,399,352 | $8,399,352 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $8,874,116 | $8,892,822 |

**Emergency Services Communication Bureau 0994**

Initiative: Reduces funding for consulting services to align allocations with anticipated resources.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($467,131) | ($487,951) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($467,131) | ($487,951) |

## EMERGENCY SERVICES COMMUNICATION BUREAU 0994

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $474,764 | $493,470 |
| All Other | $7,932,221 | $7,911,401 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $8,406,985 | $8,404,871 |

### Oversight and Evaluation Fund Z106

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### Oversight and Evaluation Fund Z106

Initiative: Provides funding in the Oversight and Evaluation Fund program to carry out activities associated with overseeing the Efficiency Maine Trust as enacted in Public Law 2009, chapter 372, Part B.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $138,000 | $138,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $138,000 | $138,000 |

## OVERSIGHT AND EVALUATION FUND Z106

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $138,500 | $138,500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $138,500 | $138,500 |

### Public Utilities - Administrative Division 0184

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,000 | $50,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $50,000 | $50,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 56.000 | 56.000 |
| POSITIONS - FTE COUNT | 0.250 | 0.250 |
| Personal Services | $5,643,623 | $5,933,883 |
| All Other | $2,030,668 | $2,030,668 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,674,291 | $7,964,551 |

### Public Utilities - Administrative Division 0184

Initiative: Reduces funding in the PUC Miscellaneous account, which is no longer being used.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($15,000) | ($15,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($15,000) | ($15,000) |

## PUBLIC UTILITIES - ADMINISTRATIVE DIVISION 0184

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $50,000 | $50,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $50,000 | $50,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 56.000 | 56.000 |
| POSITIONS - FTE COUNT | 0.250 | 0.250 |
| Personal Services | $5,643,623 | $5,933,883 |
| All Other | $2,015,668 | $2,015,668 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $7,659,291 | $7,949,551 |

| PUBLIC UTILITIES COMMISSION<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $50,000 | $50,000 |
| OTHER SPECIAL REVENUE FUNDS | $16,204,776 | $16,492,922 |
| DEPARTMENT TOTAL - ALL FUNDS | $16,254,776 | $16,542,922 |

**Sec. A-65. Appropriations and allocations.** The following appropriations and allocations are made.

**RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

**Retirement System - Retirement Allowance Fund 0085**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,122,570 | $1,122,570 |
| GENERAL FUND TOTAL | $1,122,570 | $1,122,570 |

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Provides funding for benefits for retired governors and surviving spouses under the Maine Revised Statutes, Title 2, section 1-A.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $170,159 | $177,886 |
| GENERAL FUND TOTAL | $170,159 | $177,886 |

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Provides funding for benefits for pre-1984 retired judges and surviving spouses under the Maine Revised Statutes, Title 4, section 1403.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $325,477 | $365,554 |
| GENERAL FUND TOTAL | $325,477 | $365,554 |

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Reduces funding to reflect projected savings from changes to future pension obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($6,231) | ($13,958) |
| GENERAL FUND TOTAL | ($6,231) | ($13,958) |

**RETIREMENT SYSTEM - RETIREMENT ALLOWANCE FUND 0085**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,611,975 | $1,652,052 |
| GENERAL FUND TOTAL | $1,611,975 | $1,652,052 |

| RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $1,611,975 | $1,652,052 |
| DEPARTMENT TOTAL - ALL FUNDS | $1,611,975 | $1,652,052 |

**Sec. A-66. Appropriations and allocations.** The following appropriations and allocations are made.

**SACO RIVER CORRIDOR COMMISSION**

**Saco River Corridor Commission 0322**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,719 | $48,719 |
| GENERAL FUND TOTAL | $48,719 | $48,719 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $34,348 | $34,348 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $34,348 | $34,348 |

**Saco River Corridor Commission 0322**

Initiative: Provides funding to appropriately recognize the level of funding received.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $6,000 | $6,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $6,000 | $6,000 |

**SACO RIVER CORRIDOR COMMISSION 0322**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $48,719 | $48,719 |
| GENERAL FUND TOTAL | $48,719 | $48,719 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $40,348 | $40,348 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $40,348 | $40,348 |

| SACO RIVER CORRIDOR COMMISSION DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $48,719 | $48,719 |
| OTHER SPECIAL REVENUE FUNDS | $40,348 | $40,348 |
| DEPARTMENT TOTAL - ALL FUNDS | $89,067 | $89,067 |

**Sec. A-67. Appropriations and allocations.** The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Archives 0050**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $794,462 | $830,072 |
| All Other | $73,578 | $73,578 |
| GENERAL FUND TOTAL | $868,040 | $903,650 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,807 | $75,786 |
| All Other | $2,673 | $2,673 |
| FEDERAL EXPENDITURES FUND TOTAL | $76,480 | $78,459 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,730 | $17,730 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $17,730 | $17,730 |

**ADMINISTRATION - ARCHIVES 0050**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $794,462 | $830,072 |
| All Other | $73,578 | $73,578 |
| GENERAL FUND TOTAL | $868,040 | $903,650 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $73,807 | $75,786 |
| All Other | $2,673 | $2,673 |
| FEDERAL EXPENDITURES FUND TOTAL | $76,480 | $78,459 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,730 | $17,730 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $17,730 | $17,730 |

**Administration - Motor Vehicles 0077**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $485,423 | $485,423 |
| FEDERAL EXPENDITURES FUND TOTAL | $485,423 | $485,423 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $99,742 | $102,467 |
| All Other | $204,879 | $204,879 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $304,621 | $307,346 |

### Administration - Motor Vehicles 0077

Initiative: Reduces funding in the Specialty License Plate Fund account, the Maine Motor Vehicle Franchise Fund account and the Municipal Excise Tax Reimbursement Fund account to match the anticipated revenue collections.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($20,001) | ($18,520) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($20,001) | ($18,520) |

## ADMINISTRATION - MOTOR VEHICLES 0077

## PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $485,423 | $485,423 |
| FEDERAL EXPENDITURES FUND TOTAL | $485,423 | $485,423 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $99,742 | $102,467 |
| All Other | $184,878 | $186,359 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $284,620 | $288,826 |

### Bureau of Administrative Services and Corporations 0692

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 31.000 | 31.000 |
| Personal Services | $1,988,093 | $2,082,775 |
| All Other | $726,686 | $726,686 |
| GENERAL FUND TOTAL | $2,714,779 | $2,809,461 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $217,617 | $233,368 |
| All Other | $14,385 | $14,385 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $232,002 | $247,753 |

### Bureau of Administrative Services and Corporations 0692

Initiative: Provides one-time funding to update the publicly accessible website. This appropriation must be used solely for this purpose.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,000 | $0 |
| GENERAL FUND TOTAL | $32,000 | $0 |

## BUREAU OF ADMINISTRATIVE SERVICES AND CORPORATIONS 0692

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 31.000 | 31.000 |
| Personal Services | $1,988,093 | $2,082,775 |
| All Other | $758,686 | $726,686 |
| GENERAL FUND TOTAL | $2,746,779 | $2,809,461 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 4.000 | 4.000 |
| Personal Services | $217,617 | $233,368 |
| All Other | $14,385 | $14,385 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $232,002 | $247,753 |

**Elections and Commissions 0693**

Initiative: BASELINE BUDGET

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $108,880 | $116,152 |
| FEDERAL EXPENDITURES FUND TOTAL | $108,880 | $116,152 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $4,000 | $4,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,000 | $4,000 |

**Elections and Commissions 0693**

Initiative: Provides funding for the Help America Vote Act of 2002 program.

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,323,300 | $1,323,300 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,323,300 | $1,323,300 |

## ELECTIONS AND COMMISSIONS 0693

## PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $108,880 | $116,152 |
| All Other | $1,323,300 | $1,323,300 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,432,180 | $1,439,452 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $4,000 | $4,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,000 | $4,000 |

**Municipal Excise Tax Reimbursement Fund 0871**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,264,050 | $1,264,050 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,264,050 | $1,264,050 |

**Municipal Excise Tax Reimbursement Fund 0871**

Initiative: Reduces funding in the Specialty License Plate Fund account, the Maine Motor Vehicle Franchise Fund account and the Municipal Excise Tax Reimbursement Fund account to match the anticipated revenue collections.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($414,050) | ($414,050) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($414,050) | ($414,050) |

## MUNICIPAL EXCISE TAX REIMBURSEMENT FUND 0871

## PROGRAM SUMMARY

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $850,000 | $850,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $850,000 | $850,000 |

| **SECRETARY OF STATE, DEPARTMENT OF** | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$3,614,819** | **$3,713,111** |
| **FEDERAL EXPENDITURES FUND** | **$1,994,083** | **$2,003,334** |
| **OTHER SPECIAL REVENUE FUNDS** | **$1,388,352** | **$1,408,309** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$6,997,254** | **$7,124,754** |

**Sec. A-68. Appropriations and allocations.** The following appropriations and allocations are made.

**ST. CROIX INTERNATIONAL WATERWAY COMMISSION**

**St. Croix International Waterway Commission 0576**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $22,676 | $22,676 |
| GENERAL FUND TOTAL | $22,676 | $22,676 |

**ST. CROIX INTERNATIONAL WATERWAY COMMISSION 0576**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $22,676 | $22,676 |
| GENERAL FUND TOTAL | $22,676 | $22,676 |

**Sec. A-69. Appropriations and allocations.** The following appropriations and allocations are made.

**STATE HOUSE PRESERVATION AND MAINTENANCE, RESERVE FUND FOR**

**Reserve Fund for State House Preservation and Maintenance 0975**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $800,000 | $800,000 |
| GENERAL FUND TOTAL | $800,000 | $800,000 |

**RESERVE FUND FOR STATE HOUSE PRESERVATION AND MAINTENANCE 0975**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $800,000 | $800,000 |
| GENERAL FUND TOTAL | $800,000 | $800,000 |

**Sec. A-70. Appropriations and allocations.** The following appropriations and allocations are made.

**TREASURER OF STATE, OFFICE OF**

**Administration - Treasury 0022**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.000 | 15.000 |
| Personal Services | $1,159,988 | $1,196,787 |
| All Other | $823,573 | $823,573 |
| GENERAL FUND TOTAL | $1,983,561 | $2,020,360 |

| ABANDONED PROPERTY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $217,686 | $217,686 |
| ABANDONED PROPERTY FUND TOTAL | $217,686 | $217,686 |

**Administration - Treasury 0022**

Initiative: Provides funding to cover postage and programming costs for administering the revenue-sharing program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $9,000 | $9,000 |
| GENERAL FUND TOTAL | $9,000 | $9,000 |

**ADMINISTRATION - TREASURY 0022**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 15.000 | 15.000 |
| Personal Services | $1,159,988 | $1,196,787 |
| All Other | $832,573 | $832,573 |
| GENERAL FUND TOTAL | $1,992,561 | $2,029,360 |

| ABANDONED PROPERTY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $217,686 | $217,686 |
| ABANDONED PROPERTY FUND TOTAL | $217,686 | $217,686 |

**Debt Service - Treasury 0021**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| All Other | $94,728,820 | $94,728,820 |
| GENERAL FUND TOTAL | $94,728,820 | $94,728,820 |

**Debt Service - Treasury 0021**

Initiative: Provides federal funds authorized in the American Recovery and Reinvestment Act of 2009 to fund 35% of interest expense on taxable bonds issued for the General Fund from Build America bonds.

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $4,002 | $4,002 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $4,002 | $4,002 |

**Debt Service - Treasury 0021**

Initiative: Provides federal funds authorized in the American Recovery and Reinvestment Act of 2009 to fund 35% of interest expense on taxable bonds issued for the Highway Fund from Build America bonds.

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $291,735 | $291,735 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $291,735 | $291,735 |

**Debt Service - Treasury 0021**

Initiative: Provides funding for debt service funding levels for the 2012-2013 biennium based on projected actual requirements.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $9,202,184 | $8,822,992 |
| GENERAL FUND TOTAL | $9,202,184 | $8,822,992 |

**Debt Service - Treasury 0021**

Initiative: Recognizes savings from a change in the assumption regarding the number of days of tax anticipation note borrowing.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($937,500) | $0 |
| GENERAL FUND TOTAL | ($937,500) | $0 |

## DEBT SERVICE - TREASURY 0021

## PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $102,993,504 | $103,551,812 |
| GENERAL FUND TOTAL | $102,993,504 | $103,551,812 |

| FEDERAL EXPENDITURES FUND ARRA | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $295,737 | $295,737 |
| FEDERAL EXPENDITURES FUND ARRA TOTAL | $295,737 | $295,737 |

**Disproportionate Tax Burden Fund 0472**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,263,499 | $16,263,499 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $16,263,499 | $16,263,499 |

**Disproportionate Tax Burden Fund 0472**

Initiative: Adjusts funding for the State - Municipal Revenue Sharing program to bring allocations into line with projected available resources based on the reprojection of revenue by the Revenue Forecasting Committee in May 2011, the tax changes in this Act and the reduction from the fixed dollar transfers to the General Fund.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,206,501 | $3,526,501 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,206,501 | $3,526,501 |

## DISPROPORTIONATE TAX BURDEN FUND 0472

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $18,470,000 | $19,790,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $18,470,000 | $19,790,000 |

**Passamaquoddy Sales Tax Fund 0915**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,607 | $17,607 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $17,607 | $17,607 |

**PASSAMAQUODDY SALES TAX FUND 0915**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,607 | $17,607 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $17,607 | $17,607 |

**State - Municipal Revenue Sharing 0020**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $72,258,368 | $72,258,368 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $72,258,368 | $72,258,368 |

**State - Municipal Revenue Sharing 0020**

Initiative: Adjusts funding for the State - Municipal Revenue Sharing program to bring allocations into line with projected available resources based on the reprojection of revenue by the Revenue Forecasting Committee in May 2011, the tax changes in this Act and the reduction from the fixed dollar transfers to the General Fund.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,271,632 | $1,951,632 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,271,632 | $1,951,632 |

**STATE - MUNICIPAL REVENUE SHARING 0020**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $75,530,000 | $74,210,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $75,530,000 | $74,210,000 |

**TREASURER OF STATE, OFFICE OF**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $104,986,065 | $105,581,172 |
| OTHER SPECIAL REVENUE FUNDS | $94,017,607 | $94,017,607 |
| FEDERAL EXPENDITURES FUND ARRA | $295,737 | $295,737 |
| ABANDONED PROPERTY FUND | $217,686 | $217,686 |
| DEPARTMENT TOTAL - ALL FUNDS | $199,517,095 | $200,112,202 |

**Sec. A-71. Appropriations and allocations.** The following appropriations and allocations are made.

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**

**Casco Bay Estuary Project - University of Southern Maine 0983**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,000 | $35,000 |
| GENERAL FUND TOTAL | $35,000 | $35,000 |

**CASCO BAY ESTUARY PROJECT - UNIVERSITY OF SOUTHERN MAINE 0983**

**PROGRAM SUMMARY**

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $35,000 | $35,000 |
| GENERAL FUND TOTAL | $35,000 | $35,000 |

**Debt Service - University of Maine System 0902**

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,350,000 | $3,350,000 |
| GENERAL FUND TOTAL | $3,350,000 | $3,350,000 |

## DEBT SERVICE - UNIVERSITY OF MAINE SYSTEM 0902

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,350,000 | $3,350,000 |
| GENERAL FUND TOTAL | $3,350,000 | $3,350,000 |

### Educational and General Activities - UMS 0031

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $178,530,506 | $178,530,506 |
| GENERAL FUND TOTAL | $178,530,506 | $178,530,506 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $550,000 | $550,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $550,000 | $550,000 |

## EDUCATIONAL AND GENERAL ACTIVITIES - UMS 0031

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $178,530,506 | $178,530,506 |
| GENERAL FUND TOTAL | $178,530,506 | $178,530,506 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $550,000 | $550,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $550,000 | $550,000 |

### Maine Economic Improvement Fund 0986

Initiative: BASELINE BUDGET

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $14,700,000 | $14,700,000 |
| GENERAL FUND TOTAL | $14,700,000 | $14,700,000 |

## MAINE ECONOMIC IMPROVEMENT FUND 0986

### PROGRAM SUMMARY

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $14,700,000 | $14,700,000 |
| GENERAL FUND TOTAL | $14,700,000 | $14,700,000 |

### Maine Marine Wind Energy Demonstration Site Fund Z110

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## MAINE MARINE WIND ENERGY DEMONSTRATION SITE FUND Z110

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### UM Cooperative Extension - Pesticide Education Z059

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

### UM Cooperative Extension - Pesticide Education Z059

Initiative: Provides funding from a one-time transfer of funds from the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, Other Special Revenue Funds account to the UM Cooperative Extension - Pesticide Education program to conduct research and provide technical assistance and educational programs with $185,000 allocated to the Potato Integrated Pest Management Program and $15,000 to the Wild Blueberry Integrated Pest Management Program. The university may not assess facilities or administration charges on this funding.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,000 | $0 |

### UM COOPERATIVE EXTENSION - PESTICIDE EDUCATION Z059

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $200,500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $200,500 | $500 |

### University of Maine Scholarship Fund Z011

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,236,375 | $1,236,375 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,236,375 | $1,236,375 |

### University of Maine Scholarship Fund Z011

Initiative: Provides funding to bring allocations in line with available resources of racino revenue projected by the Revenue Forecasting Committee in December 2010.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,351 | $24,444 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $13,351 | $24,444 |

### UNIVERSITY OF MAINE SCHOLARSHIP FUND Z011

### PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,249,726 | $1,260,819 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,249,726 | $1,260,819 |

| UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **GENERAL FUND** | **$196,615,506** | **$196,615,506** |
| **OTHER SPECIAL REVENUE FUNDS** | **$2,000,726** | **$1,811,819** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$198,616,232** | **$198,427,325** |

**Sec. A-72. Appropriations and allocations.** The following appropriations and allocations are made.

### WORKERS' COMPENSATION BOARD

### Administration - Workers' Compensation Board 0183

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 110.000 | 110.000 |
| Personal Services | $8,565,473 | $8,874,430 |
| All Other | $1,982,811 | $1,982,811 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,548,284 | $10,857,241 |

### Administration - Workers' Compensation Board 0183

Initiative: Reduces funding to reflect projected expenditures.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($45,160) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | ($45,160) |

### Administration - Workers' Compensation Board 0183

Initiative: Provides funding for the reorganization of one Office Assistant II position to one Office Associate II position.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,223 | $5,571 |
| All Other | $123 | $132 |

| | | |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,346 | $5,703 |

**ADMINISTRATION - WORKERS' COMPENSATION BOARD 0183**

**PROGRAM SUMMARY**

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 110.000 | 110.000 |
| Personal Services | $8,570,696 | $8,880,001 |
| All Other | $1,982,934 | $1,937,783 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,553,630 | $10,817,784 |

**Employment Rehabilitation Program 0195**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $125,000 | $125,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $125,000 | $125,000 |

**EMPLOYMENT REHABILITATION PROGRAM 0195**

**PROGRAM SUMMARY**

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $125,000 | $125,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $125,000 | $125,000 |

**Workers' Compensation Board 0751**

Initiative: BASELINE BUDGET

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $15,000 | $15,000 |
| All Other | $20,398 | $20,398 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $35,398 | $35,398 |

**Workers' Compensation Board 0751**

Initiative: Reduces funding to reflect projected expenditures.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($1,117) | ($1,117) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($1,117) | ($1,117) |

**WORKERS' COMPENSATION BOARD 0751**

**PROGRAM SUMMARY**

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $15,000 | $15,000 |
| All Other | $19,281 | $19,281 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $34,281 | $34,281 |

| **WORKERS' COMPENSATION BOARD DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **OTHER SPECIAL REVENUE FUNDS** | **$10,712,911** | **$10,977,065** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$10,712,911** | **$10,977,065** |

## PART B

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Financial and Personnel Services - Division of 0713**

Initiative: RECLASSIFICATIONS

| **FINANCIAL AND PERSONNEL SERVICES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $6,915 | $7,175 |
| FINANCIAL AND PERSONNEL SERVICES FUND TOTAL | $6,915 | $7,175 |

**Information Services 0155**

Initiative: RECLASSIFICATIONS

| OFFICE OF INFORMATION SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $44,607 | $48,927 |
| OFFICE OF INFORMATION SERVICES FUND TOTAL | $44,607 | $48,927 |

**Revenue Services - Bureau of 0002**

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,676 | $2,853 |
| All Other | ($2,676) | ($2,853) |
| GENERAL FUND TOTAL | $0 | $0 |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $0 |
| FINANCIAL AND PERSONNEL SERVICES FUND | $6,915 | $7,175 |
| OFFICE OF INFORMATION SERVICES FUND | $44,607 | $48,927 |
| DEPARTMENT TOTAL - ALL FUNDS | $51,522 | $56,102 |

## AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

**Pesticides Control - Board of 0287**

Initiative: RECLASSIFICATIONS

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,594 | $6,690 |
| All Other | ($6,594) | ($6,690) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

| AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 |

## CONSERVATION, DEPARTMENT OF

**Geological Survey 0237**

Initiative: RECLASSIFICATIONS

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,714 | $4,782 |
| All Other | ($4,714) | ($4,782) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

| CONSERVATION, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 |

## EDUCATION, DEPARTMENT OF

**Adult Education 0364**

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $22,295 | $22,564 |
| All Other | ($22,295) | ($22,564) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

**General Purpose Aid for Local Schools 0308**

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $9,591 | $12,816 |
| All Other | ($9,591) | ($12,816) |
| GENERAL FUND TOTAL | $0 | $0 |

**Leadership Team Z077**

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,113 | $1,128 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,113 | $1,128 |

### PK-20 Curriculum, Instruction and Assessment Z081

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $21,182 | $21,436 |
| All Other | ($1,118) | ($1,129) |
| FEDERAL EXPENDITURES FUND TOTAL | $20,064 | $20,307 |

### Special Services Team Z080

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,873 | $1,899 |
| All Other | ($1,873) | ($1,899) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $0 |
| FEDERAL EXPENDITURES FUND | $21,177 | $21,435 |
| DEPARTMENT TOTAL - ALL FUNDS | $21,177 | $21,435 |

## ENVIRONMENTAL PROTECTION, DEPARTMENT OF

### Remediation and Waste Management 0247

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $6,324 | $3,151 |
| All Other | $188 | $94 |
| FEDERAL EXPENDITURES FUND TOTAL | $6,512 | $3,245 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $8,766 | $8,890 |
| All Other | ($5,863) | ($5,947) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,903 | $2,943 |

| ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $6,512 | $3,245 |
| OTHER SPECIAL REVENUE FUNDS | $2,903 | $2,943 |
| DEPARTMENT TOTAL - ALL FUNDS | $9,415 | $6,188 |

## ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

### Governmental Ethics and Election Practices - Commission on 0414

Initiative: RECLASSIFICATIONS

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $36,692 | $37,348 |
| All Other | ($36,692) | ($37,348) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

| ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 |

## EXECUTIVE DEPARTMENT

### Planning Office 0082

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,358 | $5,457 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,358 | $5,457 |

### Public Advocate 0410

Initiative: RECLASSIFICATIONS

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,775 | $5,855 |
| All Other | $27 | $27 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,802 | $5,882 |

| EXECUTIVE DEPARTMENT DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $5,358 | $5,457 |
| OTHER SPECIAL REVENUE FUNDS | $5,802 | $5,882 |
| DEPARTMENT TOTAL - ALL FUNDS | $11,160 | $11,339 |

## HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

### Bureau of Child and Family Services - Central 0307

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,045 | $3,938 |
| All Other | $107 | $138 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,152 | $4,076 |

### Bureau of Child and Family Services - Regional 0452

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,922 | $2,177 |
| All Other | ($1,922) | ($2,177) |
| GENERAL FUND TOTAL | $0 | $0 |

### Bureau of Medical Services 0129

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,559 | $2,532 |
| All Other | $70 | $69 |
| FEDERAL EXPENDITURES FUND TOTAL | $2,629 | $2,601 |

### Division of Data, Research and Vital Statistics Z037

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,535 | $7,638 |
| All Other | ($7,535) | ($7,638) |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,247 | $5,015 |
| All Other | $115 | $135 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,362 | $5,150 |

### Division of Purchased Services Z035

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,812 | $1,837 |
| All Other | ($1,812) | ($1,837) |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $935 | $949 |
| All Other | ($935) | ($949) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

### Health - Bureau of 0143

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,010 | $7,507 |
| All Other | $135 | $203 |
| FEDERAL EXPENDITURES FUND TOTAL | $5,145 | $7,710 |

### Office of Elder Services Central Office 0140

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,261 | $4,220 |
| All Other | ($4,261) | ($4,220) |
| GENERAL FUND TOTAL | $0 | $0 |

### OMB Division of Regional Business Operations 0196

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,176 | $2,208 |
| All Other | ($2,176) | ($2,208) |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $1,781 | $1,806 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,781 | $1,806 |

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

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $0 |
| FEDERAL EXPENDITURES FUND | $10,926 | $14,387 |
| OTHER SPECIAL REVENUE FUNDS | $6,143 | $6,956 |
| DEPARTMENT TOTAL - ALL FUNDS | $17,069 | $21,343 |

## HUMAN RIGHTS COMMISSION, MAINE

### Human Rights Commission - Regulation 0150

Initiative: RECLASSIFICATIONS

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $21,374 | $24,175 |
| FEDERAL EXPENDITURES FUND TOTAL | $21,374 | $24,175 |

| HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| FEDERAL EXPENDITURES FUND | $21,374 | $24,175 |
| DEPARTMENT TOTAL - ALL FUNDS | $21,374 | $24,175 |

## INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

### Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,797 | $4,169 |
| All Other | ($3,797) | ($4,169) |
| GENERAL FUND TOTAL | $0 | $0 |

### Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,385 | $5,463 |
| All Other | ($5,385) | ($5,463) |
| GENERAL FUND TOTAL | $0 | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $12,558 | $12,741 |

| | | |
|---|---|---|
| All Other | ($12,558) | ($12,741) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$0** | **$0** |
| **FEDERAL EXPENDITURES FUND** | **$0** | **$0** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$0** |

## LABOR, DEPARTMENT OF

### Blind and Visually Impaired - Division for the 0126

Initiative: RECLASSIFICATIONS

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $189,374 | $17,539 |
| All Other | ($189,374) | ($17,539) |
| GENERAL FUND TOTAL | $0 | $0 |

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $272,315 | $31,335 |
| All Other | $3,317 | $382 |
| FEDERAL EXPENDITURES FUND TOTAL | $275,632 | $31,717 |

### Employment Security Services 0245

Initiative: RECLASSIFICATIONS

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $1,321 | $1,340 |
| All Other | $16 | $16 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,337 | $1,356 |

### Employment Services Activity 0852

Initiative: RECLASSIFICATIONS

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $7,475 | $10,966 |
| All Other | $125 | $184 |
| FEDERAL EXPENDITURES FUND TOTAL | $7,600 | $11,150 |

### Rehabilitation Services 0799

Initiative: RECLASSIFICATIONS

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $6,588 | $3,444 |
| All Other | $76 | $40 |
| FEDERAL EXPENDITURES FUND TOTAL | $6,664 | $3,484 |

| LABOR, DEPARTMENT OF | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$0** | **$0** |
| **FEDERAL EXPENDITURES FUND** | **$291,233** | **$47,707** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$291,233** | **$47,707** |

## LIBRARY, MAINE STATE

### Maine State Library 0217

Initiative: RECLASSIFICATIONS

| **GENERAL FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | $2,731 | $3,920 |
| All Other | ($2,731) | ($3,920) |
| GENERAL FUND TOTAL | $0 | $0 |

| LIBRARY, MAINE STATE | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$0** | **$0** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$0** |

## MARINE RESOURCES, DEPARTMENT OF

**Bureau of Resource Management 0027**

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,010 | $7,507 |
| All Other | ($5,010) | ($7,507) |
| GENERAL FUND TOTAL | $0 | $0 |

**Sea Run Fisheries and Habitat Z049**

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $11,121 | $11,277 |
| All Other | ($11,121) | ($11,277) |
| GENERAL FUND TOTAL | $0 | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,452 | $3,502 |
| All Other | ($3,452) | ($3,502) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| MARINE RESOURCES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $0 |
| FEDERAL EXPENDITURES FUND | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 |

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police 0291**

Initiative: RECLASSIFICATIONS

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $14,465 | $17,135 |
| All Other | ($14,465) | ($17,135) |
| GENERAL FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,092 | $4,152 |
| All Other | ($4,092) | ($4,152) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**Turnpike Enforcement 0547**

Initiative: RECLASSIFICATIONS

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,092 | $4,152 |
| All Other | ($4,092) | ($4,152) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

| PUBLIC SAFETY, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $0 |
| OTHER SPECIAL REVENUE FUNDS | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 |

| SECTION TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $0 |
| FEDERAL EXPENDITURES FUND | $356,580 | $116,406 |
| OTHER SPECIAL REVENUE FUNDS | $14,848 | $15,781 |
| FINANCIAL AND PERSONNEL SERVICES FUND | $6,915 | $7,175 |
| OFFICE OF INFORMATION SERVICES FUND | $44,607 | $48,927 |
| SECTION TOTAL - ALL FUNDS | $422,950 | $188,289 |

## PART C

**Sec. C-1. 20-A MRSA §15671, sub-§7, ¶A,** as amended by PL 2009, c. 571, Pt. E, §17, is further amended to read:

A. The base total calculated pursuant to section 15683, subsection 2 is subject to the following annual targets.

(1) For fiscal year 2005-06, the target is 84%.

(2) For fiscal year 2006-07, the target is 90%.

(3) For fiscal year 2007-08, the target is 95%.

(4) For fiscal year 2008-09, the target is 97%.

(5) For fiscal year 2009-10, the target is 97%.

(6) For fiscal year 2010-11, the target is 97%.

(7) For fiscal year 2011-12 ~~and succeeding years~~, the target is ~~100%~~ 97%.

(8) For fiscal year 2012-13 and succeeding years, the target is 100%.

**Sec. C-2. 20-A MRSA §15671, sub-§7, ¶B,** as amended by PL 2011, c. 1, Pt. C, §1, is further amended to read:

B. The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

(1) For fiscal year 2005-06, the target is 52.6%.

(2) For fiscal year 2006-07, the target is 53.86%.

(3) For fiscal year 2007-08, the target is 53.51%.

(4) For fiscal year 2008-09, the target is 52.52%.

(5) For fiscal year 2009-10, the target is 48.93%.

(6) For fiscal year 2010-11, the target is 45.84%.

(7) For fiscal year 2011-12 ~~and succeeding years~~, the target is ~~55%~~ 46.18%.

**Sec. C-3. 20-A MRSA §15671, sub-§7, ¶C** is enacted to read:

C. Beginning in fiscal year 2011-12, the annual targets for the state share percentage of the total cost of funding public education from kindergarten to grade 12 including the cost of the components of essential programs and services plus the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance are as follows.

(1) For fiscal year 2011-12, the target is 49.60%.

(2) For fiscal year 2012-13, the target is 52.50%.

(3) For fiscal year 2013-14 and succeeding years, the target is 55%.

**Sec. C-4. 20-A MRSA §15671-A, sub-§2, ¶B,** as amended by PL 2011, c. 1, Pt. C, §2, is further amended to read:

B. For property tax years beginning on or after April 1, 2005, the commissioner shall calculate the full-value education mill rate that is required to raise the statewide total local share. The full-value education mill rate is calculated for each fiscal year by dividing the applicable statewide total local share by the applicable statewide valuation. The full-value education mill rate must decline over the period from fiscal year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill rate must be applied according to section 15688, subsection 3-A, paragraph A to determine a municipality's local cost share expectation. Full-value education mill rates must be derived according to the following schedule.

(1) For the 2005 property tax year, the full-value education mill rate is the amount necessary to result in a 47.4% statewide total local share in fiscal year 2005-06.

(2) For the 2006 property tax year, the full-value education mill rate is the amount necessary to result in a 46.14% statewide total local share in fiscal year 2006-07.

(3) For the 2007 property tax year, the full-value education mill rate is the amount necessary to result in a ~~45.56%~~ 46.49% statewide total local share in fiscal year 2007-08.

(4) For the 2008 property tax year, the full-value education mill rate is the amount necessary to result in a ~~45.99%~~ 47.48% statewide total local share in fiscal year 2008-09.

(4-A) For the 2009 property tax year, the full-value education mill rate is the amount necessary to result in a 51.07% statewide total local share in fiscal year 2009-10.

(4-B) For the 2010 property tax year, the full-value education mill rate is the amount necessary to result in a 54.16% statewide total local share in fiscal year 2010-11.

(4-C) For the 2011 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a

~~45.0%~~ 53.82% statewide total local share in fiscal year 2011-12 ~~and after~~.

(5) For the 2012 property tax year, the full-value education mill rate is the amount necessary to result in a 47.74% statewide total local share in fiscal year 2012-13.

(6) For the 2013 property tax year, the full-value education mill rate is the amount necessary to result in a 47.50% statewide total local share in fiscal year 2013-14.

(7) For the 2014 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45% statewide total local share in fiscal year 2014-15 and after.

**Sec. C-5. 20-A MRSA §15689, sub-§1-A,** as amended by PL 2007, c. 240, Pt. D, §3, is repealed.

**Sec. C-6. 20-A MRSA §15689-A, sub-§20** is enacted to read:

**20. Center of Excellence for At-risk Students.** The commissioner may expend and disburse funds for the Center of Excellence for At-risk Students in accordance with the provisions of chapter 227.

**Sec. C-7. Mill expectation.** The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2011-12 is 7.50.

**Sec. C-8. Total cost of funding public education from kindergarten to grade 12.** The total cost of funding public education from kindergarten to grade 12 for fiscal year 2011-12 is as follows:

| | 2011-12 TOTAL |
|---|---|
| **Total Operating Allocation** | |
| Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage | $1,390,771,314 |
| Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage | $1,349,048,174 |
| Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A | $413,851,257 |
| **Total Operating Allocation** | $1,762,899,431 |
| Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A | |
| **Total Debt Service Allocation** | |
| Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A | $104,575,834 |
| **Total Adjustments and Miscellaneous Costs** | |
| Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A | $69,591,704 |
| **Total Cost of Funding Public Education from Kindergarten to Grade 12** | |
| Total cost of funding public education from kindergarten to grade 12 for fiscal year 2011-12 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B | $1,937,066,969 |
| Total cost of the state contribution to teacher retirement, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2011-12 pursuant to the Maine Revised Statutes, Title 5, chapters 421 and 423 | $172,592,848 |
| Adjustment pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subsection 2 | $41,723,140 |
| Total cost of funding public education from kindergarten to grade 12 | $2,151,382,957 |

**Sec. C-9. Local and state contributions to total cost of funding public education from kindergarten to grade 12.** The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2011 and ending June 30, 2012 is calculated as follows:

| | 2011-12 LOCAL | 2011-12 STATE |
|---|---|---|
| **Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12** | | |
| Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683 - subject to statewide distributions required by law | $1,042,466,969 | $894,600,000 |
| State contribution to the total cost of teacher retirement, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2011-12 pursuant to the Maine Revised Statutes, Title 5, chapters 421 and 423 | | $172,592,848 |
| State contribution to the total cost of funding public education from kindergarten to grade 12 | | $1,067,192,848 |

**Sec. C-10. Limit of State's obligation.** If the State's continued obligation for any individual component contained in those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Part may not lapse but must be carried forward for the same purpose.

**Sec. C-11. Authorization of payments.** Those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

## PART D

**Sec. D-1. Voluntary employee incentive programs.** Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use prior to July 1, 2013 special voluntary employee incentive programs for state employees, including a 50% workweek option, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

**Sec. D-2. Continuation of health insurance.** Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies prior to July 1, 2013 to participate in a voluntary employee incentive program under section 1 based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

**Sec. D-3. Continuation of group life insurance.** Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and the rules of the Maine Public Employees Retirement System, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies prior to July 1, 2013 to participate in a voluntary employee incentive program under section 1 are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

**Sec. D-4. General Fund savings.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall transfer the General Fund savings resulting from the voluntary employee incentive programs under section 1 to the General Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services. The State Budget Officer shall submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of the transferred amounts no later than January 15, 2013 for fiscal year 2011-12 and no later than January 15, 2014 for fiscal year 2012-13.

**Sec. D-5. Lapsed balances.** Notwithstanding any other provision of law, $350,000 in fiscal year 2011-12 and $350,000 in fiscal year 2012-13 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

## PART E

**Sec. E-1. Merit increases.** Notwithstanding the Maine Revised Statutes, Title 26, section 979-D or 1285 or any other provision of law, any merit increase, regardless of funding source, scheduled to be awarded

or paid between July 1, 2011 and June 30, 2013 to any person employed by the departments and agencies within the executive branch, including the constitutional officers and the Department of Audit, the legislative branch and the judicial branch may not be awarded, authorized or implemented. These savings may be replaced by other Personal Services savings by agreement of the State and the bargaining agents representing state employees.

**Sec. E-2. Longevity payments.** Notwithstanding the Maine Revised Statutes, Title 26, section 979-D or 1285 or any other provision of law, any longevity payment, regardless of funding source, scheduled to be awarded or paid between July 1, 2011 and June 30, 2013 to any person not eligible for a longevity payment on June 30, 2011 and employed by the departments and agencies within the executive branch, including the constitutional officers and the Department of Audit, the legislative branch and the judicial branch may not be awarded, authorized or implemented. Employees eligible for a longevity payment on June 30, 2011 remain eligible for a longevity payment at the rate in effect on June 30, 2011 for the period between July 1, 2011 and June 30, 2013. These savings may be replaced by other Personal Services savings by agreement of the State and the bargaining agents representing state employees.

**Sec. E-3. Calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each General Fund account for all departments and agencies from savings associated with eliminating merit pay increases and longevity payments and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2011-12 and fiscal year 2012-13. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than October 1, 2012.

**Sec. E-4. 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: Deappropriates funds from eliminating longevity payments for individuals not eligible on June 30, 2011 and maintains the longevity payment level for those eligible on June 30, 2011 to the rate in effect on June 30, 2011 during the 2012-2013 biennium.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($67,904) | ($135,808) |
| GENERAL FUND TOTAL | ($67,904) | ($135,808) |

**Executive Branch Departments and Independent Agencies - Statewide 0017**

Initiative: Reduces funding to reflect projected savings from eliminating merit increases for fiscal years 2011-12 and 2012-13.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($3,101,710) | ($6,333,361) |
| GENERAL FUND TOTAL | ($3,101,710) | ($6,333,361) |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | ($3,169,614) | ($6,469,169) |
| DEPARTMENT TOTAL - ALL FUNDS | ($3,169,614) | ($6,469,169) |

## PART F

**Sec. F-1. Attrition savings.** The attrition rate for the 2012-2013 biennium is increased from 1.6% to 5.0% for judicial branch and executive branch departments and agencies only.

## PART G

**Sec. G-1. 23 MRSA §4210-B, sub-§7,** as enacted by PL 2007, c. 677, §1, is repealed.

**Sec. G-2. 23 MRSA §4210-B, sub-§7-A** is enacted to read:

**7-A. Sales tax revenue.** Beginning July 1, 2012 and every July 1st thereafter, the State Controller shall transfer to the STAR 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 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 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 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. G-3. Effective date.** This Part takes effect June 30, 2012.

## PART H

**Sec. H-1. Department of Administrative and Financial Services; lease-purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing arrangements in fiscal years 2011-12 and 2012-13 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing agreements entered into in each fiscal year may not exceed $6,000,000 in principal costs, and a financing arrangement may not exceed 4 years in duration. The interest rate may not exceed 6%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

## PART I

**Sec. I-1. 30-A MRSA §5681, sub-§5-C,** as amended by PL 2011, c. 1, Pt. N, §1, is further amended to read:

**5-C. Transfers to General Fund.** For the months beginning on or after July 1, 2009, $25,383,491 in fiscal year 2009-10 ~~and~~, $38,145,323 in fiscal year 2010-11, $40,350,638 in fiscal year 2011-12 and $44,267,343 in fiscal year 2012-13 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.

## PART J

**Sec. J-1. 36 MRSA §111, sub-§2,** as amended by PL 2001, c. 396, §1, is repealed and the following enacted in its place:

**2. Notice.** "Notice" means written notification served personally, sent by certified mail or sent by first-class mail to the last known address of the person for whom the notification is intended. A person's last known address is the person's address as reported on the person's most recently filed Maine tax return or as otherwise specified by the person in written correspondence on file with the bureau, unless the bureau determines that a different address is the most current address for the person, in which case the bureau must use that address. Notice by first-class mail is deemed to be received 3 days after the mailing, excluding Sundays and legal holidays. If the State Tax Assessor is required by a provision of this Title to give notice by certified mail and attempts to do so but the mailing is returned with the notation "unclaimed" or "refused" or a similar notation, the assessor may then give notice by sending the notification by first-class mail. In the case of a joint income tax return, notice may be a single joint notice except that, if the assessor is notified by either spouse that separate residences have been established, the assessor must mail a joint notice to each spouse. If the person for whom notification is intended is deceased or under a legal disability, and the assessor knows of the existence of a fiduciary relationship with respect to that person, notice must be sent by first-class mail to the last known address of the fiduciary.

**Sec. J-2. 36 MRSA §141, sub-§1,** as amended by PL 2009, c. 496, §3, is further amended to read:

**1. General provisions.** Except as otherwise provided by this Title, an amount of tax that a person declares on a return filed with the State Tax Assessor to be due to the State is deemed to be assessed at the time the return is filed and is payable on or before the date prescribed for filing the return, determined without regard to an extension of time granted for filing the return. When a return is filed, the assessor shall ~~cause it to be examined~~ examine it and may conduct audits or investigations to determine the correct tax liability. If the assessor determines that the amount of tax shown on the return is less than the correct amount, the assessor shall assess the tax due the State and provide notice to the taxpayer of the assessment. Except as provided in subsection 2, an assessment may not be made after 3 years from the date the return was filed or 3 years from the date the return was required to be filed, whichever is later. The assessor may make a supplemental assessment within the assessment period prescribed by this section for the same period, periods or partial periods previously assessed if the assessor determines that a previous assessment understates the tax due or otherwise is imperfect or incomplete in any material respect.

**Sec. J-3. 36 MRSA §141, sub-§2,** as amended by PL 2011, c. 1, Pt. BB, §1 and affected by §3, is further amended to read:

**2. Exceptions.** The following are exceptions to the 3-year time limit specified in subsection 1.

A. An assessment may be made within 6 years from the date the return was filed if the tax liability shown on the return, after adjustments necessary to correct any mathematical errors apparent on the face of the return, is less than 1/2 of the tax liability determined by the ~~State Tax Assessor~~ as-

sessor. In determining whether the 50% threshold provided by this paragraph is satisfied, the assessor may not consider any portion of the understated tax liability for which the taxpayer has substantial authority supporting its position.

B. An assessment may be made at any time with respect to a time period for which a fraudulent return has been filed.

C. An assessment may be made at any time with respect to a period for which a return has become due but has not been filed. If a person who has failed to file a return does not provide to the assessor, within 60 days of receipt of notice, information that the assessor considers necessary to determine the person's tax liability for that period, the assessor may assess an estimated tax liability based upon the best information otherwise available. In any proceeding for the collection of tax for that period, that estimate is prima facie evidence of the tax liability. The 60-day period provided by this paragraph must be extended for an additional 60 days if the taxpayer requests an extension in writing prior to the expiration of the original 60-day period.

E. The time limitations for assessment specified in this section may be extended to any later date to which the ~~State Tax Assessor~~ assessor and ~~person liable for tax~~ taxpayer agree in writing.

**Sec. J-4. 36 MRSA §145,** as enacted by PL 2007, c. 627, §5, is amended to read:

**§145. Declaration of jeopardy**

If the State Tax Assessor determines that the collection of any tax will be jeopardized by delay, the assessor, upon giving notice of this determination to the person liable for the tax by personal service or certified mail, may demand an immediate return with respect to any period or immediate payment of any tax declared to be in jeopardy, or both, and may terminate the current reporting period and demand an immediate return and payment with respect to that period. Notwithstanding any other provision of law, taxes declared to be in jeopardy are payable immediately, and the assessor may proceed immediately to collect those taxes by any collection method authorized by this Title. The person liable for the tax may stay collection by requesting reconsideration of the declaration of jeopardy in accordance with section 151 and depositing with the assessor~~,~~ within ~~the time period specified in section 151,~~ 30 days from receipt of notice of the determination of jeopardy a bond or other security in the amount of the liability with respect to which the stay of collection is sought. A determination of jeopardy by the assessor is presumed to be correct, and the burden of showing otherwise is on the taxpayer.

**Sec. J-5. 36 MRSA §151, first ¶,** as amended by PL 2001, c. 583, §1, is further amended to read:

~~Any~~ A person who is subject to an assessment by the State Tax Assessor or entitled by law to receive notice of a determination of the assessor and who is aggrieved ~~as a result of~~ by that action may request in writing, within ~~30~~ 60 days after receipt of notice of the assessment or the determination, reconsideration by the assessor of the assessment or the determination. If a person who receives notice of an assessment ~~and~~ does not ~~file a~~ request ~~for~~ reconsideration of the assessment in writing within ~~the specified time period~~ 60 days, the assessor may not reconsider the assessment pursuant to this section and no review is available in Superior Court regardless of whether the ~~taxpayer~~ person subsequently makes payment and requests a refund.

**Sec. J-6. 36 MRSA §171,** as amended by PL 2001, c. 583, §3, is further amended to read:

**§171. Demand letter**

**1. Taxes imposed by this Title.** If any tax imposed by this Title is not paid on or before its due date and no further administrative or judicial review of the assessment is available under section 151, the assessor, within 3 years after administrative and judicial review have been exhausted, may give the taxpayer notice of the amount to be paid, specifically designating the tax, interest and penalty due, and demand payment of that amount within 10 days of that taxpayer's receipt of notice. The notice must be given by personal service or sent by certified mail. The notice must include a warning that, upon failure of that taxpayer to pay as demanded, the assessor may proceed to collect the amount due by any collection method authorized by this Title. The notice must also describe the procedures applicable to the levy and sale of property under section 176-A, the alternatives available to the taxpayer that could forestall levy on property, including installment agreements, and the provisions of this Title relating to redemption of property and the release of the lien on property created by virtue of the levy. If the taxpayer has filed a petition for relief under the United States Bankruptcy Code, the running of the 3-year period of limitation imposed by this section is stayed until the bankruptcy case is closed or a discharge is granted, whichever occurs first.

**2. Other debts owed to State.** In the case of a fee, fine, penalty or other obligation first owed to the State on or after January 1, 1988 and authorized to be collected by the bureau, the assessor, within 3 years after the obligation is first placed with the bureau for collection, may give the taxpayer notice of the amount to be paid, including any interest and penalties provided by law, and demand payment of that amount within 10 days of that taxpayer's receipt of notice. The notice must be given by personal service or sent by certified mail. The notice must include a warning that, upon failure of that taxpayer to pay as demanded, the assessor may proceed to collect the amount due by any

collection method authorized by section 175-A or 176-A. The notice must describe the procedures applicable to the levy and sale of property under section 176-A, the alternatives available to the taxpayer that could forestall levy on property, including installment agreements, and the provisions of this Title relating to redemption of property and the release of the lien on property created by virtue of the levy.

**Sec. J-7. 36 MRSA §172, first ¶,** as enacted by PL 1981, c. 364, §11, is amended to read:

If any tax liability imposed under this Title that has become final, other than ~~property tax, assessed and deemed final~~ a liability for a tax imposed under ~~this Title~~ Part 2, remains unpaid in an amount exceeding $1,000 for a period greater than 60 days after the taxpayer has received notice of ~~such~~ that finality by personal service or certified mail, and the taxpayer ~~refuses~~ fails to cooperate with the bureau in establishing and remaining in compliance with a reasonable plan for liquidating that liability, the State Tax Assessor shall certify the liability and lack of cooperation:

**Sec. J-8. 36 MRSA §175, sub-§2,** as amended by PL 2009, c. 496, §4, is further amended to read:

**2. Failure to file or pay taxes; determination to prevent renewal, reissuance or other extension of license or certificate.** If the assessor determines that a person who holds a license or certificate of authority issued by this State to conduct a profession, trade or business has ~~neglected or refused~~ failed to file a return at the time required under this Title or to pay a tax liability due under this Title that has been demanded, other than taxes due pursuant to Part 2, and the person continues to fail to file or pay after at least 2 specific written notices, each giving 30 days to respond, have been sent by ~~certified mail or served by a civil officer~~ first-class mail, then the assessor shall notify the person ~~in writing~~ by certified mail or personal service that continued failure to file the required tax return or to pay the overdue tax liability may result in loss of the person's license or certificate of authority. If the person continues for a period in excess of 30 days from notice of possible denial of renewal or reissuance of a license or certificate of authority to fail to file or show reason why the person is not required to file or if the person continues not to pay, the assessor shall notify the person ~~in writing~~ by certified mail or personal service of the assessor's determination to prevent renewal, reissuance or extension of the license or certificate of authority by the issuing agency. A review of this determination is available by requesting reconsideration under section 151, subject to appeal to the Superior Court as provided in section 151. Either by failure to proceed to the next step of appeal or by exhaustion of the steps of appeal, the determination to prevent renewal or reissuance of the license or certificate of authority becomes final unless otherwise determined on appeal. In any event, the license or certificate of authority remains in effect until all appeals have been taken to their final conclusion.

**Sec. J-9. 36 MRSA §176-A, sub-§1, ¶B-1** is enacted to read:

B-1. "Notice" means written notification served personally or sent by certified mail, except with respect to notice to a person who has consented in writing to some other means of notification.

**Sec. J-10. 36 MRSA §176-A, sub-§1, ¶D,** as enacted by PL 1989, c. 880, Pt. E, §3, is repealed.

**Sec. J-11. 36 MRSA §176-A, sub-§2, ¶E,** as amended by PL 2001, c. 583, §5, is further amended to read:

E. The effect of a levy on salary or wages payable to or received by a taxpayer is continuous from the date the levy is first made until the liability giving rise to the levy is satisfied. Except as otherwise provided by this paragraph, a levy on any other intangible personal property or rights to intangible personal property remains in effect until one year after the date that notice of levy ~~and demand~~ under subsection 3, paragraph A is ~~served on~~ received by the person in possession of or liable to the taxpayer with respect to intangible personal property, including property that is first possessed or liabilities that arise after the date of ~~service~~ receipt of the notice of levy ~~and demand~~. In the case of a levy upon property held by a financial institution described in subsection 3, paragraph A, the levy extends only ~~extends~~ to accounts in existence on the date the notice of levy ~~and demand~~ is ~~served on~~ received by the financial institution, but includes deposits made or collected in those accounts after the notice of levy is ~~served~~ received. A levy on intangible personal property or rights to intangible personal property, ownership of which is disputed ~~at~~ on the ~~time~~ date that notice the levy is ~~served~~ received, remains in effect until one year after the dispute is resolved ~~by competent authority~~.

**Sec. J-12. 36 MRSA §176-A, sub-§3,** as amended by PL 2005, c. 218, §6, is further amended to read:

**3. Surrender of property or discharge of obligation; exceptions; personal liability; penalty.** A surrender of property or discharge of obligation is governed by this subsection.

A. Except as otherwise provided in paragraph B, any person who is in possession of, or obligated with respect to, property or rights to property subject to levy upon which a levy has been made shall, upon demand of the assessor, surrender ~~any such~~ the property or rights or discharge ~~any such~~ the obligation to the assessor within 21 days after

receipt of the notice of levy, except that part of the property or rights ~~as~~ that is, at the time of the demand, subject to an attachment or execution under ~~any~~ judicial process. It is a defense to the liability imposed by this subsection that the person ~~refusing~~ who fails to comply with the terms of a notice of ~~a~~ levy or that person's bailor has a valid claim against the delinquent taxpayer ~~accruing~~ that accrued prior to ~~service~~ receipt of the notice of levy or a valid security interest or lien upon the property of the taxpayer that was perfected prior to ~~service~~ receipt of the notice of levy; but this defense ~~exonerates the person refusing to comply from liability~~ is available only to the extent of that claim, security interest or lien.

Any financial institution chartered under state or federal law, including, but not limited to, trust companies, savings banks, savings and loan associations, national banks and credit unions, shall surrender to the assessor any deposits, including any interest in the financial institution that would otherwise be required to be surrendered under this subsection only after 21 days after ~~service~~ receipt of the notice of levy, but not later than 30 days after ~~service~~ receipt of the notice of levy. Except as provided in subsection 5, paragraph D, with respect to a levy on salary or wages, any person in possession of, or obligated with respect to, property subject to a continuing levy against intangible personal property, which property is first possessed or which obligation first arises subsequent to ~~service~~ receipt of a notice of levy ~~on such~~ by that person, shall, upon demand of the assessor, surrender the property or rights, or discharge the obligation to the assessor within 30 days after the property is first possessed or the obligation first arises.

B. A levy with respect to a life insurance or endowment contract is governed by this paragraph.

(1) A levy on an organization with respect to a life insurance or endowment contract issued by that organization, without necessity for the surrender of the contract document, constitutes a demand by the assessor for payment of the amount described in subparagraph (2) and the exercise of the right of the person against whom the tax is assessed to the advance of that amount. The organization shall pay over the amount no later than 90 days after ~~service~~ receipt of the notice of levy. Notice must include a certification by the assessor that a copy of the notice has been mailed to the person against whom the tax is assessed at that person's last known address.

(2) A levy under this paragraph is deemed to be satisfied if the organization pays over to the assessor the amount that the organization could have advanced to the person against whom the tax is assessed on the date prescribed in subparagraph (1) for the satisfaction of the levy, increased by the amount of any advance, including contractual interest, made to the person on or after the date the organization ~~had actual~~ received notice or otherwise had knowledge of the existence of the lien with respect to which the levy is made, other than an advance, including contractual interest, made automatically to maintain the contract in force under an agreement entered into before the organization ~~had any~~ received such notice or had such knowledge.

(3) The satisfaction of a levy under subparagraph (2) is without prejudice to any civil action for the enforcement of any lien imposed by section 175-A with respect to the contract.

C. Any person who fails or refuses to surrender any property or rights to property, subject to levy, upon demand by the assessor:

(1) Is liable in person and estate to the State in a sum equal to the value of the property not so surrendered, but not exceeding the amount of taxes for the collection of which the levy has been made, together with costs and interest at the rate determined pursuant to section 186 on the sum from the date of the levy. Any amount, other than costs, recovered under this paragraph must be credited against the tax liability for the collection of which the levy was made; and

(2) Without reasonable cause, is liable for a penalty equal to 50% of the amount recoverable under subparagraph (1). A part of the penalty may not be credited against the tax liability for the collection of which the levy was made.

~~It is lawful for the~~ The assessor ~~to~~ may collect the liability established by this paragraph by assessment and collection in the manner described in this Part.

D. Any person in possession of, or obligated with respect to, property subject to levy upon which a levy has been made, who, upon demand by the assessor, surrenders that property or rights to that property, or discharges the obligation to the assessor, or who pays a liability under paragraph C, subparagraph (1) is discharged from any obligation or liability to the delinquent taxpayer with respect to the property arising from the surrender or payment. In the case of a levy satisfied pursuant to paragraph B, the organization is discharged from any obligation or liability to any beneficiary arising from the surrender or payment.

**Sec. J-13. 36 MRSA §176-A, sub-§5, ¶D,** as enacted by PL 1989, c. 880, Pt. E, §3, is amended to read:

D. A levy upon salary and wages must specify the amount of percentage to be surrendered and delivered to the assessor by the taxpayer's employer for each pay period, consistent with the provisions of this paragraph. Salaries and wages are exempt from levy to the extent of 75% of the taxpayer's disposable earnings for any pay period, or an amount equal to the federal minimum hourly wage multiplied by 30, multiplied by the number of weeks in the pay period, whichever is less. A levy on salaries and wages is continuous from the date on which the notice of levy is ~~served~~ received until the delinquency is discharged and applies to all pay periods commencing after ~~the~~ that date ~~on which the notice of levy is served~~. The assessor shall notify the taxpayer's employer ~~immediately~~ as soon as practicable upon discharge of the delinquency that the levy has been discontinued.

**Sec. J-14. 36 MRSA §176-A, sub-§6, ¶A,** as amended by PL 1999, c. 699, Pt. D, §27 and affected by §30, is further amended to read:

A. As soon as practicable after seizure of property, the assessor shall give notice ~~in writing~~ to the owner of the property, or, in the case of personal property, the possessor of the property, or leave notice at the owner's or possessor's usual place of abode or business, if any, within the State. If the owner or possessor cannot be readily located, or has no dwelling or place of business within the State, the notice may be ~~mailed to that person's last known address~~ sent by first-class mail. In the case of real property, the notice must be filed in the registry of deeds in the county where the property is located. The notice must specify the sum demanded and contain:

(1) In the case of personal property, an account of the property seized; and

(2) In the case of real property, a description with reasonable certainty of the property seized.

In the case of levy on a motor vehicle that is the subject of a Certificate of Title issued by the Secretary of State, a copy of the notice must be filed with the Secretary of State, who shall note the levy in the records of ownership of the motor vehicle in question. In the case of levy on that type of personal property, a security interest in which may be perfected by filing in the office of the Secretary of State, a copy of the notice must be filed in the office of the Secretary of State, who shall file the notice of levy as a financing statement.

**Sec. J-15. 36 MRSA §176-A, sub-§6, ¶B,** as amended by PL 2009, c. 434, §10, is further amended to read:

B. The assessor, as soon as practicable after the seizure of property, shall cause a notice to be published in a newspaper of general circulation within the county where the seizure is made, or, if there is no such newspaper, post the notice at the city or town hall nearest the place where the seizure is made and in at least 2 other public places. In the case of real property, the notice must be ~~served on~~ sent by certified mail to all persons holding an interest of record, including, without limitation, recorded leases and security interest of all types, in the property as reflected at the time the notice of levy is recorded by the indices of the registry of deeds in the county where the property is located. In the case of ~~personal property that is~~ a motor vehicle subject to a certificate of title issued by the Secretary of State, notice must be ~~served on~~ sent by certified mail to all persons holding a security interest of record in the motor vehicle as set forth in the records of the Secretary of State. In the case of personal property that ~~may be~~ is the subject of a security interest perfected by filing in the office of the Secretary of State, notice must be ~~served upon~~ sent by certified mail to all secured parties claiming an interest in the property seized as reflected at the time the notice of levy is recorded in the records maintained by the Secretary of State pursuant to Title 11. The notice must specify the property to be sold, subject to the liabilities of prior encumbrances, if any, and the time, place, manner and conditions of the sale. If levy is made without regard to the 10-day period provided in section 171, public notice of sale of the property seized may not be made within the 10-day period unless subsection 7 applies. It is a Class E crime to intentionally remove or deface the posted notice of sale prior to the scheduled sale date, unless the property has been redeemed or the sale is for some other reason canceled. The assessor or any law enforcement officer may enter onto the land if necessary to carry out the purposes of this section.

**Sec. J-16. 36 MRSA §176-A, sub-§15, ¶A,** as enacted by PL 1989, c. 880, Pt. E, §3, is amended to read:

A. Who claims an interest in property that has wrongfully been levied upon may apply to the assessor for a stay of proceedings under this section at any time before the property has been sold but within 5 days after receiving ~~actual~~ notice of ~~the~~ levy. ~~Any~~ An action for a stay is governed by Title 5, section 11004; or

## PART K

**Sec. K-1. 36 MRSA §187-B, sub-§1,** as amended by PL 2007, c. 627, §6, is further amended to read:

**1. Failure to file return.** ~~Any~~ A person who fails to make and file any return required under this Title at or before the time the return becomes due is liable for one of the following penalties if the person's tax liability shown on ~~such~~ that return or otherwise determined to be due is greater than $25.

A. If the return is filed before or within 30 days after the taxpayer receives from the assessor a formal demand that the return be filed, or if the return is not filed but the tax due is assessed by the assessor before the taxpayer receives from the assessor a formal demand that the return be filed, the penalty is $25 or 10% of the tax due, whichever is greater.

B. If the return is not filed within 30 days after the taxpayer receives from the assessor a formal demand that the return be filed, the penalty is ~~100%~~ $25 or 25% of the tax due, whichever is greater. The ~~30-day~~ period provided by this paragraph ~~is~~ must be extended for up to 120 days if the taxpayer requests an extension in writing prior to the expiration of the original 30-day period.

C. If the return is not filed and the assessor makes a determination of jeopardy pursuant to section 145, the penalty is ~~100%~~ 25% of the tax due.

This subsection does not apply to ~~any~~ a return required pursuant to chapter 459 ~~and~~ that is administered pursuant to the International Fuel Tax Agreement.

**Sec. K-2. Application.** This Part takes effect October 1, 2011 and applies to penalties accruing under this section on or after October 1, 2011.

## PART L

**Sec. L-1. 36 MRSA §187-B, sub-§7,** as amended by PL 2007, c. 437, §5, is further amended to read:

**7. Reasonable cause.** ~~For reasonable cause, the State Tax Assessor~~ The assessor shall waive or abate or, in the case of those penalties that do not accrue automatically under subsection 6, refrain from imposing any penalty imposed by subsection 1~~; subsection~~, 1-A~~; subsection~~, 2~~; subsections~~, 4-A, 4-B, 5-A ~~and~~ or 5-B~~;~~ or by the terms of the International Fuel Tax Agreement if grounds constituting reasonable cause are established by the taxpayer or if the assessor determines that grounds constituting reasonable cause are otherwise apparent. Reasonable cause includes, but is not limited to, the following circumstances:

A. The failure to file or pay resulted directly from erroneous information provided by the Bureau of Revenue Services;

B. The failure to file or pay resulted directly from the death or serious illness of the taxpayer or a member of the taxpayer's immediate family;

C. The failure to file or pay resulted directly from a natural disaster;

D. A return that was due monthly was filed and paid less than one month late and all of the taxpayer's returns and payments during the preceding 12 months were timely;

E. A return that was due other than monthly was filed and paid less than one month late and all of the taxpayer's returns and payments during the preceding 3 years were timely;

F. The taxpayer has supplied substantial authority justifying the failure to file or pay; or

G. The amount subject to a penalty imposed by ~~subsections~~ subsection 1, 2 ~~and~~, 4-A~~; and subsection~~ or 5-A is de minimis when considered in relation to the amount otherwise properly paid, the reason for the failure to file or pay and the taxpayer's compliance history.

~~The~~ Absent a determination by the assessor that grounds constituting reasonable cause are otherwise apparent, the burden of establishing grounds for waiver or abatement is on the taxpayer.

## PART M

**Sec. M-1. 36 MRSA §135, sub-§1,** as amended by PL 2007, c. 438, §7, is further amended to read:

**1. Taxpayers.** Persons subject to tax under this Title shall maintain such records as the State Tax Assessor determines necessary for the reasonable administration of this Title. Records pertaining to taxes imposed by chapters 371 ~~and~~, 575 and 577 and by Part 8 must be retained as long as is required by applicable federal law and regulation. Records pertaining to the special fuel tax user returns filed pursuant to section 3209, subsection 2 and the International Fuel Tax Agreement pursuant to section 3209, subsection 1-B must be retained for 4 years. Records pertaining to all other taxes imposed by this Title must be retained for a period of at least 6 years. The records must be kept in such a manner as to ensure their security and accessibility for inspection by the assessor or any designated agent engaged in the administration of this Title.

**Sec. M-2. 36 MRSA §144, sub-§2, ¶A,** as amended by PL 2011, c. 211, §18, is further amended to read:

A. Subsection 1 does not apply in the case of premiums imposed pursuant to Title 10, section 1020, subsection 6-A, sales and use taxes imposed by Part 3, estate taxes imposed by chapter 575 or 577, income taxes imposed by Part 8 and any

other tax imposed by this Title for which a specific statutory refund provision exists.

**Sec. M-3. 36 MRSA §4061,** as enacted by PL 1981, c. 451, §7, is amended to read:

**§4061. Applicability of provisions**

This chapter applies to the estates of persons who die after June 30, 1986 and before January 1, 2013.

**Sec. M-4. 36 MRSA §4062, sub-§1-A, ¶A,** as amended by PL 2009, c. 213, Pt. E, §1 and affected by §6, is further amended to read:

A. For the estates of decedents dying after December 31, 2002, "federal credit" means the maximum credit against the tax on the federal taxable estate for state death taxes determined under the Code, Section 2011 as of December 31, 2002 exclusive of the reduction of the maximum credit contained in the Code, Section 2011(b)(2); the period of limitations under the Code, Section 2011(c); and the termination provision contained in the Code, Section 2011(f). The state death tax deduction contained in the Code, Section 2058 must be disregarded. The unified credit must be determined under the Code, Section 2010 as of December 31, 2000. The termination provision contained in the Code, Section 2210 must be disregarded. Notwithstanding any other provision of this Title to the contrary, the tax determined by this chapter for estates of decedents dying after December 31, 2009 must be determined in accordance with the law applicable to decedents dying during calendar year 2009, except that for purposes of calculation of the amount of property that may be treated as Maine qualified terminable interest property under subsection 2-B, paragraph C, the applicable exclusion amount must be determined in accordance with the law applicable as of the decedent's actual date of death; and

**Sec. M-5. 36 MRSA §4062, sub-§3,** as enacted by PL 1981, c. 451, §7, is amended to read:

**3. Nonresident.** "Nonresident" means a natural person domiciled in a jurisdiction other than ~~Maine~~ this State at the time of ~~his~~ that person's death.

**Sec. M-6. 36 MRSA §4062, sub-§6,** as enacted by PL 1981, c. 451, §7, is amended to read:

**6. Resident.** "Resident" means a natural person domiciled in this State at the time of ~~his~~ that person's death.

**Sec. M-7. 36 MRSA §4064,** as amended by PL 2007, c. 466, Pt. A, §62 and affected by §63, is further amended to read:

**§4064. Tax on estate of nonresident**

A tax is imposed upon the transfer of real property and tangible personal property situated in this State and held by an individual who dies prior to January 1, 2002 or after December 31, 2002 and who at the time of death was not a resident of this State. ~~When real or tangible personal property has been transferred into a trust or a limited liability company or other pass-through entity, the tax imposed by this section applies as if the trust or limited liability company or other pass-through entity did not exist and the property was personally owned by the decedent.~~ Maine property is subject to the tax imposed by this section to the extent that such property is either included in the decedent's federal gross estate or is Maine elective property. The amount of this tax is equal to that proportion of the federal credit that the value of the decedent's Maine real and tangible personal property in this State bears to the value of the decedent's federal gross estate. The share of the federal credit used to determine the amount of a nonresident individual's estate tax under this section is computed without regard to whether the specific real or tangible personal property located in the State is marital deduction property.

~~Proceeds from the sale of property are taxable under this section if those proceeds are included in the federal gross estate and the sale was made in contemplation of death. A sale of property made within 6 months prior to the death of the grantor is deemed to be in contemplation of death within the meaning of this section.~~

When real or tangible personal property is owned by a pass-through entity, the entity must be disregarded and the property must be treated as personally owned by the decedent if the entity does not actively carry on a business for the purpose of profit and gain; the ownership of the property in the entity was not for a valid business purpose; or the property was acquired by other than a bona fide sale for full and adequate consideration and the decedent retained a power with respect to or interest in the property that would bring the real or tangible personal property located in this State within the decedent's federal gross estate.

**Sec. M-8. 36 MRSA §4068, sub-§2, ¶B,** as enacted by PL 2005, c. 218, §43, is amended to read:

B. The federal gross estate, increased by the amount of adjusted taxable gifts made by the decedent after December 31, 1976 and by the aggregate amount of any specific gift tax exemption under former Code, Section 2521 used by the decedent after September 8, 1976 ~~exceed~~ and by Maine elective property, exceeds the exclusion and related unified credit amounts specified in section 4062, subsection 1-A.

**Sec. M-9. 36 MRSA c. 577** is enacted to read:

## CHAPTER 577

## MAINE ESTATE TAX AFTER 2012

### §4101. Applicability of provisions

This chapter applies to the estates of persons who die after December 31, 2012.

### §4102. Definitions

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

**1. Adjusted federal gross estate.** "Adjusted federal gross estate" means a decedent's federal gross estate as modified by Maine qualified terminable interest property, Maine elective property and the value of all taxable gifts as defined under the Code, Section 2503 made by the decedent during the one-year period ending on the date of the decedent's death.

**2. Federal gross estate.** "Federal gross estate" means the gross estate of a decedent as determined by the assessor in accordance with the Code. The termination provision contained in the Code, Section 2210 must be disregarded.

**3. Federal taxable estate.** "Federal taxable estate" means the taxable estate of a decedent as determined using the applicable provisions of the Code as of the decedent's date of death, except that the state death tax deduction contained in the Code, Section 2058 and the termination provision contained in the Code, Section 2210 must be disregarded.

**4. Maine elective property.** "Maine elective property" means all property in which a decedent at the time of death had a qualified income interest for life and with respect to which for purposes of determining the tax imposed by this chapter or chapter 575 on the estate of a predeceased spouse of the decedent the federal taxable estate of that predeceased spouse was decreased pursuant to subsection 7, paragraph A or section 4062, subsection 1-B, paragraph B. The value of Maine elective property is the value determined by the assessor in accordance with the Code as if such property were includible in the decedent's federal gross estate pursuant to the Code, Section 2044 and, in the case of estates that do not incur a federal estate tax, as if the estate had incurred a federal estate tax.

**5. Maine exclusion amount.** "Maine exclusion amount" means $2,000,000.

**6. Maine qualified terminable interest property.** "Maine qualified terminable interest property" means property:

A. That is eligible to be treated as qualified terminable interest property under the Code, Section 2056(b)(7);

B. For which no election allowable under the Code, Section 2056(b)(7) is made with respect to the federal estate tax; and

C. With respect to which an election is made, on a return timely filed with the assessor, to treat the property as Maine qualified terminable interest property for purposes of the tax imposed by this chapter. The amount of property with respect to which the election is made may not be less than zero or greater than the amount by which the federal applicable exclusion amount under the Code, Section 2010 exceeds the Maine exclusion amount. For the purposes of this paragraph, "federal applicable exclusion amount" does not include any deceased spousal unused exclusion amount under the Code, Section 2810.

**7. Maine taxable estate.** "Maine taxable estate" means the federal taxable estate:

A. Decreased by the value of Maine qualified terminable interest property;

B. Increased by the value of Maine elective property; and

C. Increased by, notwithstanding the Code, Section 2035, the value of all taxable gifts as defined under the Code, Section 2503 made by the decedent during the one-year period ending on the date of the decedent's death.

**8. Nonresident.** "Nonresident" means a natural person domiciled in a jurisdiction other than this State at the time of death.

**9. Personal representative.** "Personal representative" means a personal representative of a decedent or, if there is no personal representative appointed, qualified and acting within this State, any person who is in the actual or constructive possession of any property included in the federal gross estate of the decedent, any Maine elective property or any taxable gifts made during the one-year period ending on the date of the decedent's death.

**10. Resident.** "Resident" means a natural person domiciled in this State at the time of death.

**11. Transfer.** "Transfer" includes the passing of property or any interest therein, in possession or enjoyment, present or future, by inheritance, descent, devise, succession, bequest, grant, deed, bargain sale, gift or appointment in the manner described in this chapter.

**12. Value.** "Value" means, when determining value for purposes of this chapter, with respect to an estate or to property included in an estate, including Maine qualified terminable interest property, the value as determined by the assessor in accordance with the Code.

**§4103. Tax on estate of resident**

**1. Imposition of tax.** A tax is imposed on the transfer of the Maine taxable estate of every person who, at the time of death, was a resident of this State. The amount of tax is determined as provided in this section.

A. If the Maine taxable estate is $2,000,000 or less, the tax is $0.

B. If the Maine taxable estate is more than $2,000,000 but no more than $5,000,000, the tax is 8% of the excess over $2,000,000.

C. If the Maine taxable estate is more than $5,000,000 but no more than $8,000,000, the tax is $240,000 plus 10% of the excess over $5,000,000.

D. If the Maine taxable estate is more than $8,000,000, the tax is $540,000 plus 12% of the excess over $8,000,000.

The amount of this tax is multiplied by a fraction, the numerator of which is the value of that portion of the decedent's adjusted federal gross estate that consists of real and tangible personal property located in this State plus the value of all intangible personal property and the denominator of which is the value of the decedent's adjusted federal gross estate.

**2. Other jurisdiction death tax credit.** A credit against the tax imposed by this section is allowed for all constitutionally valid estate, inheritance, legacy and succession taxes actually paid to another jurisdiction upon the value of real or tangible personal property owned by the decedent or subject to those taxes as a part of or in connection with the estate and located in that jurisdiction if the value of that property is also included in the value of the decedent's intangible personal property subject to taxation under this section. The credit provided by this subsection may not exceed the amount of tax otherwise due multiplied by a fraction, the numerator of which is the value of the property located in the other taxing jurisdiction subject to this credit on which tax was actually paid and the denominator of which is the value of the decedent's adjusted federal gross estate. For the purposes of this section, "another jurisdiction" means another state, the District of Columbia, a possession or territory of the United States or any political subdivision of a foreign country that is analogous to a state.

**§4104. Tax on estate of nonresident**

A tax is imposed on the Maine taxable estate of every person who, at the time of death, was a nonresident. The amount of tax equals the tax computed under section 4103, as if the nonresident were a resident, multiplied by the ratio of the value of that portion of the decedent's adjusted federal gross estate that consists of real and tangible personal property located in this State to the value of the decedent's adjusted federal gross estate.

When real or tangible personal property is owned by a pass-through entity, the entity must be disregarded and the property must be treated as personally owned by the decedent if the entity does not actively carry on a business for the purpose of profit and gain; the ownership of the property in the entity was not for a valid business purpose; or the property was acquired by other than a bona fide sale for full and adequate consideration and the decedent retained a power with respect to or interest in the property that would bring the real or tangible personal property located in this State within the decedent's adjusted federal gross estate.

**§4105. Personal representative's liability for tax**

**1. Payment of tax.** The tax imposed by this chapter must be paid by the personal representative to the extent of assets subject to the personal representative's control. The assessor may accept payment of estate taxes in works of art in accordance with Title 27, chapter 2, subchapter 2.

**2. Certification of payment.** A final account of a personal representative of an estate may not be allowed by the Probate Court unless the personal representative has filed in the Probate Court a certificate of the assessor showing either that the amount of tax has been paid, that payment has been secured as provided in section 4108 or that no tax is due.

**§4106. Discharge of personal representative's personal liability**

If the personal representative makes a written application, accompanied by a copy of the final determination of the federal estate tax liability, if any, and other supporting documentation that the assessor may require, to the assessor for determination of the amount of the tax and discharge of personal liability for that tax, the assessor, as soon as possible and in any event within one year after the making of the application or, if the application is made before the return is filed, within one year after the return is filed, shall notify the personal representative of the amount of the tax and of any interest on that amount. The personal representative, on payment of that amount, is discharged from personal liability for any deficiency in tax subsequently found to be due and is entitled to a certificate of discharge.

**§4107. Tax due date; filing of return and payment of tax**

**1. Date due.** Except as otherwise provided by this chapter, a return required by this section is due 9 months after the date of the decedent's death and any tax due under this chapter is due at the same time. Interest accrues on any amount of tax not paid by the due date.

**2. Return required.** The personal representative shall file a Maine estate tax return whenever:

A. The Code requires that a federal estate tax return be filed; or

B. The federal gross estate, increased by the amount of adjusted taxable gifts made by the decedent after December 31, 1976 and by the aggregate amount of any specific gift tax exemption under former Code, Section 2521 used by the decedent after September 8, 1976 exceed the Maine exclusion amount.

The return must be in the form prescribed by the assessor, and it must be accompanied by a copy of the federal estate tax return, if any, and by other supporting documentation that the assessor may require.

**3. No tax liability.** In all cases where a Maine estate tax return is not required to be filed:

A. If the personal representative makes no election pursuant to section 4102, subsection 6, paragraph C, the personal representative, surviving joint tenant of real estate or any other person whose real estate might be subject to a lien for taxes pursuant to this chapter may at any time file with the assessor in the form prescribed by the assessor a statement of the value of the federal gross estate; and

B. If the personal representative makes an election pursuant to section 4102, subsection 6, paragraph C, the personal representative shall make the election on a timely filed return. The return must be in the form prescribed by the assessor, and it must be accompanied by a copy of the federal estate tax return, if any, and other supporting documentation that the assessor may require, including documentation related to an election made pursuant to section 4102, subsection 6, paragraph C.

**§4108. Extension of due date for payment of tax**

The assessor may extend the time for payment of the tax or any part of the tax for a reasonable period of time not to exceed one year from the date fixed for payment and may grant successive extensions. The aggregate of extensions with respect to any estate may not exceed 10 years, unless a longer period is called for by a payment arrangement elected pursuant to section 4109. If an extension is granted, the assessor may require the taxpayer to:

**1. Bond.** Give a bond to the Treasurer of State in an amount the assessor determines necessary; or

**2. Other security.** Deposit with the Treasurer of State bonds or other negotiable obligations of governmental entities with an aggregate value sufficient to adequately secure payment of the tax.

**§4109. Extension of time for payment of estate tax when estate consists largely of interest in closely held business**

**1. Deferred payment arrangement.** If the United States Internal Revenue Service has approved a federal estate tax deferral and installment payment arrangement under the Code, Section 6166, the personal representative may elect a similar deferred payment arrangement under this section for payment of the tax imposed by this chapter, subject to acceptance by the assessor. The assessor may approve a deferral and installment arrangement under similar circumstances and on similar terms with respect to an estate of a decedent dying after December 31, 2011 that does not incur a federal estate tax.

**2. Time and manner of election; rejection by assessor.** An election under this section may be made by attaching a payment deferral election in a form prescribed by the assessor to a timely filed Maine estate tax return, in addition to any documentation required by section 4107 and copies of all documentation required by the United States Internal Revenue Service and submitted in support of a federal payment deferral. Documentation submitted to the assessor must clearly indicate the amount of Maine estate tax and interest to be paid in installments; the number of separate installments; and the due date of each installment payment. The assessor may reject the election. An election not rejected in writing by the assessor within 60 days after the election is made is considered accepted.

**3. Interest and penalties.** The amount of Maine estate tax deferred under this section is subject to interest pursuant to section 186. Interest payable on the unpaid tax attributable to a 5-year deferral period pursuant to the Code, Section 6166 must be paid annually. Interest payable on any unpaid tax attributable to any period after the 5-year deferral period must be paid annually at the same time as, and as part of, each installment payment of the tax. If any payment of principal or interest under this section is not made on or before the due date, the penalties provided by section 187-B apply.

**§4110. Extension of time for filing return**

**1. General.** The assessor may grant a reasonable extension of time for filing a return required by this chapter on terms and conditions as the assessor may require as long as payment reasonably estimating the tax due has been made on or before the original payment due date. Except as provided in subsection 2, an extension for filing any return may not exceed 8 months.

**2. Federal extension.** When an extension of time is granted within which to file a federal estate tax return, the due date for filing the Maine estate tax return is automatically extended for an equivalent period, as long as payment reasonably estimating the tax

due has been made on or before the original payment due date.

**§4111. Effect of federal determination**

**1. Final federal determination.** Except as provided in subsection 2, a final federal determination as to any of the following issues also determines the same issue for purposes of the tax under this chapter:

A. The inclusion in the federal gross estate of any item of property or interest in property; and

B. The allowance of any item claimed as a deduction from the federal gross estate.

**2. State determination of certain estates.** The assessor is not bound by a final federal determination under subsection 1 if the assessor determines the issue for purposes of the tax under this chapter within one year of the date the return was filed or the date the return is due, whichever is later.

**3. Items entering computation of tax.** If there has been a final federal determination with respect to a decedent's federal estate tax, any item, but not its value, entering into the computation of the tax is deemed to have been the subject of the final federal determination, whether or not specifically adjusted thereby.

**4. Definition.** For purposes of this section, "final federal determination" means:

A. A decision by the United States Tax Court or a judgment, decree or other order by any court of competent jurisdiction that has become final;

B. A final disposition by the United States Secretary of the Treasury or the secretary's delegate of a claim for a refund. The disposition is deemed to have occurred:

(1) As to items of the claim that are allowed, upon allowance of a refund or upon disallowance of the claim by reason of offsetting items; and

(2) As to items of the claim that are disallowed or as to items applied by the United States Secretary of the Treasury or the secretary's delegate as an offset against the claim, upon expiration of the time for instituting suit for refund with respect to those items, unless suit is instituted before the expiration of that time, or upon filing with the assessor a written statement that suit will not be instituted;

C. A closing agreement made under the Code, Section 7121;

D. An assessment pursuant to a waiver of restrictions on assessment or a notification in writing issued by the United States Secretary of the Treasury or the secretary's delegate that the federal estate tax return has been accepted as filed, unless the personal representative notifies the assessor that a claim for refund of federal estate taxes has been or will be filed; or

E. An assessment pursuant to a compromise entered into by the personal representative and the United States Secretary of the Treasury or the secretary's delegate.

**§4112. Lien for taxes**

All property subject to taxes under this chapter, in whatever form of investment it may happen to be, is charged with a lien for all taxes, interest and penalties that are or may become due on that property. The lien does not attach to any real or personal property after the property has been sold or disposed of for value by the personal representative, trustee or surviving joint tenant. Upon payment of those taxes, interest and penalties due under this chapter or upon determination that no tax is due, the assessor shall upon request execute a discharge of the tax lien for recording in the appropriate registry or registries of deeds.

**§4113. Authority of State Tax Assessor**

The assessor shall collect all taxes, interest and penalties provided by chapter 7 and by this chapter and may institute proceedings of any nature necessary or desirable for that purpose, including proceedings for the removal of personal representatives and trustees who have failed to pay the taxes due from estates in their hands.

The assessor may enforce the collection of any taxes secured by bond in a civil action brought on the bond regardless of the fact that some other official may be named as obligee in the bond.

**§4114. Amount of tax determined**

The assessor shall determine the amount of tax due and payable under this chapter upon any estate or part of that estate. If, after determination and certification of the full amount of the tax upon an estate or any interest in or part of an estate, the estate receives or becomes entitled to property in addition to that shown in the estate tax return filed with the assessor or the United States Internal Revenue Service changes any item increasing the estate's liability shown in the Maine estate tax return filed with the assessor, the personal representative shall within 180 days of any receipt, entitlement or change file an amended Maine estate tax return. The assessor shall determine the amount of additional tax and shall certify the amount due, including interest and penalties, to the person by whom the tax is payable.

**§4115. Authority to make refunds**

**1. Refund.** A personal representative or responsible party otherwise liable for the tax imposed by this chapter may request a refund of any tax imposed by this chapter within 3 years from the date the Maine

estate tax return was filed or 3 years from the date the tax was paid, whichever period expires later. A claim for refund must be submitted to the assessor in writing and must state the specific grounds upon which the claim is founded. The claimant may in writing request an informal conference regarding the claim for refund pursuant to section 151.

**2. Limitation on payment of interest.** Interest may not be paid by the assessor on an overpayment of the tax imposed by this chapter that is refunded within 60 days after the date prescribed or permitted by extension of time for filing the Maine estate tax return or within 60 days after the return is filed or within 60 days after a return requesting a refund of the overpayment is filed, whichever is later.

**§4116. Appointment of personal representative on probate delay**

If, upon the death of a person leaving an estate that may be liable to pay tax under this chapter, a will is not offered for probate or an application for administration is not made within 6 months after the date of death or if the personal representative does not qualify within that period, the Probate Court, upon application by the assessor, may appoint a personal representative. Nothing may prevent the assessor from petitioning for appointment within 6 months after the date of death, if in the opinion of the assessor that action is necessary.

**§4117. Persons liable**

Personal representatives, trustees, grantees or donees under nonexempt conveyances or nonexempt gifts made during the life of the grantor or donor and persons to whom beneficial interests accrue by survivorship are liable for the taxes imposed by this chapter with interest, as provided, until the taxes are paid. For purposes of this section, "nonexempt conveyances" and "nonexempt gifts" mean any transfer to a person that is includable in the federal gross estate of the decedent and with respect to which no deduction is allowed in computing the federal estate tax liability.

If the tax or any part of the tax is paid or collected out of that part of the estate passing to or in possession of any person other than the personal representative in that capacity, that person is entitled to a reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the person whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest in the estate is subject to an equal or prior liability for the payment of tax, debts or other charges against the estate.

**§4118. Civil action by State; bond**

Personal representatives are liable to the State on their administration bonds for all taxes assessable under this chapter and interest on those taxes. If no administration bond is otherwise required and except as otherwise provided in this section, the judge of probate, notwithstanding any provision of Title 18-A, shall require a bond payable to the judge or the judge's successor sufficient to secure the payment of all estate taxes and interest conditioned in substance to pay all estate taxes due to the State from the estate of the deceased with interest thereon. A bond to secure the payment of estate taxes is not required when the judge of probate finds that any estate tax due and to become due the State is reasonably secured by the lien upon real estate as provided in this chapter or by any other adequate security. An action for the recovery of estate taxes and interest lies on either of the bonds.

**Sec. M-10. Application.** Those sections of this Act that amend the Maine Revised Statutes, Title 36, section 4061; section 4062, subsection 1-A, paragraph A; section 4062, subsections 3 and 6; section 4064; and section 4068, subsection 2, paragraph B apply to estates of decedents dying on or after January 1, 2011 but before January 1, 2013.

## PART N

**Sec. N-1. 36 MRSA §5111, sub-§1-B,** as enacted by PL 1999, c. 731, Pt. T, §3, is amended to read:

**1-B. Single individuals and married persons filing separate returns; tax years from 2002 to 2012.** For tax years beginning on or after January 1, 2002 but not later than December 31, 2012, for single individuals and married persons filing separate returns:

| If Maine Taxable income is: | The tax is: |
|---|---|
| Less than $4,200 | 2% of the Maine taxable income |
| At least $4,200 but less than $8,350 | $84 plus 4.5% of the excess over $4,200 |
| At least $8,350 but less than $16,700 | $271 plus 7% of the excess over $8,350 |
| $16,700 or more | $856 plus 8.5% of the excess over $16,700 |

**Sec. N-2. 36 MRSA §5111, sub-§1-C** is enacted to read:

**1-C. Single individuals and married persons filing separate returns; tax years beginning 2013.** For tax years beginning on or after January 1, 2013, for single individuals and married persons filing separate returns:

| If Maine Taxable income is: | The tax is: |
|---|---|
| At least $5,000 but less than $19,950 | 6.5% of the excess over $5,000 |
| $19,950 or more | $972 plus 7.95% of the excess over $19,950 |

**Sec. N-3. 36 MRSA §5111, sub-§2-B,** as enacted by PL 1999, c. 731, Pt. T, §5, is amended to read:

**2-B. Heads of households; tax years from 2002 to 2012.** For tax years beginning on or after January 1, 2002 but not later than December 31, 2012, for unmarried individuals or legally separated individuals who qualify as heads of households:

| If Maine Taxable income is: | The tax is: |
|---|---|
| Less than $6,300 | 2% of the Maine taxable income |
| At least $6,300 but less than $12,500 | $126 plus 4.5% of the excess over $6,300 |
| At least $12,500 but less than $25,050 | $405 plus 7% of the excess over $12,500 |
| $25,050 or more | $1,284 plus 8.5% of the excess over $25,050 |

**Sec. N-4. 36 MRSA §5111, sub-§2-C** is enacted to read:

**2-C. Heads of households; tax years beginning 2013.** For tax years beginning on or after January 1, 2013, for unmarried individuals or legally separated individuals who qualify as heads of households:

| If Maine Taxable income is: | The tax is: |
|---|---|
| At least $7,500 but less than $29,900 | 6.5% of the excess over $7,500 |
| $29,900 or more | $1,456 plus 7.95% of the excess over $29,900 |

**Sec. N-5. 36 MRSA §5111, sub-§3-B,** as enacted by PL 1999, c. 731, Pt. T, §7, is amended to read:

**3-B. Individuals filing married joint return or surviving spouses; tax years from 2002 to 2012.** For tax years beginning on or after January 1, 2002 but not later than December 31, 2012, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

| If Maine Taxable income is: | The tax is: |
|---|---|
| Less than $8,400 | 2% of the Maine taxable income |
| At least $8,400 but less than $16,700 | $168 plus 4.5% of the excess over $8,400 |
| At least $16,700 but less than $33,400 | $542 plus 7% of the excess over $16,700 |
| $33,400 or more | $1,711 plus 8.5% of the excess over $33,400 |

**Sec. N-6. 36 MRSA §5111, sub-§3-C** is enacted to read:

**3-C. Individuals filing married joint return or surviving spouses; tax years beginning 2013.** For tax years beginning on or after January 1, 2013, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

| If Maine Taxable income is: | The tax is: |
|---|---|
| At least $10,000 but less than $39,900 | 6.5% of the excess over $10,000 |
| $39,900 or more | $1,944 plus 7.95% of the excess over $39,900 |

**Sec. N-7. 36 MRSA §5124-A, first ¶,** as amended by PL 2009, c. 213, Pt. BBBB, §9 and affected by §17, is further amended to read:

The standard deduction of a resident individual is equal to the standard deduction as determined in accordance with the Code, Section 63~~, exclusive of the Code, Section 63(c)(1)(C) and Section 63(c)(1)(E), except that for tax years beginning after 2002, the Code, Section 63(c)(2) must be applied as if the basic standard deduction is $5,000 in the case of a joint return and a surviving spouse and $2,500 in the case of a married individual filing a separate return~~.

**Sec. N-8. 36 MRSA §5125, sub-§3, ¶D,** as amended by PL 2007, c. 539, Pt. CCC, §9, is further amended to read:

D. Reduced by any amount attributable to interest or expenses incurred in the production of income exempt from tax under this Part; and

**Sec. N-9. 36 MRSA §5125, sub-§3, ¶E,** as amended by PL 2007, c. 539, Pt. CCC, §10, is further amended to read:

E. Reduced by the amount attributable to any contribution that qualified for and was actually utilized as a credit under section 5216-C~~; and~~.

**Sec. N-10. 36 MRSA §5125, sub-§3, ¶F,** as enacted by PL 2007, c. 539, Pt. CCC, §11, is repealed.

**Sec. N-11. 36 MRSA §5126, first ¶,** as amended by PL 2001, c. 583, §16, is further amended to read:

For income tax years beginning on or after January 1, 1998 but before January 1, 1999, a resident individual is allowed $2,400 for each exemption that the individual properly claims for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return. For income tax years beginning on or after January 1, 1999 but before January 1, 2000, a resident individual is allowed $2,750 for each exemption that the individual properly claims for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return. For income tax years beginning on or after January 1, 2000 but before January 1, 2013, a resident individual is allowed $2,850 for each exemption that the individual properly claims for the taxable year for federal income tax purposes,

unless the taxpayer is claimed as a dependent on another return. For income tax years beginning on or after January 1, 2013, a resident individual is allowed a deduction equal to the total amount of deductions allowed for personal exemptions in accordance with the Code, Section 151.

**Sec. N-12. 36 MRSA §5203-C, sub-§2, ¶A,** as enacted by PL 2003, c. 673, Pt. JJ, §3 and affected by §6, is amended to read:

A. Resident individuals, trusts and estates. The tax imposed by this subsection does not apply to resident individuals, trusts and estates for tax years beginning on or after January 1, 2012;

**Sec. N-13. 36 MRSA §5203-C, sub-§2, ¶B,** as enacted by PL 2003, c. 673, Pt. JJ, §3 and affected by §6, is amended to read:

B. Nonresident individuals, trusts and estates with Maine-source income. The tax imposed by this subsection does not apply to nonresident individuals, trusts and estates for tax years beginning on or after January 1, 2012; and

**Sec. N-14. 36 MRSA §5203-C, sub-§4, ¶B,** as enacted by PL 2003, c. 673, Pt. JJ, §3 and affected by §6, is amended to read:

B. The credit allowable for a taxable year under this subsection is limited to the amount, if any, by which the regular income tax after application of all other credits arising under this Part exceeds the tentative minimum tax. In any year when the tax under this section does not apply, the tentative minimum tax is disregarded for purposes of calculating the credit limitation.

**Sec. N-15. 36 MRSA §5204,** as amended by PL 1987, c. 772, §38, is further amended to read:

**§5204. Lump-sum retirement plan distributions**

In addition to any other tax imposed by this Part, a tax is hereby imposed for each taxable year on every taxpayer who, in accordance with the Code, Section 402(e)(1), elects to compute a separate federal tax on a lump-sum distribution from a retirement plan at the rate of 15% of the separate federal tax imposed on the distribution, except that, for tax years beginning in 2012, the rate is 7.5%. The tax under this section does not apply to tax years beginning on or after January 1, 2013.

**Sec. N-16. 36 MRSA §5204-A,** as amended by PL 1993, c. 395, §20, is further amended to read:

**§5204-A. Early distribution from qualified retirement plans**

The tax imposed under this Part on any individual whose federal income tax for any taxable year is increased pursuant to the Code as a result of an early distribution from a qualified retirement plan must be increased by an amount equal to 15% of the amount by which the individual's federal income tax was increased pursuant to Section 72(t) of the Code as a result of the early distribution, except that, for tax years beginning in 2012, the rate is 7.5%. The tax under this section does not apply to tax years beginning on or after January 1, 2013.

**Sec. N-17. 36 MRSA §5402, sub-§1-B,** as enacted by PL 1999, c. 731, Pt. T, §8 and affected by §11, is amended to read:

**1-B. Cost-of-living adjustment.** The "cost-of-living adjustment" for any calendar year is the Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Consumer Price Index for the 12-month period ending June 30, ~~2001~~ 2010.

**Sec. N-18. 36 MRSA §5403,** as amended by PL 2009, c. 213, Pt. WWW, §1 and affected by §2, is further amended to read:

**§5403. Annual adjustments for inflation**

Beginning in 2002, and each subsequent calendar year thereafter, on or about September 15th, the State Tax Assessor shall multiply the cost-of-living adjustment for taxable years beginning in the succeeding calendar year by the dollar amounts of the tax rate tables specified in section 5111, subsections 1-B, 1-C, 2-B ~~and~~, 2-C, 3-B and 3-C. If the dollar amounts of each rate bracket, adjusted by application of the cost-of-living adjustment, are not multiples of $50, any increase must be rounded to the next lowest multiple of $50. If the cost-of-living adjustment for any taxable year would be less than the cost-of-living adjustment for the preceding calendar year, the cost-of-living adjustment is the same as for the preceding calendar year. The assessor shall incorporate such changes into the income tax forms, instructions and withholding tables for the taxable year.

~~Beginning in 2009 and each subsequent calendar year thereafter, the assessor shall reduce the cost-of-living adjustment by an amount that increases estimated noncorporate income tax revenue by $10,500,000 for that calendar year using as a benchmark the most recent revenue projections of the Revenue Forecasting Committee established in Title 5, section 1710-E.~~

**Sec. N-19. Application.** Unless otherwise indicated, this Part applies to income tax years beginning on or after January 1, 2012.

**Sec. N-20. Effective date.** Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 5124-A; section 5125, subsection 3, paragraphs D and E; section 5203-C, subsection 4, paragraph B; and section 5402, subsection 1-B and that repeal Title 36, section 5125, subsection 3, paragraph F take effect January 1, 2012.

## PART O

**Sec. O-1. 36 MRSA §5122, sub-§1, ¶N,** as amended by PL 2007, c. 240, Pt. CCC, §2 and affected by §4, is further amended to read:

N. With respect to property placed in service during the taxable year, an amount equal to the net increase in depreciation or expensing attributable to:

(1) For taxable years beginning on or after January 1, 2002 but prior to January 1, 2006, a 30% bonus depreciation deduction claimed by the taxpayer pursuant to Section 101 of the federal Job Creation and Worker Assistance Act of 2002, Public Law 107-147 with respect to property placed in service during the taxable year;

(2) For taxable years beginning on or after January 1, 2002 but prior to January 1, 2006, a 50% bonus depreciation deduction claimed by the taxpayer pursuant to Section 201 of the federal Jobs and Growth Tax Relief Reconciliation Act of 2003, Public Law 108-27 with respect to property placed in service during the taxable year; and

(3) For taxable years beginning on or after January 1, 2003 but prior to January 1, 2011, the increase in aggregate cost under Section 179 of the Code arising from amendments to the Code applicable to tax years beginning on or after January 1, 2003;

**Sec. O-2. 36 MRSA §5122, sub-§1, ¶AA,** as amended by PL 2009, c. 213, Pt. BBBB, §3, is further amended to read:

AA. For taxable years beginning on or after January 1, 2008 but before January 1, 2011, an amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) arising from amendments to the Code applicable to taxable years beginning on or after January 1, 2008;

**Sec. O-3. 36 MRSA §5122, sub-§1, ¶DD,** as amended by PL 2011, c. 90, Pt. H, §2 and affected by §8, is further amended to read:

DD. For any taxable year beginning in 2009, 2010 or 2011, an amount equal to the absolute value of any net operating loss carry-forward claimed for purposes of the federal income tax; ~~and~~

**Sec. O-4. 36 MRSA §5122, sub-§1, ¶EE,** as enacted by PL 2011, c. 90, Pt. H, §3 and affected by §8, is amended to read:

EE. The amount claimed as a deduction in determining federal adjusted gross income that is included in the credit for wellness programs under section 5219-FF~~.~~; and

**Sec. O-5. 36 MRSA §5122, sub-§1, ¶FF** is enacted to read:

FF. For taxable years beginning in 2011 and 2012:

(1) An amount equal to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-GG; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-GG.

**Sec. O-6. 36 MRSA §5122, sub-§2, ¶GG,** as amended by PL 2011, c. 138, §2 and affected by §4, is further amended to read:

GG. To the extent included in the taxpayer's federal adjusted gross income, the recovery of a portion of a federal standard deduction claimed in a prior year for which the taxpayer was not allowed under this Part to reduce federal adjusted gross income or Maine adjusted gross income for that year; ~~and~~

**Sec. O-7. 36 MRSA §5122, sub-§2, ¶HH,** as enacted by PL 2011, c. 138, §3 and affected by §4, is amended to read:

HH. To the extent included in federal adjusted gross income, annuity payments made to the survivor of a deceased member of the military as the result of service in active or reserve components of the United States Army, Navy, Air Force, Marines or Coast Guard under a survivor benefit plan or reserve component survivor benefit plan pursuant to 10 United States Code, Chapter 73~~.~~; and

**Sec. O-8. 36 MRSA §5122, sub-§2, ¶II** is enacted to read:

II. For taxable years beginning on or after January 1, 2012, an amount equal to the net increase in the depreciation deduction allowable under the Code, Sections 167 and 168 that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service during the taxable year beginning in 2011 or 2012 for which an addition was required under subsection 1, paragraph FF, subparagraph (2) for the taxable year beginning in 2011 or 2012.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal adjusted gross income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph FF, subparagraph (2) related to property placed in service outside the State and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed for property placed in service outside the State under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph FF, subparagraph (2) for the same property.

**Sec. O-9. 36 MRSA §5200-A, sub-§1, ¶N,** as amended by PL 2007, c. 240, Pt. CCC, §3 and affected by §4, is further amended to read:

N. With respect to property placed in service during the taxable year, an amount equal to the net increase in depreciation or expensing attributable to:

(1) For taxable years beginning on or after January 1, 2002 but prior to January 1, 2006, a 30% bonus depreciation deduction claimed by the taxpayer pursuant to Section 101 of the federal Job Creation and Worker Assistance Act of 2002, Public Law 107-147 with respect to property placed in service during the taxable year;

(2) For taxable years beginning on or after January 1, 2002 but prior to January 1, 2006, a 50% bonus depreciation deduction claimed by the taxpayer pursuant to Section 201 of the federal Jobs and Growth Tax Relief Reconciliation Act of 2003, Public Law 108-27 with respect to property placed in service during the taxable year; and

(3) For taxable years beginning on or after January 1, 2003 but prior to January 1, 2011, the increase in aggregate cost under Section 179 of the Code arising from amendments to the Code applicable to tax years beginning on or after January 1, 2003;

**Sec. O-10. 36 MRSA §5200-A, sub-§1, ¶T,** as repealed and replaced by PL 2009, c. 652, Pt. A, §53, is amended to read:

T. For taxable years beginning on or after January 1, 2008 but before January 1, 2011, an amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) arising from amendments to the Code applicable to taxable years beginning on or after January 1, 2008;

**Sec. O-11. 36 MRSA §5200-A, sub-§1, ¶W,** as amended by PL 2011, c. 90, Pt. H, §5 and affected by §8, is further amended to read:

W. For tax years beginning on or after January 1, 2009 but before January 1, 2011, an amount equal to the gross income during the taxable year from the discharge of indebtedness deferred under the Code, Section 108(i); ~~and~~

**Sec. O-12. 36 MRSA §5200-A, sub-§1, ¶X,** as enacted by PL 2011, c. 90, Pt. H, §6 and affected by §8, is amended to read:

X. The amount claimed as a deduction in determining federal taxable income that is included in the credit for wellness programs under section 5219-FF-; and

**Sec. O-13. 36 MRSA §5200-A, sub-§1, ¶Y** is enacted to read:

Y. For taxable years beginning in 2011 and 2012:

(1) An amount equal to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-GG; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-GG.

**Sec. O-14. 36 MRSA §5200-A, sub-§2, ¶T,** as repealed and replaced by PL 2009, c. 652, Pt. A, §56, is amended to read:

T. An amount equal to the value of any prior year addition modification under subsection 1, paragraph V, but only to the extent that:

(1) Maine taxable income is not reduced below zero;

(2) The taxable year is within the allowable federal period for carry-over plus the number of years that the net operating loss carry-over adjustment was not deducted as a result of the restriction with respect to tax years beginning in 2009, 2010 and 2011;

(3) The amount has not been previously used as a modification pursuant to this subsection; and

(4) The modification under this paragraph is not claimed for any tax year beginning in 2009, 2010 or 2011; ~~and~~

**Sec. O-15. 36 MRSA §5200-A, sub-§2, ¶U,** as enacted by PL 2009, c. 652, Pt. A, §57 and affected by §58, is amended to read:

U. An amount equal to the gross income from discharge of indebtedness previously deferred under the Code, Section 108(i) and included in federal taxable income. The total subtraction for all years under this paragraph may not exceed the amount of the addition modification under subsection 1, paragraph W for the same indebtedness.; and

**Sec. O-16. 36 MRSA §5200-A, sub-§2, ¶V** is enacted to read:

V. For taxable years beginning on or after January 1, 2012, an amount equal to the net increase in the depreciation deduction allowable under the Code, Sections 167 and 168 that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service during the taxable year beginning in 2011 or 2012 for which an addition was required under subsection 1, paragraph Y, subparagraph (2) for the taxable year beginning in 2011 or 2012.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal adjusted gross income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph Y, subparagraph (2) related to property placed in service outside the State and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed for property placed in service outside the State under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph Y, subparagraph (2) for the same property.

**Sec. O-17. 36 MRSA §5219-GG** is enacted to read:

**§5219-GG. Maine capital investment credit**

**1. Credit allowed.** A taxpayer that claims a depreciation deduction under the Code, Section 168(k) for property placed in service in the State during the taxable year beginning in 2011 or 2012 is allowed a credit against the taxes imposed by this Part in an amount equal to 10% of the amount claimed for the taxable year under the Code, Section 168(k) with respect to such property, except for excluded property under subsection 2.

**2. Certain property excluded.** The following property is not eligible for the credit under this section:

A. Property owned by a public utility as defined by Title 35-A, section 102;

B. Property owned by a person that provides radio paging services as defined by Title 35-A, section 102;

C. Property owned by a person that provides mobile telecommunications services as defined by Title 35-A, section 102;

D. Property owned by a cable television company as defined by Title 30-A, section 2001;

E. Property owned by a person that provides satellite-based direct television broadcast services; and

F. Property owned by a person that provides multichannel, multipoint television distribution services.

**3. Limitations; carry-forward.** The credit allowed under subsection 1 may not reduce the tax under this Part to less than zero. Any unused portion of the credit may be carried forward to the following year or years not to exceed 20 years.

**4. Recapture.** The credit allowed under this section is subject to recapture to the extent claimed by the taxpayer if the property forming the basis of the credit is not used in the State for the entire 12-month period following the date it is placed in service in the State. If any portion of the credit is recaptured pursuant to this subsection, the income modifications under section 5122, subsection 1, paragraph FF, section 5122, subsection 2, paragraph II, section 5200-A, subsection 1, paragraph Y and section 5200-A, subsection 2, paragraph V must be amended for the tax year during which the failure occurs to reflect the recapture of the credit and the recaptured credit amount must be added to the tax due on the amended return.

**Sec. O-18. Application.** Unless otherwise specified, this Part applies to tax years beginning on or after January 1, 2011.

## PART P

**Sec. P-1. 36 MRSA §6207, sub-§1, ¶B,** as enacted by PL 2009, c. 213, Pt. XXX, §2, is amended to read:

B. For application periods beginning on August 1, 2009 and on, August 1, 2010, August 1, 2011 and August 1, 2012, the benefit is limited to 80% of the amount determined under paragraph A-1.

## PART Q

**Sec. Q-1. 10 MRSA c. 110, sub-c. 12** is enacted to read:

## SUBCHAPTER 12

## MAINE NEW MARKETS CAPITAL INVESTMENT PROGRAM

### §1100-Z. Maine New Markets Capital Investment Program

**1. Findings and intent.** The Legislature finds that encouragement of investment in qualified businesses and developments located in economically distressed areas of the State and the creation and preservation of jobs are in the public interest and promote the general welfare of the State. The Legislature further finds that the enactment of incentives as set forth in this subchapter to promote investments is necessary in order to ensure the long-term economic vitality of this State, to preserve numerous opportunities for jobs for the people of the State and to make this State more competitive in the attraction of investment capital and thus to ensure the preservation and betterment of the economy of the State for the benefit of its people. The Legislature further finds that the foregoing benefits to the State and its people far exceed the costs to the State of providing the incentives set forth in this subchapter. The Legislature further finds that the provisions of this subchapter are necessary to accomplish these objectives.

The Legislature finds that the incentives offered by the State pursuant to this subchapter are intended to induce major investments in qualified businesses and developments located in economically distressed areas of the State and that any party who accepts and reasonably relies upon these inducements in making qualified investments is entitled to the full realization of these incentives without impairment by subsequent changes in law. The Legislature finds that when determining whether a project is financially feasible an investing party must rely in good faith upon the Legislature to ensure that the promised incentives of this subchapter will be available for a period of 7 years following the date of each qualified investment and that a party's confidence in the full realization of these benefits is a critical factor in inducing the party to make the desired investment. It is the intent of this Legislature that all successor Legislatures honor the commitments held out by this subchapter.

**2. Program.** The Maine New Markets Capital Investment Program, referred to in this section as "the program," is established to encourage new investment in economically distressed areas of the State. For the purposes of this section, unless otherwise defined in this section, all terms have the same meaning as under Title 36, section 5219-GG and Section 45D of the United States Internal Revenue Code of 1986, as amended.

**3. Application for tax credits; allocation of tax credit authority.** Tax credit authority is allocated under the program as described in this subsection.

A. The authority shall provide an application form, which must be available to applicants no later than the date when the final rule implementing this section is adopted.

B. A qualified community development entity that seeks an allocation of tax credit authority shall apply to the authority. The qualified community development entity shall submit an application on a form that the authority provides. The application must include:

(1) The name, address and tax identification number of the entity and evidence of the certification of the entity as a qualified community development entity;

(2) A copy of an allocation agreement executed by the qualified community development entity, its controlling entity or other entity controlled by the same controlling entity and the Community Development Financial Institutions Fund of the United States Department of the Treasury, which includes the State in its service area;

(3) A certificate executed by an executive officer of the qualified community development entity attesting that the allocation agreement remains in effect and has not been revoked or canceled by the Community Development Financial Institutions Fund;

(4) Information regarding the amount of tax credit authority requested and the proposed use of proceeds from the issuance of the qualified equity investment or long-term debt security; and

(5) Responses to the following 5 questions, which must be answered affirmatively or negatively without explanation or elaboration, to determine qualification for participating in the program:

(a) Whether the Community Development Financial Institutions Fund has awarded multiple rounds of federal New Markets Tax Credit allocation to the qualified community development entity, its controlling entity or other entity controlled by the same controlling entity;

(b) Whether the qualified community development entity, its controlling entity or other entity controlled by the same controlling entity has participated as a qualified community development entity in a state New Markets Tax Credit program or has made an investment in this State that qualifies for federal New Markets Tax Credits;

(c) Whether the qualified community development entity, its controlling entity or other entity controlled by the same controlling entity has made an investment qualified for tax credits in a business located in a nonmetropolitan census tract;

(d) Whether the qualified community development entity, its controlling entity or other entity controlled by the same controlling entity has made an investment qualified for tax credits in a state where it did not previously have substantial operations; and

(e) Whether the qualified community development entity, its controlling entity or other entity controlled by the same controlling entity has explored potential investment opportunities in this State that would qualify under this subchapter.

Applicants answering affirmatively to 4 or more of the 5 questions must be determined to be qualified.

C. In the rule implementing this subchapter, the authority shall set a nonrefundable application fee, which must be paid to the authority at the time each application is submitted. The authority shall also set an annual report fee and establish a payment schedule along with requirements for the report pursuant to subsection 5.

D. Within 60 days of receipt of an application for tax credit authority, the authority shall either approve the application and, as part of that approval, indicate the amount of tax credit authority issued to the qualified community development entity or determine that the authority intends to deny the application. If the authority intends to deny the application, it shall inform the qualified community development entity by written notice of the grounds for the intended denial. Upon receipt of the notice of intended denial by the qualified community development entity:

(1) If the qualified community development entity provides any additional information required by the authority or otherwise completes its application within 15 days, the application must be considered complete as of the original date of submission and the authority has an additional 30 days to either approve or deny the application; or

(2) If the qualified community development entity fails to provide the information or complete its application within the 15-day period, the application is deemed denied and may be resubmitted in full with a new submission date.

E. The authority shall approve applications for tax credit authority in the order applications are received by the authority. Applications received on the same day are deemed to have been received simultaneously. For applications received on the same day and determined to be complete, the authority shall certify, consistent with remaining tax credit capacity, tax credit authority in proportionate percentages based upon the ratio of the amount of tax credit authority requested in an application to the total amount of tax credit authority requested in all applications received on the same day. If a pending request cannot be fully certified because of the limitations contained in this subchapter, the authority shall certify the portion that may be certified unless the qualified community development entity elects to withdraw its request rather than receive partial credit. The authority shall provide written notification to each qualified community development entity of the approval of tax allocation authority and the amount of tax credit authority it was allocated.

F. Within 24 months after receipt of the notice of the allocation of tax credit authority, the qualified community development entity shall issue the qualified equity investments or long-term debt securities and receive cash in the amount of the total amount of tax credit authority that the qualified community development entity was allocated. The qualified community development entity shall provide the authority with evidence of the entity's receipt of the cash investment within 10 business days after receipt. If the qualified community development entity does not issue the qualified equity investment or long-term debt security and receive the cash purchase price within 24 months following receipt of the tax credit authority notice for any portion of its allocation, such unused allocation of tax credit authority lapses and the qualified community development entity may not issue the qualified equity investments or long-term debt securities without reapplying to the authority for additional tax credit authority. Any tax credit authority that lapses reverts back to the authority and may be reissued only in accordance with the application process outlined in this section.

G. Upon receipt of notice that a qualified community development entity has issued its qualified equity investments or long-term debt securities, the authority shall certify the entity's qualified equity investments or long-term debt securities as qualified equity investments and eligible for tax credits under Title 36, section 5219-GG. The authority shall provide written notice, sent by certified mail or any other means considered feasible by the authority, of the certification to the qualified community development entity, Maine Revenue Services and the Commissioner of Adminis-

trative and Financial Services. The notice must include the names of persons eligible to claim the tax credits and their respective tax credit amounts. If the names of the persons that are eligible to claim the tax credits change due to a transfer of a qualified equity investment or a change in an allocation pursuant to this subchapter, the qualified community development entity shall notify the authority of such change.

H. On the date designated by the authority, the authority shall begin accepting applications for the full $250,000,000 of qualified equity investments under subsection 4. An applicant may not be awarded more than 25% of the total tax credit authority available.

**4. Limit on amount of tax credits authorized.** The maximum aggregate amount of qualified equity investments for which the authority may issue tax credit authority under this section is $250,000,000; a tax credit claim may not exceed $20,000,000 in any one state fiscal year over the 7 years of the tax credit allowance dates as described in Title 36, section 5219-GG, subsection 1, paragraph A.

**5. Reporting and disclosure of information.** The authority shall require annual reports of a qualified community development entity granted tax credit allocation authority pursuant to subsection 3. Reports may be shared with Maine Revenue Services and the Commissioner of Administrative and Financial Services. Notwithstanding section 975-A, the authority may disclose any information to Maine Revenue Services and the Commissioner of Administrative and Financial Services that it considers necessary for the administration of the program pursuant to this section, Title 36, section 2531 or Title 36, section 5219-GG.

**6. Report.** The authority shall report no later than January 1, 2015 to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters on the activities of the program, including, but not limited to, the amount of private investment received and the total number of jobs created or retained.

**7. Rules.** By December 30, 2011, the authority shall adopt rules necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

**Sec. Q-2. 36 MRSA §191, sub-§2, ¶QQ,** as amended by PL 2011, c. 211, §20, is further amended to read:

QQ. The disclosure of registration, reporting and payment information to the Department of Agriculture, Food and Rural Resources necessary for the administration of Title 32, chapter 28; ~~and~~

**Sec. Q-3. 36 MRSA §191, sub-§2, ¶RR,** as enacted by PL 2011, c. 211, §21, is amended to read:

RR. The disclosure to the Finance Authority of Maine of the cumulative value of eligible premiums submitted for reimbursement pursuant to Title 10, section 1020-C~~.~~; and

**Sec. Q-4. 36 MRSA §191, sub-§2, ¶SS** is enacted to read:

SS. The disclosure of information to the Finance Authority of Maine necessary for the administration of the new markets capital investment credit in sections 2531 and 5219-GG and to the Commissioner of Administrative and Financial Services as necessary for the execution of the memorandum of agreement pursuant to section 5219-GG, subsection 3.

**Sec. Q-5. 36 MRSA §2531** is enacted to read:

**§2531. New markets capital investment credit**

A taxpayer subject to tax under this chapter that holds a qualified equity investment certified by the Finance Authority of Maine pursuant to Title 10, section 1100-Z, subsection 3, paragraph G is allowed a credit equal to the amount determined in accordance with section 5219-GG against the tax otherwise due under this chapter. The provisions in section 5219-GG govern the allowance of the credit and limitations on the credit amount, refundability, carry-over and recapture.

**Sec. Q-6. 36 MRSA §5219-GG** is enacted to read:

**§5219-GG. New markets capital investment credit**

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

A. "Applicable percentage" means 0% for each of the first 2 credit allowance dates, 7% for the 3rd credit allowance date and 8% for the next 4 credit allowance dates.

B. "Authority" means the Finance Authority of Maine.

C. "Commissioner" means the Commissioner of Administrative and Financial Services.

D. "Credit allowance date" means, with respect to any qualified equity investment, the date on which the investment is initially made and each of the 6 anniversary dates of the date thereafter.

E. "Long-term debt security" means any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least 7 years from the date of its issuance, with no acceleration of repayment, amortization or prepayment features

prior to its original maturity date. The qualified community development entity that issues the debt instrument may not make cash interest payments on the debt instrument during the period commencing with its issuance and ending on its final credit allowance date in excess of the cumulative operating income, as defined in the regulations adopted pursuant to the Code, Section 45D, of the qualified community development entity for the same period prior to giving effect to interest expense on such debt instrument. This paragraph does not limit the holder's ability to accelerate payments on the debt instrument in situations when the qualified community development entity has defaulted on covenants designed to ensure compliance with this section; section 191, subsection 2, paragraph SS; section 2531; and Title 10, section 1100-Z or the Code, Section 45D.

F. "Purchase price" means the amount of the investment in the qualified community development entity for the qualified equity investment.

G. "Qualified active low-income community business" has the same meaning as in the Code, Section 45D.

H. "Qualified community development entity" has the same meaning as in the Code, Section 45D, except that the entity must have entered into or be controlled by or under common control of an entity that has entered into an allocation agreement with the Community Development Financial Institutions Fund of the United States Department of the Treasury with respect to credits authorized by the Code, Section 45D.

I. "Qualified equity investment" means any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(1) Has at least 85% of its cash purchase price used by the issuer to make qualified low-income community investments in qualified active low-income community businesses located in the State by the 2nd anniversary of the initial credit allowance date;

(2) Is acquired after December 31, 2011 at its original issuance solely in exchange for cash; and

(3) Is designated by the issuer as a qualified equity investment and is certified by the authority pursuant to Title 10, section 1100-Z, subsection 3, paragraph G. "Qualified equity investment" includes any qualified equity investment that does not meet the provisions of Title 10, section 1100-Z, subsection 3, paragraph G if the investment was a qualified equity investment in the hands of a prior holder. The qualified community development entity shall keep sufficiently detailed books and records with respect to the investments made with the proceeds of the qualified equity investments to allow the direct tracing of the proceeds into qualified low-income community investments in qualified active low-income community businesses in the State.

J. "Qualified low-income community investment" means any capital or equity investment in, or loan to, any qualified active low-income community business made after the effective date of this paragraph. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments that may be made in the business, on a collective basis with all of its affiliates, with the proceeds of qualified equity investments that have been certified under Title 10, section 1100-Z, subsection 3, paragraph G is $10,000,000 whether made by one or several qualified community development entities.

**2. Credit allowed.** A person that holds a qualified equity investment certified by the authority pursuant to Title 10, section 1100-Z, subsection 3, paragraph G on a credit allowance date that falls within the taxable year is allowed a credit equal to the applicable percentage that applies to the credit allowance date multiplied by the purchase price paid for the qualified equity investment. Notwithstanding any other provision of law, other than the recapture provisions of subsection 7, the person, and any subsequent person, that is the holder of the credit certificate issued by the authority for a qualified equity investment is entitled, in the aggregate, to the entire 39% credit amount computed with respect to the 7 credit allowance dates. In no event may the credit amount in the aggregate exceed 39% for any single qualified equity investment certified by the authority.

**3. Memorandum of agreement.** Upon receipt of the authority's written notice of the certification of a qualified equity investment's tax credit eligibility, the commissioner shall enter into an agreement on behalf of the State with the person eligible to claim the credit pursuant to Title 10, section 1100-Z, subsection 3, paragraph G. That agreement must provide that the State shall, with the exception of recapture pursuant to subsection 7, allow the tax credit as provided for in subsection 2 and recognize that the person named as eligible for tax credit pursuant to Title 10, section 1100-Z, subsection 3, paragraph G is entitled to claim the tax credits and the respective tax credit amounts in the aggregate, to the entire 39% credit amount computed with respect to the 7 credit allowance dates.

**4. Carry-over to succeeding year.** Any unused portion of the credit may be carried over to the following taxable year or years, except that the carry-over

period for unused credit amounts may not exceed 20 years.

**5. Pass-through entity; allocation of the credit.** Credits allowed pursuant to this section to a partnership, limited liability company, S corporation or other similar pass-through entity must be allocated to the partners, members, shareholders or other owners in accordance with section 5219-G or pursuant to an executed agreement among the partners, members or shareholders or other owners documenting an alternate allocation method.

**6. Credit refundable.** The credit allowed under this section is fully refundable.

**7. Recapture of credits.** The assessor may recapture all of the credit allowed under this section if:

A. Any amount of federal tax credits available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under the Code, Section 45D. In such case, the recapture must be proportionate to the federal recapture with respect to the qualified equity investment;

B. The qualified community development entity redeems or makes a principal repayment with respect to the qualified equity investment that generated the tax credit prior to the final credit allowance date of the qualified equity investment. In such case, the recapture must be proportionate to the amount of the redemption or repayment with respect to the qualified equity investment; or

C. The qualified community development entity fails to invest at least 85% of the purchase price of the qualified equity investment in qualified low-income community investments in qualified active low-income community businesses located in the State within 24 months of the issuance of the qualified equity investment and maintain this level of investment in qualified low-income community investments in qualified active low-income community businesses located in the State until the last credit allowance date for the qualified equity investment. For purposes of calculating the amount of qualified low-income community investments held by a qualified community development entity, an investment is considered held by the qualified community development entity even if the investment has been sold or repaid as long as the qualified community development entity reinvests an amount equal to the capital returned to or recovered from the original investment, exclusive of any profits realized, in another qualified active low-income community business in this State within 12 months of the receipt of the capital. A qualified community development entity may not be required to reinvest capital returned from qualified low-income community investments after the 6th anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment is considered to be held by the issuer through the qualified equity investment's final credit allowance date.

The assessor shall provide written notice to the qualified community development entity of any proposed recapture of tax credits pursuant to this subsection. The qualified community development entity must be provided 90 days to cure any deficiency indicated in the authority's original recapture notice and avoid such recapture. If the entity fails or is unable to cure the deficiency within the 90-day period, the assessor shall provide the qualified community development entity and the person from whom the credit is to be recaptured with a final order of recapture. Any amount of tax credits for which a final recapture order has been issued must be recaptured from the person that actually claimed the tax credit.

**Sec. Q-7. Application.** This Part applies to tax years beginning on or after January 1, 2012.

## PART R

**Sec. R-1. Calculation and transfer; General Fund; central services savings.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each General Fund account for departments and agencies statewide as a result of improvements in contracting with vendors and the use of procurement cards. 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 years 2011-12 and 2012-13. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts not later than January 15, 2012.

**Sec. R-2. 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 in the procurement of goods and services.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Unallocated | ($2,000,000) | ($2,000,000) |
| GENERAL FUND TOTAL | ($2,000,000) | ($2,000,000) |

## PART S

**Sec. S-1. 28-A MRSA §89** is enacted to read:

**§89. Renewal of contracts for wholesale liquor activities**

**1. Minimum requirements.** The Commissioner of Administrative and Financial Services shall enter into a competitive bidding or bargaining process to renew, replace or continue any contract awarded pursuant to section 88 for the sale, franchise, license or lease of the State's wholesale liquor activities associated with distributing and selling spirits and fortified wines sold by the State and shall award the contract at least one year before the end of the contract that is scheduled to end on June 30, 2014 and no later than June 20, 2013. The joint standing committee of the Legislature having jurisdiction over veterans and legal affairs and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs must have an opportunity to review the contract prior to its execution. A contract awarded under this subsection may not extend for more than 10 years and must require the following payments:

A. A minimum initial payment of $20,000,000 by the entity awarded the contract, or by its financier, due at the time of the award of the contract;

B. Ten guaranteed fixed annual payments over the life of the contract that equal the balance of the contract value after the payment made pursuant to paragraph A, to be paid in equal payments, as adjusted by any applicable inflation factor, due at the beginning of each state fiscal year for which the contract is in effect; and

C. Ten annual payments, due one month after the end of each state fiscal year, that represent the contractually negotiated percentage of the profits of the previous calendar year that is due to the State.

**2. Allocation of contract payments.** The payments required pursuant to subsection 1 must be allocated in accordance with this subsection.

A. The payments under subsection 1, paragraphs A and C accrue to the General Fund.

B. The guaranteed fixed annual payments under subsection 1, paragraph B must be distributed as follows:

(1) An amount equal to 15% of the payment or the maximum amount allowed for federal matching purposes, whichever is less, must be deposited in the Department of Health and Human Services, Drinking Water Enforcement program, Other Special Revenue Funds account for the revolving loan fund for drinking water systems; and in the Department of Environmental Protection, Land and Water Quality program, Other Special Revenue Funds account for the revolving loan fund for wastewater treatment facilities;

(2) An amount equal to 20% of the payment must be deposited in the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds account to be used for highway preservation and rehabilitation projects;

(3) An amount equal to 35% of the payment must be deposited to the General Fund; and

(4) An amount equal to 30% of the payment, plus any amounts remaining from the distribution pursuant to subparagraph (1), must be deposited to the Maine Budget Stabilization Fund.

## PART T

**Sec. T-1. 3 MRSA §851, sub-§1-D** is enacted to read:

**1-D. At least 5 years creditable service on July 1, 2011.** Eligibility for retirement for a member who on July 1, 2011 had at least 5 years of creditable service is governed by subsection 1-B if the member had 10 years of creditable service or was at least 60 years of age on July 1, 1993 or by subsection 1-C if the member had less than 10 years of creditable service on July 1, 1993.

**Sec. T-2. 3 MRSA §851, sub-§1-E** is enacted to read:

**1-E. Less than 5 years creditable service on July 1, 2011.** A member who on July 1, 2011 had less than 5 years of creditable service may retire at 65 years of age or thereafter, whether or not the member is in service at retirement, as long as the member has at the time of retirement at least 5 years of creditable service. Creditable service as a member of any other retirement program of the Maine Public Employees Retirement System may be combined with creditable service as a member of the Legislative Retirement Program for the purpose of determining the completion of 5 years of creditable service.

**Sec. T-3. 3 MRSA §851, sub-§2-B,** as enacted by PL 1999, c. 756, §4, is amended to read:

**2-B. Five-year minimum creditable service requirement for eligibility to receive a service retirement benefit at applicable age; applicability.** The minimum requirement of 5 years of creditable service for eligibility to receive service retirement benefits under subsection 1-C, 1-D or 1-E applies only to:

A. A member who was in service on October 1, 1999;

B. Upon return to service, a member who had left service prior to October 1, 1999 with or without

withdrawing that member's contributions and who on or after October 1, 1999 returned to service; or

C. A member who was first in service on or after October 1, 1999.

For those members to whom the 5-year minimum creditable service requirement does not apply, the 10-year minimum creditable service requirement for eligibility to receive service retirement benefits remains in effect on and after October 1, 1999.

**Sec. T-4. 3 MRSA §851, sub-§2-C** is enacted to read:

**2-C. Early retirement; less than 5 years creditable service on July 1, 2011.** Any member, whether or not in service at retirement, who on July 1, 2011 had less than 5 years of creditable service and who has completed at least 25 years of creditable service may retire any time before the member's 65th birthday. Creditable service as a member of any other retirement program of the Maine Public Employees Retirement System may be combined with creditable service as a member of the Legislative Retirement Program for the purpose of determining the completion of 25 years of creditable service. The retirement allowance is determined in accordance with section 852, except that it is reduced by 6% for each year that the member's age precedes age 65.

**Sec. T-5. 4 MRSA §1351, sub-§1-B** is enacted to read:

**1-B. At least 5 years creditable service on July 1, 2011.** Eligibility for retirement for a member who on July 1, 2011 had at least 5 years of creditable service is governed by subsection 1 if the member had 10 years of creditable service on July 1, 1993 or by subsection 1-A, if the member had less than 10 years of creditable service on July 1, 1993.

**Sec. T-6. 4 MRSA §1351, sub-§1-C** is enacted to read:

**1-C. Less than 5 years creditable service on July 1, 2011.** A member who on July 1, 2011 had less than 5 years of creditable service may retire at 65 years of age or thereafter, whether or not the member is in service at retirement, as long as the member has at the time of retirement at least 5 years of creditable service.

**Sec. T-7. 4 MRSA §1351, sub-§2-A,** as enacted by PL 1999, c. 756, §7, is amended to read:

**2-A. Five-year minimum creditable service requirement for eligibility to receive a service retirement benefit at applicable age; applicability.** The minimum requirement of 5 years of creditable service for eligibility to receive service retirement benefits under subsection 1-A, 1-B or 1-C applies only to:

A. A member who was in service on October 1, 1999;

B. Upon return to service, a member who had left service prior to October 1, 1999 with or without withdrawing that member's contributions and on or after October 1, 1999 returned to service; or

C. A member who was first in service on or after October 1, 1999.

For those members to whom the 5-year minimum creditable service requirement does not apply, the 10-year minimum creditable service requirement for eligibility to receive service retirement benefits remains in effect on and after October 1, 1999.

**Sec. T-8. 4 MRSA §1351, sub-§3-B** is enacted to read:

**3-B. Early retirement; less than 5 years creditable service on July 1, 2011.** Any member, whether or not in service at retirement, who on July 1, 2011 had less than 5 years of creditable service and who had completed at least 25 years of creditable service may retire any time before the member's 65th birthday. The retirement allowance is determined in accordance with section 1352, except that the benefit is reduced by 6% for each year that the member's age precedes age 65.

**Sec. T-9. 4 MRSA §1358, sub-§1,** as amended by PL 2009, c. 473, §§1 and 2, is repealed and the following enacted in its place:

**1. Cost-of-living adjustments.** Except as provided in subsection 2, paragraph A, retirement allowances under this chapter must be adjusted on the same basis as provided for members of the State Employee and Teacher Retirement Program by Title 5, section 17806.

**Sec. T-10. 5 MRSA §17806, sub-§1, ¶A,** as amended by PL 2009, c. 473, §3, is further amended to read:

A. Except as provided in paragraph A-1, whenever there is a percentage increase in the Consumer Price Index from July 1st to June 30th, the board shall automatically make an equal percentage increase in retirement benefits, beginning in September, up to a maximum annual increase of ~~4%~~ 3%. Effective July 1, 2011, the increase applies to that portion of the retirement benefit, up to $20,000, which amount must be indexed in subsequent years by the same percentage adjustments granted under this paragraph.

**Sec. T-11. 5 MRSA §17806, sub-§1, ¶B,** as amended by PL 1989, c. 557, is further amended to read:

B. Whenever the annual percentage increase in the Consumer Price Index from July 1st to June 30th exceeds ~~4%~~ 3%, the board shall make whatever adjustments in the retirement benefits are necessary to reflect an annual increase of ~~4%~~ 3%

and shall submit a supplemental budget request to the Governor for the additional funds that would be required to make adjustments in the retirement benefits to reflect the actual increase in the Consumer Price Index. The request ~~shall~~ must include a report stating the cost of the ~~4%~~ 3% increase, the actual percentage increase in the Consumer Price Index and the percentage adjustments granted during the previous 5 years. The board shall make an additional adjustment in the retirement benefits in the month following the appropriation only in that amount.

**Sec. T-12. 5 MRSA §17851, sub-§1-D** is enacted to read:

**1-D. Member in service at retirement; at least 5 years creditable service on July 1, 2011.** Eligibility for retirement for a member who on July 1, 2011 had at least 5 years of creditable service is governed by subsection 1-B if the member had 10 years of creditable service on July 1, 1993 or was 60 years of age and had been in service for a minimum of one year immediately before July 1, 1993 or by subsection 1-C if the member had less than 10 years of creditable service on July 1, 1993 and had not reached 60 years of age with one year of creditable service immediately before July 1, 1993. For the purpose of calculating creditable service under this subsection only, creditable service includes:

A. Creditable service available to a member that the member was eligible to purchase on June 30, 2011 and that the member does purchase in accordance with rules adopted by the board; and

B. Creditable service for which the member makes payment for certain days off without pay during fiscal year 2009-10 or fiscal year 2010-11. The amount of the required payment must be made in accordance with section 17704-B and payment may be made at any time prior to retirement.

**Sec. T-13. 5 MRSA §17851, sub-§1-E** is enacted to read:

**1-E. Member in service at retirement; fewer than 5 years creditable service on July 1, 2011.** A member who on July 1, 2011 had neither 5 years of creditable service nor had reached 62 years of age with one year of creditable service immediately before July 1, 2011 who is in service at retirement qualifies for a service retirement benefit if the member retires upon or after reaching 65 years of age.

The creditable service and age requirements of this subsection may not be increased for a member who:

A. Has been in service for a minimum of one year immediately before retirement or has at least 5 years of creditable service, which, for the purpose of determining completion of the 5-year requirement, may include creditable service as a member of the Legislative Retirement Program under Title 3, section 701, subsection 8; or

B. Meets the applicability requirements of subsection 3-A.

**Sec. T-14. 5 MRSA §17851, sub-§2-D** is enacted to read:

**2-D. Member not in service at retirement; at least 5 years creditable service on July 1, 2011.** Eligibility for retirement for a member who is not in service at retirement and who on July 1, 2011 had at least 5 years of creditable service is governed by subsection 2-B if the member had 10 years of creditable service on July 1, 1993 or by subsection 2-C if the member had less than 10 years of creditable service on July 1, 1993. For the purpose of calculating creditable service under this subsection only, creditable service includes:

A. Creditable service available to a member that the member was eligible to purchase on June 30, 2011 and that the member does purchase in accordance with rules adopted by the board; and

B. Creditable service for which the member makes payment for certain days off without pay during fiscal year 2009-10 or fiscal year 2010-11. The amount of the required payment must be made in accordance with section 17704-B and payment may be made at any time prior to retirement.

**Sec. T-15. 5 MRSA §17851, sub-§2-E** is enacted to read:

**2-E. Member not in service at retirement; fewer than 5 years creditable service on July 1, 2011.** A member who on July 1, 2011 did not have 5 years of creditable service and who is not in service at retirement qualifies for a service retirement benefit if the member retires upon or after reaching 65 years of age:

The creditable service and age requirements of this subsection may not be increased for a member who:

A. Has at least 5 years of creditable service, which, for the purpose of determining completion of the 5-year requirement, may include creditable service as a member of the Legislative Retirement Program under Title 3, section 701, subsection 8; or

B. Meets the applicability requirements of subsection 3-A.

**Sec. T-16. 5 MRSA §17851, sub-§3-A,** as amended by PL 1999, c. 756, §15, is further amended to read:

**3-A. Five-year minimum creditable service requirement for eligibility to receive a service retire-**

**ment benefit at the applicable age; applicability.** The minimum requirement of 5 years of creditable service for eligibility to receive service retirement benefits under subsection 1-C, paragraph B ~~and~~, subsection 2-C, paragraph B and subsections 2-D and 2-E applies only to:

A. A member who is in service on October 1, 1999;

B. Upon return to service, a member who had left service prior to October 1, 1999 with or without withdrawing that member's contributions and on or after October 1, 1999 returns to service; or

C. A member who is first in service on or after October 1, 1999.

For other members to whom subsections 1-C ~~and~~, 2-C, 2-D and 2-E apply, the 10 years of creditable service requirement for eligibility to receive a service retirement benefit at the applicable age remains in effect on and after October 1, 1999.

**Sec. T-17. 5 MRSA §17852, sub-§1,** as amended by PL 2007, c. 491, §160, is further amended to read:

**1. Member in service at retirement.** The amount of the service retirement benefit for members qualified under section 17851, subsection 1-B ~~or~~, 1-C, 1-D or 1-E must be computed as follows:

A. One-fiftieth of the member's average final compensation multiplied by the number of years of membership service and up to 25 years of prior service. Membership service under this paragraph does not include creditable service under the Legislative Retirement Program;

B. The total amount of the service retirement benefit of any member qualifying under section 17851, subsection 1-B ~~or~~, 1-C, 1-D or 1-E who became a member before July 1, 1947, and for whom the date of establishment of the retirement system is July 1, 1942, must be at least equal to 1/2 of the member's average final compensation, if the member has at least 20 years of total creditable service, including at least 13 years of prior service if the member retires upon or after reaching age 70; or

C. Effective October 1, 1999, for a member who, on October 1, 1999 or thereafter, meets the creditable service requirement for eligibility to receive a service retirement benefit, at the applicable age if so required, under section 17851, subsection 1-B; section 17851, subsection 1-C, paragraph A; section 17851, subsection 1-C, paragraph B; section 17851, subsection 1-D; section 17851, subsection 1-E; section 17851, subsection 2-B; section 17851, subsection 2-C, paragraph A; ~~or~~ section 17851, subsection 2-C, paragraph B; section 17851, subsection 2-D; or section 17851, subsection 2-E, the factors specified in paragraphs A and B may not be changed, alone or in combination.

**Sec. T-18. 5 MRSA §17852, sub-§2,** as amended by PL 1999, c. 489, §15, is further amended to read:

**2. Member not in service at retirement.** The amount of the service retirement benefit for members qualified under section 17851, subsection 2-B ~~or~~, 2-C, 2-D or 2-E must be computed in accordance with subsection 1.

**Sec. T-19. 5 MRSA §17852, sub-§3-B** is enacted to read:

**3-B. Member with creditable service of 25 years or more whether or not in service at retirement; fewer than 5 years of creditable service on July 1, 2011.** The amount of the service retirement benefit for members qualified under section 17851, subsection 3 is computed in accordance with subsection 1, except that the benefit is reduced by 6% for each year that the member's age precedes 65 years of age.

**Sec. T-20. 5 MRSA §17857, sub-§3-B** is enacted to read:

**3-B. Reduction of benefits; less than 5 years of creditable service on July 1, 2011.** On and after July 1, 2011, upon retirement before reaching the 65 years of age, the service retirement benefit of a member who transferred or who was restored to service subject to subsection 2 must be reduced as follows:

A. If the member transferred under the provisions of subsection 2, paragraph A:

(1) If applicable, the portion of the retirement benefit based upon creditable service earned before being transferred must be reduced in accordance with section 17852, subsection 10, paragraph C-1 or, if the member was covered under section 17851-A, the portion of the retirement benefit based upon creditable service earned before being transferred must be reduced as provided in that section; and

(2) The portion of the retirement benefit based upon creditable service earned after being transferred must be reduced in accordance with section 17852, subsection 3-B.

B. If the member was a retiree restored to service subject to subsection 2, former paragraph B:

(1) If applicable, the portion of the retirement benefit based upon creditable service earned before the member's initial retirement must be reduced in accordance with section 17852, subsection 10, paragraph C-1 or, if the member was covered under section 17851-A, the portion of the retirement benefit based upon creditable service earned before the member's

initial retirement must be reduced as provided in that section; and

(2) The portion of the retirement benefit based upon creditable service earned after being restored to service must be reduced in accordance with section 17852, subsection 3-B.

C. If the member was transferred subject to subsection 2, paragraph C, the retirement benefit must be reduced in accordance with section 17852, subsection 3-B.

D. If the member was transferred subject to subsection 2, paragraph D and:

(1) If the member completes the service or service and age requirements for retirement under the special plan that the member was under previously, if applicable, the retirement benefit must be reduced in accordance with section 17852, subsection 10, paragraph C-1 or, if the member was covered under section 17851-A, the retirement benefit must be reduced as provided in that section; or

(2) If the member does not complete the service or service and age requirements for retirement under the special plan that the member was under previously, the retirement benefit must be reduced in accordance with section 17852, subsection 3-B.

This subsection applies to members who on July 1, 2011 have less than 5 years of creditable service under this Part. For the purpose of calculating creditable service under this subsection, creditable service includes: creditable service under this Part; creditable service as a member of the Legislative Retirement Program under Title 3, section 701, subsection 8; creditable service available to a member that the member was eligible to purchase on June 30, 2011 and that the member does purchase in accordance with rules adopted by the board; and creditable service for which the member makes payment for certain days off without pay during fiscal year 2009-10 or fiscal year 2010-11. The amount of the required payment must be made in accordance with section 17704-B and payment may be made at any time prior to retirement.

**Sec. T-21. Cost-of-living increase to retirement benefits.** Notwithstanding any other provision of law, retirement benefits may not be adjusted to reflect any cost-of-living increase that would otherwise begin in September 2011, September 2012 or September 2013.

**Sec. T-22. Noncumulative cost-of-living adjustment retirement benefit.** No later than August 15th in 2012, 2013 and 2014, the Executive Director of the Maine Public Employees Retirement System shall notify the State Controller of the total cost of providing a payment to retirees that would otherwise have been eligible for a cost-of-living adjustment but for the operation of the suspension of the annual cost-of-living adjustments pursuant to the provisions of this Part. The benefit calculation is equal to the change in the Consumer Price Index for the year ending in June of the prior calendar year, up to a maximum of 3%, but in no case may the change be less than 0%, multiplied by the retirement benefit payments up to a maximum of $20,000 for the one-year period ending August 31st of that calendar year, excluding any retirement benefits calculated pursuant to this section. The State Controller shall transfer the amounts calculated pursuant to this section up to the balance available in the reserve for retirement benefits established in the Maine Revised Statutes, Title 5, section 1522 no later than September 1st of each year. If the balance in the reserve for retirement benefits on that date is not sufficient to fully fund the total benefits calculated, the State Controller shall transfer the amount that is available in the reserve to the Maine Public Employees Retirement System and the executive director shall proportionally reduce the benefit calculated by this section to equal the amount of funding provided.

**Sec. T-23. Award a cost-of-living adjustment.** Notwithstanding the provisions of the Maine Revised Statutes, Title 5, section 17806, subsection 1, paragraph A-1 and any other provision of this Part, in 2011 the Board of Trustees of the Maine Public Employees Retirement System shall award a cost-of-living adjustment to retirees of the Legislative Retirement Program, the Judicial Retirement Program and the State Employee and Teacher Retirement Program equal to the amount required to achieve cost-neutrality as required in Title 5, section 17806, subsection 1, paragraph A-1 as a result of the 2009 negative Consumer Price Index. The board shall award this cost-of-living adjustment only if the Consumer Price Index is at a level sufficient to allow for the adjustment; there is no increase in member benefits; there is no additional cost to the State; and there is no increase in the plans' unfunded actuarial liability.

**Sec. T-24. Calculation and transfer of funds; retiree cost-of-living adjustment savings.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each account for departments and agencies statewide that have occurred as a result of updated actuarial assumptions and the changes to retirement benefits authorized in this Part. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor on or before January 15, 2012. These transfers are considered adjustments to appropriations and allocations in fiscal year 2011-12 and fiscal year 2012-13.

**Sec. T-25. 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 to reflect projected savings from changes to future pension obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($21,257,303) | ($22,754,814) |
| GENERAL FUND TOTAL | ($21,257,303) | ($22,754,814) |

**Executive Branch Departments and Independent Agencies - Statewide 0017**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($2,502,574) | ($4,065,180) |
| GENERAL FUND TOTAL | ($2,502,574) | ($4,065,180) |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | ($23,759,877) | ($26,819,994) |
| DEPARTMENT TOTAL - ALL FUNDS | ($23,759,877) | ($26,819,994) |

**Sec. T-26. Effective date.** Those sections of this Part that amend the Maine Revised Statutes, Title 5, section 17806, subsection 1, paragraphs A and B take effect January 1, 2014.

## PART U

**Sec. U-1. Design of new retirement benefit plan for state employees and teachers; working group established.** A working group, referred to in this Part as "the working group," is established to develop an implementation plan designed to close the current defined benefit retirement plan for all state employees and teachers and replace it with a retirement benefit plan, referred to in this Part as "the plan," that is supplemental to Social Security and applies to all state employees and teachers who are first hired after June 30, 2015 with no prior creditable service. The working group must be staffed within the existing resources of the Maine Public Employees Retirement System and the Department of Administrative and Financial Services.

**1. Definitions.** For purposes of this Part, the following terms have the following meanings.

A. "State employee" has the same meaning as in the Maine Revised Statutes, Title 5, section 17001, subsection 40.

B. "Teacher" has the same meaning as in the Maine Revised Statutes, Title 5, section 17001, subsection 42.

**2. Working group membership.** The working group consists of:

A. The Executive Director of the Maine Public Employees Retirement System, who serves as the chair of the working group;

B. The Commissioner of Administrative and Financial Services, or a designee of the commissioner;

C. A member appointed by the chair of the working group nominated by the Maine Education Association;

D. A member appointed by the chair of the working group nominated by the Maine School Management Association; and

E. A member appointed by the chair of the working group nominated by the Maine State Employees Association.

**3. New retirement plan.** The working group shall design a retirement plan to supplement Social Security for state employees and teachers in accordance with this subsection.

A. Every member of the plan must contribute to both Social Security and Medicare, and the employer of each member must contribute the employer's share of Social Security and Medicare.

B. Each active member of the plan must be entitled to participate in a supplemental retirement plan.

C. The supplemental retirement plan must be designed to:

(1) Attract new state employees and teachers and meet employer recruitment needs and employee needs for retirement benefit portability and retirement security;

(2) Be competitive with retirement benefit plans provided by similar employers that contribute to their employees' retirement security in addition to Social Security;

(3) Limit the State's long-term cost exposure to 2% of employee gross payroll and the employee's exposure to loss of retirement security;

(4) Provide the State with the ability to make additional retirement plan contributions in any given biennium without increasing the 2% long-term contribution ceiling;

(5) Ensure that employees and employers share plan administrative costs; and

(6) Provide financial information to assist employees in understanding how to preserve their living standards.

**4. Duties.** The working group shall consult, as needed, with experts in the retirement and investment field and shall:

A. Determine the financial impact on the State and other public employers over time of closing the current retirement plan to new entrants and offering a new retirement plan consisting of Social Security and a supplemental retirement plan;

B. Develop an implementation date that creates the most predictable and affordable transition from the current plan to the new plan;

C. Identify and develop any modifications that can be made to the existing plan before it is closed to make the cost of the plan more predictable and affordable and to improve the ability of public employers to attract new employees while transitioning to the new plan; and

D. Study the impact of options for amending the Constitution of Maine to change the 10-year period required for amortization of experience losses and the requirement that all unfunded liabilities be eliminated by 2028.

**Sec. U-2. Report.** The working group shall submit a report on the design of the plan under section 1, together with any necessary implementing legislation, to the Joint Standing Committee on Appropriations and Financial Affairs by January 1, 2012. After receipt and review of the report, the joint standing committee may report out a bill to the Second Regular Session of the 125th Legislature.

## PART V

**Sec. V-1. 5 MRSA §285, sub-§7, ¶¶I to L** are enacted to read:

I. For persons who were first employed by the State on or after July 1, 2011, the State shall pay a pro rata portion of only the retiree's share of the premiums for the standard plan identified and offered by the commission and available to the retiree, as authorized by the commission for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G based on the total number of years of participation in the group health plan prior to retirement as follows.

(1) For an employee with at least 10 but less than 15 years of participation, the state portion is up to 50% of the group health plan premium.

(2) For an employee with at least 15 but less than 20 years of participation, the state portion is up to 75% of the group health plan premium.

(3) For an employee with at least 20 years of participation, the state portion is up to 100% of the group health plan premium.

(4) For an employee with less than 10 years of participation, there is no contribution by the State.

J. Those state employees that retire after January 1, 2012, or those state employees employed as teachers in the unorganized territory or the Maine Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf that retire after July 1, 2012, under the provisions of section 17851, subsections 1-B, 1-C, 2-B, 2-C and 3 shall contribute 100% of the individual premium until such time as the retiree reaches normal retirement age.

K. The total premium increase for active and retired state employee health insurance is capped at the fiscal year 2010-11 funding level for the fiscal years ending June 30, 2012 and June 30, 2013.

L. The provisions of paragraphs I and J do not apply to those individuals receiving retirement benefits under section 17907 or section 17929.

**Sec. V-2. Calculation and transfer of funds; retiree health insurance.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall calculate the amount of savings in in section 5 that applies against each account for departments and agencies statewide that have occurred as a result of the retiree health provisions authorized in this Part. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor on or before January 15, 2012. These transfers are considered adjustments to appropriations and allocations in fiscal years 2011-12 and 2012-13.

**Sec. V-3. Calculation and transfer of funds; health insurance.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall calculate the amount of savings in in section 6 that applies against each account for departments and agencies statewide that have occurred as a result of the

health insurance provisions authorized in this Part. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor on or before January 15, 2012. These transfers are considered adjustments to appropriations and allocations in fiscal years 2011-12 and 2012-13.

**Sec. V-4. Report.** The Executive Director of Employee Health and Benefits within the Department of Administrative and Financial Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs on or before January 1, 2012 with a plan to constrain health insurance premium growth in the future.

**Sec. V-5. 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 to reflect projected savings from changes to future retiree health obligations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($5,542,429) | ($9,157,284) |
| GENERAL FUND TOTAL | ($5,542,429) | ($9,157,284) |

**Sec. V-6. 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 to reflect projected savings from maintaining the cost of health insurance at the fiscal year 2010-11 level.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($4,591,812) | ($9,552,949) |
| GENERAL FUND TOTAL | ($4,591,812) | ($9,552,949) |

**Sec. V-7. Effective date.** That section of this Part that enacts the Maine Revised Statutes, Title 5, section 285, subsection 7, paragraphs I to L takes effect July 1, 2011.

## PART W

**Sec. W-1. 20-A MRSA §13451, sub-§2,** as amended by PL 2001, c. 439, Pt. PP, §1 and PL 2007, c. 58, §3, is further amended to read:

**2. Eligible for membership prior to July 1, 2011; retired teacher members.** ~~Any~~ A retired teacher who receives a retirement benefit from and who became eligible for membership in the ~~Maine Public Employees~~ State Employee and Teacher Retirement System before July 1, 2011 is eligible for group accident and sickness or health insurance, ~~provided that~~ as long as the retired teacher has a minimum of 5 years creditable service and also meets the eligibility requirements for participation imposed by the group plan that governed the teacher last as an active teacher and participated in the plan for one year immediately prior to retirement or October 1, 1987, whichever comes last. Retired teachers may not be required to maintain a dues-paying membership in any organization as a requirement for participation in a group health insurance plan under this subsection.

**Sec. W-2. 20-A MRSA §13451, sub-§2-D** is enacted to read:

**2-D. Eligible for membership on or after July 1, 2011; retired teacher members.** A retired teacher who receives a retirement benefit from and who became eligible for membership in the State Employee and Teacher Retirement System on or after July 1, 2011 is eligible for group accident and sickness or health insurance, as long as the retired teacher has a minimum of 10 years creditable service and also meets the eligibility requirement for participation imposed by the group plan that governed the teacher last as an active teacher and participated in the plan for one year immediately prior to retirement. Retired teachers may not be required to maintain a dues-paying membership in any organization as a requirement for participation in a group health insurance plan under this subsection.

**Sec. W-3. 20-A MRSA §13451, sub-§3,** as amended by PL 2005, c. 12, Pt. X, §1 and c. 457, Pt. TT, §§1 and 2, is further amended to read:

**3. Payment by State.** The State shall pay a percentage of the retired teacher members' share of this insurance according to the following schedule:

A. Thirty percent until July 1, 2002;

B. Thirty-five percent from July 1, 2002 to July 31, 2003;

C. Forty percent from August 1, 2003 to December 31, 2005; and

D. Forty-five percent after December 31, 2005.

Except for individuals receiving retirement benefits under Title 5, section 17907 or 17192, for a teacher who retires after July 1, 2012, the State shall begin paying the percentage of the retired teacher member's share pursuant to this subsection when the retiree reaches normal retirement age.

For the fiscal years ending June 30, 2012 and June 30, 2013, the State's total cost for retired teachers' health

insurance premiums is capped at the fiscal year 2010-11 funding level.

**Sec. W-4. Report.** The Executive Director of the Division of Employee Health and Benefits within the Department of Administrative and Financial Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs on or before January 1, 2012 with an implementation plan to bring Medicare-eligible teachers into the state retiree group health plan.

**Sec. W-5. Effective date.** This Part takes effect July 1, 2011.

## PART X

**Sec. X-1. 5 MRSA §1522** is enacted to read:

**§1522. Reserve for retirement costs**

**1. Reserve for retirement benefits established.** The State Controller shall, at the close of each of the fiscal years ending June 30, 2012, June 30, 2013 and June 30, 2014, as the next priority after the transfers authorized pursuant to section 1507 and section 1511, and after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made, transfer from the available balance in the unappropriated surplus of the General Fund up to $15,000,000 per year to a reserve account within the General Fund established for the purpose of providing the resources to fund retirement payments for retired state employees and teachers.

**2. Transfer of unused balance in reserve account.** At the close of the fiscal year ending June 30, 2015, the State Controller shall transfer any balance remaining in the reserve account under subsection 1 to the Maine Budget Stabilization Fund established by section 1532.

**Sec. X-2. 5 MRSA §1536, sub-§1,** as amended by PL 2005, c. 519, Pt. VV, §4, is further amended to read:

**1. Fourth priority reserve.** The State Controller shall, as the ~~3rd~~ 4th priority after the transfers to the State Contingent Account pursuant to section 1507 ~~and~~, the transfers to the Loan Insurance Reserve pursuant to section 1511 and the transfers pursuant to section 1522 at the close of each fiscal year, transfer from the unappropriated surplus of the General Fund an amount equal to the amount available from the unappropriated surplus after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made as follows:

A. Thirty-five percent to the stabilization fund;

B. Twenty percent to the Retirement Allowance Fund established in section 17251;

C. Twenty percent to the Reserve for General Fund Operating Capital;

D. Fifteen percent to the Retiree Health Insurance Internal Service Fund established in section 1519 to be used solely for the purpose of amortizing the unfunded actuarial liability associated with future health benefits; and

E. Ten percent to the Capital Construction and Improvements Reserve Fund established in section 1516-A.

## PART Y

**Sec. Y-1. 5 MRSA §286-B,** as amended by PL 2009, c. 213, Pt. N, §1, is further amended to read:

**§286-B. Irrevocable Trust Funds for Other Post-employment Benefits**

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

A. "Retiree health benefits" means health benefits as determined from time to time by the State Employee Health Commission pursuant to section 285.

B. "Investment trust fund" means the Retiree Health Insurance Post-employment Benefits Investment Trust Fund established under section 17432.

C. "Irrevocable trust ~~fund~~ funds" means the Irrevocable Trust ~~Fund~~ Funds for Other Post-employment Benefits established under subsection 2. "Irrevocable trust funds" includes the state employee plan, the teacher plan and the first responder plan.

D. "State employee plan" means the irrevocable trust fund established for eligible participants described in section 285, subsection 1-A.

E. "Teacher plan" means the irrevocable trust fund established for eligible participants described in Title 20-A, section 13451, subsections 2, 2-A, 2-B and 2-C.

F. "First responder plan" means the irrevocable trust fund established for eligible participants described in section 285, subsection 11-A.

**2. Establishment.** The Irrevocable Trust ~~Fund~~ Funds for Other Post-employment Benefits ~~is~~ are established to meet the State's unfunded liability obligations for retiree health benefits. The state employee plan is established for eligible participants as described in section 285, ~~subsections~~ subsection 1-A ~~and 11-A who are the beneficiaries of the irrevocable trust fund and~~. The teacher plan is established for eligible participants, beginning July 1, 2011 ~~for eligible participants,~~ as described in Title 20-A, section 13451, subsections 2, 2-A, 2-B and 2-C ~~who are the benefici-~~

~~aries of the irrevocable trust fund~~. The first responder plan is established for eligible participants as described in section 285, subsection 11-A. Funds appropriated for the irrevocable trust ~~fund~~ funds must be held in trust and must be invested or disbursed for the exclusive purpose of providing for retiree health benefits and may not be encumbered for, or diverted to, other purposes. Funds appropriated for the irrevocable trust ~~fund~~ funds may not be diverted or deappropriated by any subsequent action.

Annually, beginning with the fiscal year starting July 1, 2007, the Legislature shall appropriate funds to meet the State's obligations under any group health plan, policy or contract purchased by the State Employee Health Commission to provide retiree health benefits pursuant to section 285, subsection 5 and, if applicable, to meet the State's obligations under any self-insured group health plan pursuant to section 285, subsection 9. Unfunded liabilities may not be created except those resulting from experience losses. Unfunded liability resulting from experience losses must be retired over a period not exceeding 10 years.

Annually, beginning with the fiscal year starting July 1, 2009, the Legislature shall appropriate funds that will retire, in 30 years or less from July 1, 2007, the unfunded liability for retiree health benefits for eligible participants ~~as described~~ in ~~this section~~ the state employee plan. The unfunded liability referred to in this section is that determined by the Department of Administrative and Financial Services, Office of the State Controller's actuaries and certified by the Commissioner of Administrative and Financial Services as of June 30, 2006.

Annually, beginning with the fiscal year starting July 1, 2011, the Legislature shall appropriate funds that will retire, in 30 years or less from July 1, 2007, the unfunded liability for retiree health benefits for eligible participants in the first responder plan. The unfunded liability referred to in this section is that determined by the Department of Administrative and Financial Services, Office of the State Controller's actuaries and certified by the Commissioner of Administrative and Financial Services as of June 30, 2006.

Annually, beginning with the fiscal year starting July 1, 2013, the Legislature shall appropriate funds that will retire, in 30 years or less from July 1, 2007, the unfunded liability for retiree health benefits for eligible participants in the teacher plan. The unfunded liability referred to in this section is that determined by the Department of Administrative and Financial Services, Office of the State Controller's actuaries and certified by the Commissioner of Administrative and Financial Services as of June 30, 2006.

**3. Trustees.** The ~~Treasurer of State and the State Controller shall serve as~~ trustees of the irrevocable trust ~~fund~~ funds are as follows.

A. The Treasurer of State and the State Controller shall serve as trustees of the state employee plan.

B. An independent, nongovernmental entity with a physical presence in the State selected by the Treasurer of State with the advice of the State Controller and municipal, school management and education associations pursuant to the process set forth in Title 5, chapter 155 shall serve as the trustee of the teacher plan and the first responder plan.

**4. Duties of the trustees.** The trustees of the irrevocable trust ~~fund~~ funds have the following duties.

A. The trustees of the irrevocable trust ~~fund~~ funds shall calculate the funds necessary to fund the state employee health insurance program, including the unfunded liability as determined in accordance with subsection 2, on an actuarially sound basis and transmit those calculations to the State Budget Officer as required by chapter 149. The Legislature shall appropriate and transfer annually those funds the trustees of the irrevocable trust ~~fund~~ funds determine to be necessary under this subsection to fund the state employee health insurance program on an actuarially sound basis, including a contribution to the irrevocable trust ~~fund~~ funds.

B. The trustees of the irrevocable trust ~~fund~~ funds biannually shall make, or cause to be made, valuations of the assets and liabilities of the state employee health insurance program. The trustees of the irrevocable trust ~~fund~~ funds shall select an independent actuary to make annual valuations of the assets and liabilities of the state employee health insurance program on the basis of actuarial assumptions adopted by the trustees of the irrevocable trust ~~fund~~ funds. The actuary may not be an officer or employee of the State. The goal of the actuarial assumptions is to achieve a fully funded state employee health insurance program.

C. The trustees of the irrevocable trust ~~fund~~ funds annually shall conduct, or cause to be conducted, an audit of the irrevocable trust ~~fund~~ funds. The trustees of the irrevocable trust ~~fund~~ funds shall select an independent auditor to perform the audit. The auditor may not be an officer or employee of the State.

D. The trustees of the irrevocable trust ~~fund~~ funds shall make the final decision on all matters pertaining to administration, actuarial assumptions, actuarial recommendations, funding, payout schedule and long-term time horizon for the irrevocable trust ~~fund~~ funds.

**5. Investment of funds.** The trustees of the investment trust fund are responsible for the investment and reinvestment of the funds appropriated to the irrevocable trust ~~fund~~ funds and transferred to the investment trust fund in accordance with the Maine Uni-

form Trust Code and the Maine Uniform Prudent Investor Act under Title 18-B, subject to the guidelines set for the investment trust fund in section 17435.

**6. Report to Legislature.** The trustees of the irrevocable trust ~~fund~~ funds shall make a written report to the joint standing committee of the Legislature having jurisdiction over appropriations matters and the joint standing committee of the Legislature having jurisdiction over labor matters on or before March 1st of each year that contains a discussion of any areas of policy or administration of the irrevocable trust ~~fund~~ funds that, in the opinion of the trustees of the irrevocable trust ~~fund~~ funds, should be brought to the attention of the joint standing committees; a discussion of the progress toward meeting the goals of this section; and a review of the status of the irrevocable trust ~~fund~~ funds.

**Sec. Y-2. Trust document.** The Treasurer of State and the State Controller shall work with the Attorney General to draft an irrevocable trust document to govern the receipt, control, investment and disbursement of funds placed into the teacher plan and the first responder plan under the Maine Revised Statutes, Title 5, section 286-B.

**Sec. Y-3. Trustee selection.** The Treasurer of State shall select the trustee for the teacher plan and the first responder plan under the Maine Revised Statutes, Title 5, section 286-B with the advice of representatives from the Maine Municipal Association, the Maine School Management Association, the Maine Education Association and the State Controller, using the request for proposal bidding process set forth in Title 5, chapter 155.

## PART Z

**Sec. Z-1. Retirement incentive.** The Commissioner of Administrative and Financial Services is authorized to offer a retirement incentive program to employees who are eligible to retire and who have reached their normal retirement age, but not to employees who are eligible to retire under any special retirement plan. Employees choosing to participate in this retirement incentive program must make application for participation in the manner specified by the commissioner, with retirements effective on or before November 1, 2011.

**Sec. Z-2. Calculation and transfer of funds; savings from retirement incentive program.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall calculate the amount of savings in the Statewide Retirement Incentive account in section 4 that applies against each account for departments and agencies statewide that have occurred as a result of the retirement incentive program authorized in section 1. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor on or before January 15, 2012. These transfers are considered adjustments to appropriations and allocations in fiscal years 2011-12 and 2012-13.

**Sec. Z-3. Disposition of authorized positions vacated by retiring employees.** Except as provided in this section, positions vacated by employees choosing to participate in the retirement incentive program authorized in section 1 must remain vacant through June 30, 2013. Upon approval of the State Budget Officer, a vacated position may be filled to meet the operational needs of the department as long as a different vacated position that achieves comparable savings within the same fund is identified. The State Budget Officer shall report to the Joint Standing Committee on Appropriations and Financial Affairs on the number of the employees, by program, taking advantage of the retirement incentive program by September 1, 2012.

**Sec. Z-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 to reflect projected savings to be achieved through a retirement incentive program.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($5,000,000) | ($5,500,000) |
| GENERAL FUND TOTAL | ($5,000,000) | ($5,500,000) |

## PART AA

**Sec. AA-1. 34-A MRSA §1403, sub-§12** is enacted to read:

**12. Transfer of funds.** Notwithstanding Title 5, section 1585 or any other provision of law, the commissioner, upon recommendation of the State Budget Officer and approval of the Governor, is authorized to transfer by financial order All Other funding between accounts within the same fund for the purposes of paying food, heating and utility expenses.

## PART BB

**Sec. BB-1. Transfer of funds; overtime expenses.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Corrections, upon the recommendation of the State Budget Officer and approval of the Governor, is authorized to transfer, by financial order, Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses in fiscal years 2011-12 and 2012-13.

**Sec. BB-2. Transfers and adjustments to position count.** The Commissioner of Corrections shall review the current organizational structure to improve organizational efficiency and cost-effectiveness. Notwithstanding any other provision of law, the State Budget Officer shall transfer the position counts and available balances by financial order in order to achieve the purposes of this section. In accordance with the requirements of the Maine Revised Statutes, Title 5, section 1585, a financial order describing such a transfer must be submitted by the Department of Administrative and Financial Services, Bureau of the Budget to the Office of Fiscal and Program Review 30 days before a transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval. These transfers are considered adjustments to authorized position count, appropriations and allocations.

## PART CC

**Sec. CC-1. 20-A MRSA §19102, sub-§4** is enacted to read:

**4. Learning technology program; evaluation for implementation in grades 7 to 12.** Notwithstanding any other provision of law, the commissioner shall conduct an annual comprehensive review of the learning technology program and report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education matters on the progress and results of the comprehensive review by February 15th annually. In conducting the comprehensive review, the commissioner shall:

A. Through a competitive bidding process consistent with Title 5, chapter 155, subchapter 1-A contract with an education policy research institute to assess the effect of the laptop program on student performance in achieving the content standards and performance indicators established by the statewide system of learning results established in section 6209 using valid, standardized assessment measures;

B. Identify high-need areas for improvements in students' learning and skills;

C. Provide targeted training and professional development of teachers from the 7th to 12th grade who participate in the laptop program; and

D. Contract with an education policy research institute to conduct a biennial audit including an evaluation of the costs, effectiveness and achievement outcomes of the learning technology program.

The commissioner, with advice from the advisory board, shall submit a report that includes findings and recommendations, including suggested legislation to revise and update chapter 606-B and this chapter, for presentation to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education matters by January 31st annually.

## PART DD

**Sec. DD-1. 20-A MRSA §253, sub-§7,** as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

**Sec. DD-2. 20-A MRSA §6401-A** is enacted to read:

**§6401-A. School nurse consultant position**

**1. Establishment.** The position of school nurse consultant is established within the department. The Policy Director of Special Services within the department shall supervise the school nurse consultant.

**2. Qualifications.** The school nurse consultant must be licensed as a registered professional nurse in the State and have a master's degree in nursing or a related field and experience in school health care or community nursing.

**Sec. DD-3. 20-A MRSA §6401-B** is enacted to read:

**§6401-B. Duties**

The school nurse consultant under section 6401-A shall provide statewide nursing leadership, consultation and direction for coordinated school health care programs. The school nurse consultant shall:

**1. Liaison.** Serve as a liaison and resource expert in school nursing and school health care program areas for local, regional, state and national school health care provider and policy-setting groups;

**2. Information.** Monitor, interpret, synthesize and disseminate relevant information related to school health care trends, school nursing practice, health-related policy changes, legal issues in school nursing and school health care program implementation and professional development;

**3. Staff development.** Foster and promote staff development for school nurses by planning and providing orientation, educational offerings and networking with universities and other providers of continuing education to meet identified needs; and

**4. Standards.** Gather and analyze data relevant to the school health care program and monitor standards to promote school nursing excellence and optimal health of school children.

**Sec. DD-4. 22 MRSA §1971,** as amended by PL 2009, c. 415, Pt. A, §11, is repealed.

**Sec. DD-5. 22 MRSA §1972,** as enacted by PL 1999, c. 731, Pt. QQ, §1, is repealed.

## PART EE

**Sec. EE-1. 5 MRSA §1824-A** is enacted to read:

**§1824-A. Statewide Capital Equipment Fund**

**1. Fund.** The Statewide Capital Equipment Fund, referred to in this section as "the fund," is established as a program account in the General Fund within the Department of Administrative and Financial Services to provide a source of funding for the purchase of items of capital equipment that are emergency in nature and that were not funded or could not have been anticipated and included in the biennial or supplemental budget enacted pursuant to section 1666-A.

**2. Use of fund.** The fund may be used for the purchase of capital equipment, but may not be used to purchase motor vehicles, real property, information technology equipment or any single piece of equipment with a value of more than $35,000.

**3. Nonlapsing account.** Any unexpended amounts remaining in the fund may not lapse but must be carried forward.

**4. Application for funds.** Departments and agencies seeking funding must submit a request to the Commissioner of Administrative and Financial Services upon forms provided by the Department of Administrative and Financial Services.

**5. Transfer authority.** Funds approved for equipment purchases may be transferred by financial order upon recommendation of the State Budget Officer and approval of the Governor.

## PART FF

**Sec. FF-1. Working group; development of implementing legislation.** The Commissioner of Administrative and Financial Services shall convene a working group to develop proposed legislation that transfers personnel, position counts and responsibilities from the Executive Department, State Planning Office to other departments and agencies of the State.

1. The members of the working group are:

A. The Director of the State Planning Office within the Executive Department or the director's designee;

B. The Commissioner of Labor or the commissioner's designee;

C. The Commissioner of Public Safety or the commissioner's designee;

D. The Commissioner of Defense, Veterans and Emergency Management or the commissioner's designee;

E. The Commissioner of Conservation or the commissioner's designee;

F. The Commissioner of Economic and Community Development or the commissioner's designee;

G. The Commissioner of Marine Resources or the commissioner's designee;

H. The Commissioner of Environmental Protection or the commissioner's designee;

I. One member of a local or regional governing body appointed by the President of the Senate; and

J. One representative of a municipal or regional governing body appointed by the Speaker of the House.

2. The Commissioner of Administrative and Financial Services shall serve as the chair of the working group.

3. The Executive Department, State Planning Office and the Department of Administrative and Financial Services, Division of Financial and Personnel Services shall provide staff assistance to the working group.

**Sec. FF-2. Report.** The working group shall submit its recommendations and any related proposed legislation to the Joint Standing Committee on Appropriations and Financial Affairs no later than December 1, 2011. The proposed legislation must include recommendations for the disposition of programs in the Executive Department, State Planning Office and a recommendation regarding the job title, duties and salary range for the Director, State Planning Office position. After receipt and review of the report, the joint standing committee may submit legislation to the Second Regular Session of the 125th Legislature to transfer duties and responsibilities from the State Planning Office to other departments and agencies of State Government.

## PART GG

**Sec. GG-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before August 1, 2011, the State Controller shall transfer $30,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2012, the State Controller shall transfer $30,000 from the Inland Fisheries and Wildlife

Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine.

**Sec. GG-2. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before August 1, 2011, the State Controller shall transfer $15,347 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Licensing Services - Inland Fisheries and Wildlife program, General Fund account to fund the retroactive portion of the position reclassification of one Supervisor of Licensing and Registration position.

**Sec. GG-3. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before August 1, 2011, the State Controller shall transfer $23,622 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Resource Management Services - Inland Fisheries and Wildlife program, General Fund account to fund the retroactive portion of the position reclassifications of 2 Biologist II positions.

**Sec. GG-4. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before July 31, 2011, the State Controller shall transfer $155,241 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to fund the payment of outstanding amounts due for dispatch services provided by the Department of Public Safety.

## PART HH

**Sec. HH-1. 12 MRSA §10202, sub-§9,** as amended by PL 2009, c. 213, Pt. I, §1, is further amended to read:

**9. Fiscal Stability Program.** The Fiscal Stability Program is established to ensure that the general public and hunters and anglers share the cost of the fish and wildlife conservation programs of the department. To achieve this goal, beginning with the ~~2012-2013~~ 2014-2015 biennial budget and for each biennial budget thereafter, the biennial budget submitted by the executive branch must include an additional General Fund appropriation of 18% in excess of the department's requested biennial budget.

## PART II

**Sec. II-1. 8 MRSA §1036, sub-§2, ¶E,** as amended by PL 2009, c. 462, Pt. H, §1, 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 and June 30, 2013, 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;

**Sec. II-2. 22 MRSA §1560-D, sub-§10,** as enacted by PL 2007, c. 467, §3, is amended to read:

**10. Transfers of funds.** Notwithstanding any other provision of law, for fiscal years beginning on or after July 1, 2009 the State Controller shall transfer $92,660 no later than June 30, 2010 and $145,147 no later than June 30, 2011 from the Fund for a Healthy Maine to General Fund undedicated revenue.

~~For fiscal years beginning on or after July 1, 2011 the State Controller in consultation with the State Tax Assessor shall determine the General Fund revenue loss resulting from this section and transfer that amount at least annually from the Fund for a Healthy Maine to General Fund undedicated revenue.~~

## PART JJ

**Sec. JJ-1. Suspension of cost-of-living adjustment for judges.** Notwithstanding the Maine Revised Statutes, Title 4, section 4, subsection 2-A, a cost-of-living adjustment for the State's chief justices, chief judge, deputy chief judge, associate justices and associate judges may not be made on July 1, 2011 or July 1, 2012.

## PART KK

**Sec. KK-1. 22 MRSA §3104-A, sub-§1,** as amended by PL 2009, c. 291, §3, is repealed and the following enacted in its place:

**1. Food assistance.** The department shall provide food assistance to households that would be eligible for assistance under the federal Food Stamp Act of 1977, 7 United States Code, Section 2011 et seq. and under the federal Food and Nutrition Act of 2008 but for provisions of Sections 401, 402 and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that are receiving food assistance under this subsection as of July 1, 2011. Any household receiving assistance as of that date may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for food assistance through a state-funded program unless that noncitizen is:

A. Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);

B. A victim of domestic violence; or

C. Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. KK-2. 22 MRSA §3174-G, sub-§1, ¶¶E and F,** as amended by PL 2003, c. 469, Pt. A, §5 and affected by c. 673, Pt. Y, §3, are further amended to read:

E. The parent or caretaker relative of a child described in paragraph B or D when the child's family income is equal to or below 200% of the nonfarm income official poverty line, subject to adjustment by the commissioner under this paragraph. Medicaid services provided under this paragraph must be provided within the limits of the program budget. Funds appropriated for services under this paragraph must include an annual inflationary adjustment equivalent to the rate of inflation in the Medicaid program. On a quarterly basis, the commissioner shall determine the fiscal status of program expenditures under this paragraph. If the commissioner determines that expenditures will exceed the funds available to provide Medicaid coverage pursuant to this paragraph, the commissioner must adjust the income eligibility limit for new applicants to the extent necessary to operate the program within the program budget. If, after an adjustment has occurred pursuant to this paragraph, expenditures fall below the program budget, the commissioner must raise the income eligibility limit to the extent necessary to provide services to as many eligible persons as possible within the fiscal constraints of the program budget, as long as the income limit does not exceed 200% of the nonfarm income official poverty line; ~~and~~

F. A person 20 to 64 years of age who is not otherwise covered under paragraphs A to E when the person's family income is below or equal to 125% of the nonfarm income official poverty line, provided that the commissioner shall adjust the maximum eligibility level in accordance with the requirements of the paragraph.

(2) If the commissioner reasonably anticipates the cost of the program to exceed the budget of the population described in this paragraph, the commissioner shall lower the maximum eligibility level to the extent necessary to provide coverage to as many persons as possible within the program budget.

(3) The commissioner shall give at least 30 days' notice of the proposed change in maximum eligibility level to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters~~.~~; and

**Sec. KK-3. 22 MRSA §3174-G, sub-§1, ¶G** is enacted to read:

G. A person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

(1) A woman during her pregnancy and up to 60 days following delivery; or

(2) A child under 21 years of age.

**Sec. KK-4. 22 MRSA §3762, sub-§3, ¶B,** as amended by PL 2007, c. 539, Pt. XX, §1, is further amended to read:

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

(1) To continue the pass-through of the first $50 per month of current child support collections and the exclusion of the $50 pass-through from the budget tests and benefit calculations;

(2) To provide financial ~~and medical~~ assistance to ~~certain~~ noncitizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF ~~or Medicaid programs~~ programs but for their status as aliens under PRWORA. Eligibility for the TANF ~~and Medicaid programs~~ program for these categories of noncitizens must be determined using the criteria applicable to other recipients of assistance ~~from these programs;~~ from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither

receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

(a) Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);

(b) A victim of domestic violence; or

(c) Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

(3) To provide benefits to certain 2-parent families whose deprivation is based on physical or mental incapacity;

(4) To provide an assistance program for needy children, 19 to 21 years of age, who are in full-time attendance in secondary school. The program is operated for those individuals who qualify for TANF under the United States Social Security Act, except that they fail to meet the age requirement, and is also operated for the parent or caretaker relative of those individuals. Except for the age requirement, all provisions of TANF, including the standard of need and the amount of assistance, apply to the program established pursuant to this subparagraph;

(5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that she has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substantiated expected date of the birth of her child is not more than 90 days following the date the benefit is received;

(6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property taxes equal or exceed 75% of their monthly income. The special housing allowance is limited to $100 per month for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly benefit and all income countable under the TANF program, plus child support received by the family, excluding the $50 pass-through payment;

(7) In determining benefit levels for TANF recipients who have earnings from employment, the department shall disregard from monthly earnings the following:

(a) One hundred and eight dollars;

(b) Fifty percent of the remaining earnings that are less than the federal poverty level; and

(c) All actual child care costs necessary for work, except that the department may limit the child care disregard to $175 per month per child or $200 per month per child under 2 years of age or with special needs;

(8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;

(9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5. The benefit amount must be paid as provided in this subparagraph.

(a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assis-

tance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## PART LL

**Sec. LL-1. 22 MRSA §3762, sub-§18** is enacted to read:

**18. Denial of assistance based on positive drug test.** A recipient of TANF assistance may be denied TANF assistance as described in this subsection.

A. The department may administer a drug test to a recipient of TANF assistance who has been convicted of a drug-related felony, as described in Section 115 of PRWORA, within 20 years of that person's date of conviction.

B. If a person under paragraph A tests positive for an illegal drug, the department shall notify that person that:

(1) The person's TANF assistance is subject to termination;

(2) The person is entitled to a fair hearing regarding the termination of TANF assistance; and

(3) If the person requests a fair hearing, the person shall submit to a 2nd drug test to verify the results of the first drug test.

C. The results of the 2nd drug test must be available prior to the fair hearing, if practicable. The person shall cooperate in a timely manner in submitting to the 2nd drug test. If the 2nd drug test confirms that the person is using an illegal drug, the person may avoid termination of TANF assistance by enrolling in a substance abuse treatment program appropriate to the type of illegal drug being used by that person.

D. If the department determines that, for good cause, a person is unable to enroll in a substance abuse program as required by paragraph C, the person remains eligible for TANF assistance until such time that the department determines that the person is able to enroll in a substance abuse treatment program.

E. The department shall terminate TANF assistance to a person who fails to request a fair hearing and submit to a 2nd drug test as described in paragraph B or who fails to participate in a substance abuse treatment program as required pursuant to paragraph C or D.

The department shall adopt routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, to implement the provisions of this subsection, including determining what constitutes "good cause" under paragraph D.

## PART MM

**Sec. MM-1. Department of Health and Human Services; revision of agency rules; residential care; transfer of assets.** The Department of Health and Human Services shall amend its asset transfer rules in the MaineCare Eligibility Manual, chapter 332, in order to implement the option under the Maine Revised Statutes, Title 22, section 3174-A, which allows the imposition of a penalty for certain transfers of assets to obtain help with state-funded assistance in certain boarding home settings. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## PART NN

**Sec. NN-1. Dorothea Dix Psychiatric Center working group established.**

**1. Working group established; goals.** Notwithstanding Joint Rule 353, the Commissioner of Health and Human Services shall convene a working group, referred to in this section as "the working group," to develop a plan and suggest implementing legislation regarding the future role and structure of the Dorothea Dix Psychiatric Center to be effective June 30, 2012, including the transfer of personnel, position counts and other responsibilities, if applicable, to other programs within the Department of Health and Human Services. The working group shall develop a comprehensive plan that is focused on the attainment of recovery milestones, such as improved health status, increased independence, improved life satisfaction and integration into the full community, for persons with serious and persistent mental health conditions through the delivery of high-quality, efficient services.

**2. Working group membership.** The members of the working group are:

A. One member of the Senate, appointed by the President of the Senate. When making the appointment, the President of the Senate shall give preference to members from the area served by the Dorothea Dix Psychiatric Center and members of the party having the largest number of members in the Senate;

B. One member of the House of Representatives, appointed by the Speaker of the House. When making the appointment, the Speaker of the House shall give preference to members from the area served by the Dorothea Dix Psychiatric Center and members of the party having the 2nd largest number of members in the House;

C. The Commissioner of Health and Human Services or the commissioner's designee;

D. The Superintendent of the Dorothea Dix Psychiatric Center or the superintendent's designee;

E. The Superintendent of the Riverview Psychiatric Center or the superintendent's designee;

F. The Commissioner of Administrative and Financial Services or the commissioner's designee;

G. One member of the staff of the Dorothea Dix Psychiatric Center selected by the Commissioner of Health and Human Services from among candidates provided by the President of the Maine State Employees Association;

H. One member of the staff of the Dorothea Dix Psychiatric Center selected by the Commissioner of Health and Human Services from among candidates provided by the President of the American Federation of State, County and Municipal Employees, Maine branch; and

I. The following, invited by the Commissioner of Health and Human Services to participate in the working group:

(1) The Chief Executive Officer of Spring Harbor Hospital or the chief executive officer's designee;

(2) The Chief Executive Officer of Acadia Hospital or the chief executive officer's designee;

(3) Two members of the Consumer Council System of Maine, including the Executive Director of the Consumer Council System of Maine or the executive director's designee;

(4) The Executive Director of the Disability Rights Center or the executive director's designee;

(5) The Executive Director of the National Alliance on Mental Illness Maine or the executive director's designee;

(6) The Chief Executive Officer of Aroostook Mental Health Services, Inc. or the chief executive officer's designee;

(7) The Executive Director of Community Health and Counseling Services, Inc. or the executive director's designee;

(8) The Chief Executive Officer of the Charlotte White Center or the chief executive officer's designee; and

(9) The President of the Eastern Maine Development Corporation or the president's designee.

**3. Working group chair.** The Commissioner of Health and Human Services shall serve as the chair of the working group.

**4. Staff assistance.** The Department of Health and Human Services shall provide staff assistance to the working group.

**5. Report.** In developing recommendations and suggested implementing legislation, the working group shall develop a plan that:

A. Establishes recovery outcomes to be tracked;

B. Ensures that the transitional needs of patients are effectively met;

C. Includes provision of essential community living supports for housing, vocational and nonvocational involvements and health care;

D. Includes support for other critical community-based resources and treatment services;

E. Focuses on integrating all health care;

F. Ensures that adequate capacity exists locally for inpatient hospitalizations;

G. Ensures that adequate essential community care services to support outcomes are available;

H. Ensures that community and family education is optimized to support integration; and

I. Ensures that the delivery of high-quality, efficient service is achieved.

The working group shall submit its plan and proposed legislation to the Commissioner of Health and Human Services, who shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than December 1, 2011. After receipt and review of the plan, the committees may submit legislation to the Second Regular Session of the 125th Legislature to implement the recommendations regarding the Dorothea Dix Psychiatric Center.

## PART OO

**Sec. OO-1. Interdepartmental cooperation; Department of Health and Human Services and Department of the Attorney General.** The Department of Health and Human Services and the Department of the Attorney General shall work cooperatively to explore opportunities for increased collaboration as well as to identify short-term and long-term improvements to the fraud detection and

referral process and any savings that can be realized from these improvements.

## PART PP

**Sec. PP-1. 22 MRSA §3762, sub-§15,** as enacted by PL 1997, c. 695, §1, is repealed.

**Sec. PP-2. 22 MRSA §3762, sub-§§18 and 19** are enacted to read:

**18. Lifetime limit on assistance.** Beginning January 1, 2012, a family may not receive TANF assistance for longer than 60 months except in those cases in which the department has determined that the family qualifies for an exemption or extension under rules adopted by the department. When an adult has received TANF assistance for 60 months, unless the adult has been exempted or granted an extension by the department, the family unit in which the adult is a member is ineligible for assistance. The department shall consider conditions or situations beyond the control of the adult recipient, including but not limited to a physical or mental condition that prevents the adult from obtaining or retaining gainful employment, being a victim of domestic violence, participating in good standing in an approved education program or a program that is expected to lead to gainful employment, being the caretaker relative in the household who is not the parent of the child or children in the assistance unit and who is required to remain at home to care for a dependent in the assistance unit and loss of employment by the adult following termination of TANF under this subsection.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**19. Pretermination notice process.** No later than 120 days prior to the end of a family's 60th month of receiving assistance, the department shall offer the adult recipient an opportunity to hold a meeting to review the family's case and:

A. Explain the exemption and extension criteria established in subsection 18 to the family and determine if those criteria apply to the family; and

B. Explain that any determination made pursuant to this subsection may be appealed in accordance with the hearing process established in subsection 9, paragraph B.

For a family whose assistance is to be terminated, a supervisory review by the department is required. The review must include but is not limited to an evaluation of the need for additional information to determine if cause for an exemption or extension exists. If the conclusion of the evaluation determines additional vocational, health, mental health or other information is necessary, the department shall work in collaboration with the adult recipient in the development of the information prior to the determination of status or termination.

For a family whose assistance is to be terminated pursuant to this subsection, the department shall provide information to the family regarding any other resources that may be available to help meet that family's basic needs.

**Sec. PP-3. 22 MRSA §3763, sub-§1,** as enacted by PL 1997, c. 530, Pt. A, §16, is amended to read:

**1. Family contract.** During the TANF orientation process, a representative of the department and the TANF recipient shall enter into a family contract. The family contract must state the responsibilities of the parties to the agreement including, but not limited to, cooperation in child support enforcement and determination of paternity, the requirements of the ASPIRE-TANF program and referral to parenting activities and health care services. Except as provided in section 3762, subsection 4, refusal to sign the family contract or to abide by the provisions of the contract, except for referral to parenting activities and health care services, will result in ~~sanctions~~ termination of benefits under section 1-A. Failure to comply with referrals to parenting activities or health care services without good cause will result in a review and evaluation of the reason for noncompliance by the representative of the department and may result in sanctions. Written copies of the family contract and a notice of the right to a fair hearing must be given to the individual. The family contract must be amended in accordance with section 3788 when a participant enters the ASPIRE-TANF program and when participation review occurs.

Benefits that have been terminated under this subsection must be restored once the adult recipient signs a new contract under subsection 1 and complies with the provisions of the family contract.

**Sec. PP-4. 22 MRSA §3763, sub-§1-A** is enacted to read:

**1-A. Partial and full termination of benefits.** Benefits under this chapter must be terminated by the department under the provisions of subsection 1 and sections 3785 and 3785-A as follows:

A. For a first failure to meet the conditions of a family contract, termination of benefits applies to the adult recipient;

B. For a first failure to meet the conditions of a family contract for which termination of benefits under paragraph A lasts for longer than 90 days and for a 2nd and subsequent violation, termination of benefits applies to the adult recipient and the full family unit; and

C. Prior to the implementation of a full family unit sanction, the department shall offer the adult

recipient an opportunity to claim good cause for noncompliance as described in section 3785.

Benefits that have been terminated under this subsection must be restored once the adult recipient signs a new contract under subsection 1 and complies with the provisions of the family contract.

**Sec. PP-5. Notification.** The Department of Health and Human Services shall notify current sanctioned adult recipients no later than October 1, 2011 of the provisions of the Maine Revised Statutes, Title 22, section 3763, subsection 1-A and the ability to maintain family eligibility by complying with the family contract or providing information to substantiate an exemption by January 1, 2012. If the adult recipient is in good standing under the family contract as of January 1, 2012, previous sanctions do not apply.

**Sec. PP-6. Rename Office of Integrated Access and Support - Central Office program.** Notwithstanding any other provision of law, the Office of Integrated Access and Support - Central Office program within the Department of Health and Human Services is renamed the Office for Family Independence program.

**Sec. PP-7. Rules.** The Department of Health and Human Services shall revise its rules to impose a quit penalty on Temporary Assistance for Needy Families - Unemployed Parents participants that requires a recalculation of benefits to exclude the family member who quit employment without cause. The penalty period remains in effect until such time as the family member obtains equivalent employment.

**Sec. PP-8. Rules.** The Department of Health and Human Services may adopt rules necessary to implement the provisions of this Part. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. PP-9. Report on the impact of Temporary Assistance for Needy Families program reforms.** By November 1, 2012, the Department of Health and Human Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services on the impact of the changes made to the Temporary Assistance for Needy Families program in this Part, including: the number of cases removed as a result of the 60-month limit; the number of individual sanctions imposed; the number of full-family sanctions imposed; the number of administrative hearings requested; and the number of cases for which assessment information was requested and was provided.

## PART QQ

**Sec. QQ-1. Transfer from unappropriated surplus at close of fiscal year 2011-12.** Notwithstanding any other provision of law, at the close of fiscal year 2011-12, the State Controller shall transfer up to $25,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Medical Care - Payments to Providers account in the General Fund after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and as the first priority after the transfers required pursuant to the Maine Revised Statutes, Title 5, sections 1507, 1511 and 1522 and before the transfers required pursuant to Title 5, section 1536.

**Sec. QQ-2. Purpose of transfers.** Transfers made pursuant to this Part must be expended for hospital settlements.

**Sec. QQ-3. Transfer considered adjustments to appropriations.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, amounts transferred pursuant to this Part are considered adjustments to appropriations in fiscal year 2012-13 only. These funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

## PART RR

**Sec. RR-1. PL 2011, c. 45, §6** is amended to read:

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

~~**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**~~
**LICENSURE OF WATER SYSTEM OPERATORS, BOARD OF**

**Water System Operators - Board of Licensure 0104**

Initiative: Deallocates funds as a result of savings from reduced costs for testing.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($10,600) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | ($10,600) |

## PART SS

**Sec. SS-1. 22 MRSA §2681, sub-§16** is enacted to read:

**16. Fee imposed.** Beginning July 1, 2011, a fee is imposed on all enrollees in the program established under this section. The amount of the fee must be determined by rule adopted by the department to cover the administrative and other operating costs of the

program. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## PART TT

**Sec. TT-1. 4 MRSA §17, sub-§15, ¶A,** as enacted by PL 2003, c. 400, §1, is amended to read:

A. The State Court Administrator may contract for the services of qualified individuals as needed on a per diem basis to perform court security-related functions and services.

(1) For the purposes of this subsection, "qualified individuals" means municipal law enforcement officers, deputy sheriffs and other individuals who are certified pursuant to Title 25, section 2804-B or 2804-C and have successfully completed additional training in court security provided by the Maine Criminal Justice Academy or equivalent training.

(2) When under contract pursuant to this paragraph and then only for the assignment specifically contracted for, qualified individuals have the same duties and powers throughout the counties of the State as sheriffs have in their respective counties.

(3) Qualified municipal law enforcement officers and deputy sheriffs performing contractual services pursuant to this paragraph continue to be employees of the municipalities and counties in which they are ~~deputized~~ employed.

(4) Qualified individuals other than municipal law enforcement officers or deputy sheriffs performing contractual services pursuant to this paragraph may not be considered employees of the State for any purpose, except that they must be treated as employees of the State for purposes of the Maine Tort Claims Act and the Maine Workers' Compensation Act of 1992. They must be paid reasonable per diem fees plus reimbursement of actual, necessary and reasonable expenses incurred in the performance of their duties, consistent with policies established by the State Court Administrator.

## PART UU

**Sec. UU-1. Agency rules; child care rates; Department of Health and Human Services.** The Department of Health and Human Services is directed to revise its rules in the Child Care Subsidy Policy Manual to establish state-paid child care rates at the 50th percentile of the most current local market rate survey. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

## PART VV

**Sec. VV-1. PL 2007, c. 240, Pt. X, §2,** as amended by PL 2009, c. 213, Pt. SSSS, §1, is further amended to read:

**Sec. X-2. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, until June 30, ~~2011~~ 2013, available balances of appropriations in MaineCare General Fund accounts may be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

**Sec. VV-2. PL 2007, c. 240, Pt. X, §5,** as amended by PL 2009, c. 213, Pt. SSSS, §2, is further amended to read:

**Sec. X-5. Weekly MaineCare reporting.** Until June 30, ~~2011~~ 2013, the Commissioner of Health and Human Services shall issue a weekly financial summary and report on MaineCare program expenditures. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over human services matters and must be presented in a budget to actual format detailing amounts at the program level. This reporting requirement is in addition to the reporting requirements contained in the Maine Revised Statutes, Title 22, section 3174-B.

**Sec. VV-3. PL 2007, c. 240, Pt. X, §6,** as amended by PL 2009, c. 213, Pt. SSSS, §3, is further amended to read:

**Sec. X-6. Quarterly MaineCare reporting**. Until June 30, 2010, the Commissioner of Health and Human Services shall issue a quarterly financial summary and report on MaineCare program expenditures. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters within 14 days of certification of the quarterly CMS-64 report to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. This report must segregate expenditures by enrollment category and type of service. From July 1, 2010 to June 30, ~~2011~~ 2013 the commissioner shall continue to issue a quarterly financial summary and report on MaineCare program expenditures in a format and with content equivalent to the prior year's reports and incorporating the capabilities of the new Maine integrated health management solution system. This reporting requirement is in addition to the reporting requirements contained in the Maine Revised Statutes, Title 22, section 3174-B.

**Sec. VV-4. MaineCare financial order transfer authority report.** The Commissioner of

Health and Human Services shall review the effects the MaineCare financial order transfer authority authorized by Public Law 2007, chapter 240, Pt. X, section 2 has had on funding available for individual MaineCare General Fund accounts. The review must quantify the net change in funding available to each account by fiscal year as a result of the transfer authority with the goal of ultimately adjusting baseline appropriations to these programs in order to no longer require significant financial order transfers between MaineCare General Fund accounts. The commissioner shall report the findings and recommendations for adjustments to appropriations to the Joint Standing Committee on Appropriations and Financial Affairs no later than December 1, 2011.

## PART WW

**Sec. WW-1. 22 MRSA §7247,** as enacted by PL 2003, c. 483, §1, is amended to read:

**§7247. Controlled Substances Prescription Monitoring Program Fund**

The Controlled Substances Prescription Monitoring Program Fund is established within the office to be used by the director of the office to fund or assist in funding the program. Any balance in the fund does not lapse but is carried forward to be expended for the same purposes in succeeding fiscal years. The fund must be deposited with and maintained and administered by the office. The office may accept funds into the fund from any source, public or private, including grants or contributions of money or other things of value, that it determines necessary to carry out the purposes of this chapter. Money received by the office to establish and maintain the program must be used for the expenses of administering this chapter. ~~No General Fund appropriation may be made available for the purposes of this chapter.~~

## PART XX

**Sec. XX-1. Mental health services report.** The Commissioner of Health and Human Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than February 1, 2012 regarding the implementation of fiscal year 2011-12 funding for mental health services for individuals not eligible for MaineCare and for housing services in order to conform to the consent decree in the case of Paul Bates, et al. v. Robert Glover, et al. and pursuant to the Court Master's June 25, 2010 update. The report must include recommendations from the Court Master pertaining to the consent decree and recommendations for funding for fiscal year 2012-13.

## PART YY

**Sec. YY-1. Substance Abuse Services Commission; convene stakeholder group; purchase of controlled medications; agency rules.** The Substance Abuse Services Commission, established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 13-C, shall convene a stakeholder group consisting of Substance Abuse Service Commission members and representatives from the prescribing and pharmacy communities, the Board of Licensure in Medicine, the Maine Board of Pharmacy, the Department of the Attorney General, the Office of MaineCare Services and the Office of Substance Abuse within the Department of Health and Human Services and the MaineCare recipient consumer community. The stakeholder group shall examine the issue of MaineCare recipients using cash to purchase controlled schedule II, III and IV prescription medications beyond the recipients' MaineCare benefit coverage. The stakeholder group shall assess the prevalence of such cash purchases and make recommendations to the Commissioner of Health and Human Services no later than December 15, 2011 for any necessary rule changes. Any rules adopted by the department pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

## PART ZZ

**Sec. ZZ-1. Emergency rule-making authority; health and human services matters.** The Department of Health and Human Services is authorized to adopt emergency rules under the Maine Revised Statutes, Title 5, sections 8054 and 8073 in order to implement those provisions of this Act over which the department has subject matter jurisdiction for which specific authority has not been provided in any other Part of this Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

## PART AAA

**Sec. AAA-1. Transfer from Employment Rehabilitation Fund.** At the close of fiscal year 2010-11, the State Controller shall transfer $1,000,000 from the available balance in the Employment Rehabilitation Fund, Other Special Revenue Funds account within the Workers' Compensation Board to the General Fund unappropriated surplus.

## PART BBB

**Sec. BBB-1. 24-A MRSA §6914,** as amended by PL 2005, c. 400, Pt. A, §14, is further amended to read:

**§6914. Intragovernmental transfer**

Starting July 1, 2004, Dirigo Health shall transfer funds, as necessary, to a special dedicated, nonlapsing revenue account administered by the agency of State Government that administers MaineCare for the purpose of providing a state match for federal Medicaid

~~dollars~~ services provided to individuals eligible pursuant to Title 22, section 3174-G, subsection 1, paragraph E whose nonfarm income is greater than 150% of the nonfarm income official poverty line and is below or equal to 200% of the nonfarm income official poverty line. Dirigo Health shall annually set the amount of contribution.

Beginning January 1, 2012, Dirigo Health shall transfer funds as necessary to a special dedicated, nonlapsing revenue account administered by the agency of State Government that administers MaineCare for the purpose of providing a state match for federal Medicaid services provided to individuals eligible pursuant to Title 22, section 3174-G, subsection 1, paragraph E whose nonfarm income is greater than 133% of the nonfarm income official poverty line and is below or equal to 150% of the nonfarm income official poverty line. Dirigo Health shall annually set the amount of contribution.

**Sec. BBB-2. 24-A MRSA §6917, sub-§1,** as enacted by PL 2009, c. 359, §4 and affected by §8, is amended to read:

**1. Access payments required from health insurance carriers, 3rd-party administrators and employee benefit excess insurance carriers.** All health insurance carriers, 3rd-party administrators and employee benefit excess insurance carriers shall pay an access payment ~~of 2.14%~~ on all paid claims, except claims under accidental injury, specified disease, hospital indemnity, dental, vision, disability income, long-term care, Medicare supplement or other limited benefit health insurance. The amount of the access payment is 2.14% on claims for services provided through June 30, 2011, 1.87% on claims for services provided from July 1, 2011 to June 30, 2012, 1.64% on claims for services provided from July 1, 2012 to June 30, 2013 and 1.14% on claims for services provided from July 1, 2013 to December 31, 2013. No access payment may be charged for any claims for services provided on January 1, 2014 or thereafter. The following provisions govern access payments.

A. A health insurance carrier or employee benefit excess insurance carrier may not be required to pay an access payment on policies or contracts insuring federal employees.

B. Access payments apply to claims paid beginning on or after September 1, 2009.

C. Access payments must be made monthly to Dirigo Health and are due 30 days after the end of each month and must accrue interest at 12% per annum on or after the due date, except that access payments for 3rd-party administrators for groups of 500 or fewer members may be made annually not less than 60 days after the close of the plan year.

D. Access payments received by Dirigo Health must be pooled with other revenues of the agency in the Dirigo Health Enterprise Fund established in section 6915.

**Sec. BBB-3. Planning for Affordable Care Act health insurance exchange implementation report.** The Board of Trustees of Dirigo Health and the Executive Director of Dirigo Health shall evaluate the impact of the changes in this Part and their implications on planning for the transition to and implementation of a health insurance exchange in this State pursuant to the federal Patient Protection and Affordable Care Act. The Board of Trustees of Dirigo Health shall report its findings and recommendations for implementation of such an exchange in this State to the Joint Standing Committee on Appropriations and Financial Affairs and to the Joint Standing Committee on Insurance and Financial Services no later than March 1, 2012.

## PART CCC

**Sec. CCC-1. Department of Administrative and Financial Services; lease-purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, may enter into financing arrangements in fiscal years 2011-12 and 2012-13 for the acquisition of motor vehicles for the State Police. The financing arrangements entered into each fiscal year may not exceed $2,100,000 in principal costs and a financing arrangement may not exceed 3 years in duration. The interest rate may not exceed 6% and total interest costs with respect to the financing arrangements entered into in each fiscal year may not exceed $300,000. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the Department of Public Safety General Fund and Highway Fund accounts.

## PART DDD

**Sec. DDD-1. Rename Motor Vehicle Contingency Account - Building program.** Notwithstanding any other provision of law, the Motor Vehicle Contingency Account - Building program within the Department of the Secretary of State is renamed the Motor Vehicle Miscellaneous Revenue program.

## PART EEE

**Sec. EEE-1. Transfer from General Fund undedicated revenue; Callahan Mine Site Restoration, Department of Transportation.** Notwithstanding any other provision of law, the State Controller shall transfer $500,000 by August 15, 2011 from the General Fund unappropriated surplus to the Callahan Mine Site Restoration, Other Special Revenue Funds program within the Department of Trans-

portation to be used to design and implement clean-up initiatives of the Callahan Mine site.

## PART FFF

**Sec. FFF-1. 36 MRSA §505, sub-§4,** as amended by PL 2005, c. 332, §12, is further amended to read:

**4. When interest collected.** The date or dates from and after which interest must accrue, which must also be the date or dates on which taxes become delinquent. The rate of interest must be specified in the vote and must apply to delinquent taxes committed during the taxable year until those taxes are paid in full. Except as provided in subsection 4-A, the maximum rate of interest must be established by the Treasurer of State and may not exceed the prime rate as published in the Wall Street Journal on the first business day of the calendar year, rounded up to the next whole percent plus 3 percentage points. The Treasurer of State shall ~~send a written notice of~~ post that rate of interest on the Treasurer of State's publicly accessible website on or before January 20th of each year ~~to the chief municipal officer of each municipality~~. The interest must be added to and become part of the taxes.

## PART GGG

**Sec. GGG-1. Transfers from available fiscal year 2010-11 Other Special Revenue Funds balances to General Fund - Professional and Financial Regulation.** At the close of fiscal year 2010-11, the State Controller shall transfer $3,000,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus. On or before June 30, 2011, the Commissioner of Professional and Financial Regulation shall determine from which accounts the funds will be transferred so that the sum equals $3,000,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account.

**Sec. GGG-2. Transfers from available fiscal year 2012-13 Other Special Revenue Funds balances to General Fund - Professional and Financial Regulation.** At the close of fiscal year 2012-13, the State Controller shall transfer $1,000,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus. On or before June 30, 2013, the Commissioner of Professional and Financial Regulation shall determine from which accounts the funds will be transferred so that the sum equals $1,000,000 and notify the State Controller and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs of the amounts to be transferred from each account.

## PART HHH

**Sec. HHH-1. 4 MRSA §28,** as enacted by PL 2009, c. 213, Pt. QQ, §2, is amended to read:

**§28. Additional fee revenue dedicated**

The judicial branch may credit 4%, up to a maximum of $300,000 per fiscal year, of fee revenue collected pursuant to administrative orders of the court to a nonlapsing Other Special Revenue Funds account to support the capital expenses of the judicial branch. If the fee revenue from the judicial branch is less than the amount budgeted as undedicated fee revenue for the General Fund, the amount credited to the Other Special Revenue Funds account during the fiscal year must be reduced by a percentage equal to the percentage by which General Fund undedicated fee revenue is under budget.

## PART III

**Sec. III-1. 1 MRSA §521, sub-§2,** as amended by PL 1977, c. 696, §11, is further amended to read:

**2. Dissemination.** A copy of every executive order ~~shall~~ must be filed with the Legislative Council, and the Law and Legislative Reference Library, and ~~every county law library in this State~~ the executive order must be posted in a conspicuous location on the State's publicly accessible website, within one week after the Governor has issued that order.

## PART JJJ

**Sec. JJJ-1. Transfer from Other Special Revenue Funds to unappropriated surplus of the General Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $43,000,000 on June 30, 2012 from Other Special Revenue Funds to the unappropriated surplus of the General Fund. On July 1, 2012, the State Controller shall transfer $43,000,000 from the General Fund unappropriated surplus to Other Special Revenue Funds as repayment. This transfer is considered an interfund advance.

## PART KKK

**Sec. KKK-1. Streamline and Prioritize Core Government Services Task Force established.** The Commissioner of Administrative and Financial Services shall establish the Streamline and Prioritize Core Government Services Task Force, referred to in this Part as "the task force."

**Sec. KKK-2. Task force membership.** Notwithstanding Joint Rule 353, the task force consists of the following 12 members:

1. The Commissioner of Administrative and Financial Services or the commissioner's designee, who serves as chair of the task force;

2. Two members representing Maine for-profit businesses, appointed by the Governor;

3. Two members representing Maine not-for-profit agencies, appointed by the Governor;

4. One member representing a higher educational institution of Maine, appointed by the Governor;

5. Four members of the Joint Standing Committee on Appropriations and Financial Affairs jointly appointed by the committee chairs, at least one member representing the Senate and 2 members representing the party with the largest number of members in the committee from either the House of Representatives or the Senate and 2 members representing the party with the second largest number of members in the committee from either the House of Representatives or the Senate; and

6. Two members of the public at large, appointed by the Governor.

**Sec. KKK-3. Convening of task force.** The task force shall convene no later than September 1, 2011.

**Sec. KKK-4. Duties.** The task force shall undertake a comprehensive analysis of departments and agencies within the executive branch, offices of the constitutional officers, the Department of Audit and independent agencies statewide with the goals of prioritizing services provided by government agencies, consolidating functions and eliminating duplication and inefficiencies in programs, contracted personal services, state travel policies and advertising and public notice policies. In carrying out its duties, the task force shall investigate and identify major sources of administrative excess, redundancy and inefficiency and program overlap with other state, local or federal programs. The task force shall identify any positions that should be reduced, eliminated or consolidated to deliver optimum services in the most cost-effective manner, including positions in the unclassified service and major policy-influencing positions as set out in the Maine Revised Statutes, Title 5, chapter 71, and in contracted personal services. The task force shall develop recommendations designed to achieve a targeted spending reduction of a minimum of $25,000,000 in fiscal year 2012-13. The task force may establish subcommittees and draw on experts inside and outside of State Government.

**Sec. KKK-5. Staff assistance.** The Department of Administrative and Financial Services shall provide staff assistance to the task force.

**Sec. KKK-6. Reports to the Joint Standing Committee on Appropriations and Financial Affairs.** The task force shall submit monthly progress reports to the Joint Standing Committee on Appropriations and Financial Affairs and a report of its findings and recommendations and any necessary implementing legislation to the Joint Standing Committee on Appropriations and Financial Affairs by December 15, 2011. The committee is authorized to submit legislation to the Second Regular Session of the 125th Legislature.

**Sec. KKK-7. Implementation; achievement of savings.** If, after receipt and review of the recommendations presented by the task force pursuant to section 6, the Legislature fails to enact legislation in the Second Regular Session of the 125th Legislature that achieves $25,000,000 in savings, the Commissioner of Administrative and Financial Services shall make recommendations to the Governor regarding the achievement of the balance of these savings through the use of the temporary curtailment of allotment power specified in the Maine Revised Statutes, Title 5, section 1668, and the Governor is authorized to achieve those savings using that power. The State Budget Officer shall determine amounts in section 8 to be distributed by financial order upon approval of the Governor.

**Sec. KKK-8. 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 to reflect savings to be identified by the Streamline and Prioritize Core Government Services Task Force.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Unallocated | $0 | ($25,000,000) |
| GENERAL FUND TOTAL | $0 | ($25,000,000) |

## PART LLL

**Sec. LLL-1. Tax expenditures.** In accordance with the Maine Revised Statutes, Title 5, section 1666, funding is continued for each individual tax expenditure, as defined in Title 5, section 1666, reported in the budget document submitted by the Governor on February 11, 2011.

## PART MMM

**Sec. MMM-1. 5 MRSA §17859** is enacted to read:

**§17859. Retiring and returning to work**

**1. Restoration to service.** Any state employee or teacher who has reached normal retirement age and who retires on or after July 1, 2011 may be restored to service for up to 5 years. The decision to hire a retired

state employee or retired teacher under this section is at the discretion of the appointing authority. The retired state employee or retired teacher must have had a bona fide termination of employment in accordance with state and federal laws and rules, may not return to employment after retirement with the same employer for at least 30 calendar days after the termination of employment and may not return to employment before the effective date of the person's retirement.

**2. Compensation and benefits.** The compensation and benefits of the retired state employee or retired teacher who returns to service after retirement as set out in subsection 1 is governed by this subsection.

A. The compensation of the retired state employee or retired teacher who returns to service must be set at 75% of the compensation established for the position to be filled, at a step determined by the appointing authority.

B. The retired state employee or retired teacher who returns to service under this section is not a member and therefore may not accrue additional creditable service or change the retired state employee's or retired teacher's earnable compensation for benefit calculation purposes.

C. During the period of reemployment, the retired state employee or retired teacher is not entitled to health insurance, dental insurance or life insurance benefits. The retired state employee or retired teacher is entitled to all other benefits for the reemployment position under collective bargaining agreements or civil service laws and rules. Health insurance benefits must be provided under the provisions of section 285, subsection 1-A for retired state employees or Title 20-A, section 13451 for retired teachers and life insurance benefits must be provided under the provisions of section 18055.

**3. Contributions to the Maine Public Employees Retirement System and state group health plan.** The portion of the employer contribution that goes to pay the retirement system for the unfunded liability and the state group health plan for retiree health care must be continued and based on the retired state employee's or retired teacher's compensation as provided under subsection 2 during the reemployment period.

**4. Notification requirements.** Employers under this section are required to identify and report to the retirement system, in the manner specified by the retirement system, each individual who is a retiree who becomes an employee of the employer under the option provided in this section. Departments shall also report each retiree who becomes an employee to the Bureau of the Budget in a manner specified by the bureau. The employer shall report each such employee whenever and so long as the employee is the employer's employee.

**5. Exclusion.** A retired state employee or retired teacher who is hired as a substitute teacher is not subject to the restoration to service 5-year limitation in subsection 1 or the compensation limitation in subsection 2, paragraph A.

**Sec. MMM-2. General Fund and Highway Fund savings; transfer to Salary Plan accounts.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the restoration to service option established in the Maine Revised Statutes, Title 5, section 17859 that applies against each General Fund account and Highway Fund account for all executive branch departments and agencies statewide, including the Department of the Attorney General, the Department of the Secretary of State and the Department of Audit. General Fund savings amounts must be transferred to the General Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services, and Highway Fund savings must be transferred to the Highway Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services. Such transfers must be made by financial order upon the approval of the Governor.

## PART NNN

**Sec. NNN-1. 5 MRSA §8052, sub-§5, ¶B,** as amended by PL 1993, c. 446, Pt. A, §19, is further amended to read:

B. A rule may not be adopted unless the adopted rule is consistent with the terms of the proposed rule, except to the extent that the agency determines that it is necessary to address concerns raised in comments about the proposed rule, or specific findings are made supporting changes to the proposed rule. The agency shall maintain a file for each rule adopted that must include, in addition to other documents required by this Act, testimony, comments, the names of persons who commented and the organizations they represent and information relevant to the rule and considered by the agency in connection with the formulation, proposal or adoption of a rule. If an agency determines that a rule that the agency intends to adopt is substantially different from the proposed rule, the agency shall request comments from the public concerning the changes from the proposed rule. The agency may not adopt the rule for a period of 30 days from the date comments are requested pursuant to this paragraph. Notice of the request for comments must be published by the Secretary of State in the same manner as notice for proposed ~~or adopted~~ rules.

**Sec. NNN-2. 5 MRSA §8056, sub-§1, ¶D,** as enacted by PL 1981, c. 524, §12, is amended to read:

D. Publish, pursuant to the procedures set forth in section 8053, subsection ~~5~~ 6, a notice containing the following information: A statement that the rule has been adopted, its effective date, a brief description of the substance of the rule, and the address where a copy may be obtained.

**Sec. NNN-3. Secretary of State to develop and implement a plan for the website.** The Secretary of State shall develop and implement a plan to improve the publicly accessible website used for the posting of all proposed and adopted rules to make it more user-friendly and searchable and to include archival capability. The Secretary of State shall provide a progress report to the Joint Standing Committee on State and Local Government and the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 2012 on the development and implementation of the website improvements.

**Sec. NNN-4. Calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 5 of this Part that applies against each General Fund account for all departments and agencies from savings associated with publishing adopted rule notices only on the publicly accessible website and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2011-12 and fiscal year 2012-13. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than October 1, 2012.

**Sec. NNN-5. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Departments and Agencies - Statewide 0016**

Initiative: Deappropriates funds to reflect savings to be realized by requiring the Secretary of State to publish adopted rule notices only on the publicly accessible website.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($116,000) | ($116,000) |
| GENERAL FUND TOTAL | ($116,000) | ($116,000) |

## PART OOO

**Sec. OOO-1. 10 MRSA §1023-J, first ¶,** as amended by PL 2003, c. 578, §8, is further amended to read:

The Agricultural Marketing Loan Fund, referred to in this section as the "fund," is created. The fund must be deposited with and maintained by the Finance Authority of Maine. The fund must be administered by the Commissioner of Agriculture, Food and Rural Resources in accordance with Title 7, chapter 101, subchapter 1-D. All money received by the Finance Authority of Maine from any source for the development and implementation of an improved agricultural marketing loan program must be credited to the fund. Any money credited to the fund from the issuance of bonds on behalf of the State for financing loans for agricultural enterprises may be used only for the following purposes: to provide assistance to agricultural enterprises in this State for the design, construction or improvement of commodity and storage buildings and packing and marketing facilities; for the purchase, construction or renovation of buildings, equipment, docks, wharves, piers or vessels used in connection with a commercial agricultural enterprise; for the purchase of land in connection with development of new cranberry acreage; for the purchase of land for irrigation reservoirs or to provide direct access to water for irrigation; for the purchase of land necessary for the start-up of a new agricultural enterprise; for the expansion of an existing agricultural enterprise when the land acquisition is necessary to comply with land use regulations; for the development of a business plan in accordance with the provisions of Title 7, section 436-A; for improvements to pastureland, including seeding and actions to promote rotational grazing; or, if the commissioner so approves at the time of loan insurance commitment, to pledge money in the fund as security for, and to apply money in the fund to, payment of principal, interest and other amounts due on any term loans insured by the Finance Authority of Maine to an eligible dairy farmer. Repayment of these loans and interest on these loans must be credited to the fund and may be used for the purposes stated in this section or Title 7, section 436. Interest earned on money in the fund and interest earned on loans made from the fund may be used to pay the administrative costs of processing loan applications and servicing and administering the fund and loans and grants made from the fund since the inception of the agricultural marketing loan program, to the extent that these costs exceed the fee for administrative costs established by Title 7, section 435, subsection 4.

## PART PPP

**Sec. PPP-1. 5 MRSA §937, sub-§1, ¶F,** as amended by PL 2007, c. 1, Pt. D, §1, is further amended to read:

F. Director, ~~Planning and Management Information~~ Policy and Programs.

**Sec. PPP-2. 20-A MRSA §203, sub-§1, ¶F,** as amended by PL 2009, c. 571, Pt. W, §2, is further amended to read:

F. Director, ~~Planning and Management Information~~ Policy and Programs.

## PART QQQ

**Sec. QQQ-1. Elimination of vacant positions; calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the elimination of vacant positions in section 2 that applies against each General Fund account, Highway Fund account and All Other Funds accounts for all executive branch departments and agencies statewide, including the Department of the Attorney General, the Department of the Secretary of State and the Department of Audit, and transfer those savings and the headcount by financial order upon the approval of the Governor. These transfers are considered adjustments to authorized position count and appropriations and allocations in fiscal years 2011-12 and 2012-13 based on a report submitted to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation in May 2011.

**Sec. QQQ-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 the elimination of 227.267 position count representing 259 positions as a result of the review of vacant positions statewide as authorized in Public Law 2011, chapter 1, Part R, section 1. This initiative represents the General Fund share of savings from the position eliminations.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (61.500) | (61.500) |
| POSITIONS - FTE COUNT | (3.808) | (3.808) |
| Personal Services | ($3,749,197) | ($3,942,484) |
| GENERAL FUND TOTAL | ($3,749,197) | ($3,942,484) |

## PART RRR

**Sec. RRR-1. Transfer from unappropriated surplus; Maine Budget Stabilization Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $4,000,000 during fiscal year 2011-12 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services.

**Sec. RRR-2. Transfer from Unclaimed Property Fund; Maine Budget Stabilization Fund.** Notwithstanding any other provision of law, the State Controller shall transfer any amounts transferred from the Unclaimed Property Fund account in the Office of the Treasurer of State to the General Fund pursuant to the Maine Revised Statutes, Title 33, section 1964 at the close of the fiscal year ending June 30, 2011 that exceed $2,333,420 to the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services.

## PART SSS

**Sec. SSS-1. Transfers to Maine Clean Election Fund.** Notwithstanding the Maine Revised Statutes, Title 21-A, section 1124, subsection 2, paragraph B, the State Controller shall transfer $2,000,000, currently authorized to be transferred on or before January 1, 2013, from the General Fund to the Maine Clean Election Fund on or before September 1, 2012 in order to ensure that adequate funds will be available to the Commission on Governmental Ethics and Election Practices.

## PART TTT

**Sec. TTT-1. Transfer; Fund for a Healthy Maine; General Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $1,375,000 by June 30, 2012 and $3,240,445 by June 30, 2013 from the Fund for a Healthy Maine, Other Special Revenue Funds account in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund.

## PART UUU

**Sec. UUU-1. 5 MRSA §1591, sub-§2, ¶A,** as amended by PL 2011, c. 1, Pt. O, §1, is further amended to read:

A. Any balance remaining in the accounts of the Department of Health and Human Services, Bureau of Elder and Adult Services appropriated for the purposes of homemaker or home-based care services at the end of any fiscal year to be carried forward for use by either program in the next fiscal year; ~~and~~

**Sec. UUU-2. 5 MRSA §1591, sub-§2, ¶B** as enacted by PL 2011, c. 1, Pt. O, §2, is amended to read:

B. Any balance remaining in the Traumatic Brain Injury Seed program, General Fund account at the end of any fiscal year to be carried forward for use in the next fiscal year~~.~~; and

**Sec. UUU-3. 5 MRSA §1591, sub-§2, ¶C** is enacted to read:

C. Any balance remaining in the General Fund account of the Department of Health and Human Services, Bureau of Medical Services appropri-

ated for All Other line category expenditures at the end of any fiscal year to be carried forward for use in the next fiscal year.

## PART VVV

**Sec. VVV-1. Standardized room and board rates; children's private nonmedical institution services; revision of agency rules.** The Department of Health and Human Services shall revise its rules to standardize the room and board rates paid to providers of children's private nonmedical institution services. These rate changes must maintain costs within existing resources. In standardizing rates, the department shall consider room and board costs that are influenced by the acuity of the needs of the child and cost of care, the size of the private nonmedical institution and cost factors that vary by region of the State. In the process of developing standardized rates, the department shall include representatives of providers of private nonmedical institution services from across the State, from a variety of types of service and from small, medium and large facilities. Rules adopted pursuant to this section are major substantive rules as required by the Maine Revised Statutes, Title 22, section 3174-Z. Rules adopted pursuant to this section may not take effect prior to February 1, 2012.

## PART WWW

**Sec. WWW-1. 2 MRSA §6, sub-§3,** as repealed and replaced by PL 2005, c. 683, Pt. A, §2, is amended to read:

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

Director, Bureau of General Services;

Director, Bureau of Alcoholic Beverages and Lottery Operations;

State Budget Officer;

State Controller;

Director of the Bureau of Forestry;

Director, State Planning Office;

Director, Energy Resources Office;

Director of Human Resources;

Director, Bureau of Parks and Lands; ~~and~~

Director of Econometric Research~~.~~; and

Director of the Governor's Office of Communications.

**Sec. WWW-2. 2 MRSA §10** is enacted to read:

**§10. Governor's Office of Communications**

**1. Office established.** The Governor's Office of Communications, referred to in this section as "the office," is established to consolidate, coordinate and streamline communication functions in State Government. The office is administered by the Executive Department.

**2. Director.** The office is under the control and supervision of the Director of the Governor's Office of Communications. The director is appointed by the Governor and serves at the pleasure of the Governor.

**3. Coordination with departments and agencies.** The office shall provide coordinated public communication services to state departments and agencies.

**Sec. WWW-3. Review of statewide communications functions to improve efficiency and cost-effectiveness.** The Director of the Governor's Office of Communications, established in the Maine Revised Statutes, Title 2, section 10, shall conduct a statewide review of positions currently responsible for communications internal and external to state departments and agencies in order to identify positions for transfer to the Governor's Office of Communications. To assist with this review, the director shall use staff resources from the Department of Administrative and Financial Services, Bureau of the Budget and Bureau of Human Resources and must be provided staff resources from personnel of other agencies. The director is authorized to identify savings and position eliminations to the General Fund and other funds from the improvements identified from the review. 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. These transfers are considered adjustments to authorized position count, appropriations and allocations in fiscal years 2011-12 and 2012-13. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred positions and amounts no later than October 1, 2011.

**Sec. WWW-4. Transition.** Notwithstanding any other provision of law, employees of departments or agencies within the State who were employees immediately prior to the effective date of this Part retain all their employee rights, privileges and benefits, including sick leave, vacation and seniority, provided under the Civil Service Law, collective bargaining agreements and current state personnel policies. The Department of Administrative and Financial Services, Bureau of Human Resources shall provide assistance to the affected departments and agencies and shall assist with the orderly implementation of this Part.

## PART XXX

**Sec. XXX-1. 22 MRSA §3187, last ¶,** as enacted by PL 2003, c. 684, §1, is amended to read:

Rules regarding principles of reimbursement for intermediate care facilities for the mentally retarded

adopted pursuant to section 3173 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A, except that rules adopted to establish an approval process for capital expenditures to renovate or construct intermediate care facilities for the mentally retarded are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## PART YYY

**Sec. YYY-1. Lapse available balance.** Notwithstanding any other provision of law, at the close of fiscal year 2010-11, the State Controller shall lapse $2,800,000 from the General Purpose Aid for Local Schools General Fund account within the Department of Education representing fiscal year 2010-11 excess funding for state wards and state agency clients to the unappropriated surplus of the General Fund.

## PART ZZZ

**Sec. ZZZ-1. Implementation of recommendations of natural resources agency task force.** By February 15, 2012, the Governor shall implement recommendations of the 2008 plan developed by the natural resources agency task force appointed by the Governor to implement Public Law 2007, chapter 539, Part YY, section 2 to:

1. Execute a memorandum of understanding between the Department of Inland Fisheries and Wildlife and the Department of Conservation on a system of unified management of all state boat launch facilities under their jurisdictions;

2. Develop a plan for collocating natural resources agencies and staff currently located in various regional offices to increase communication and collaboration; and

3. Develop a plan for a rational alignment of districts for natural resources agencies to increase communication and collaboration among staff members and between agencies and the local government and citizens of those districts.

**Sec. ZZZ-2. Report.** By February 15, 2012, the Commissioner of Conservation and the Commissioner of Inland Fisheries and Wildlife shall provide a copy of the memorandum of understanding executed under section 1, subsection 1 to the Joint Standing Committee on Appropriations and Financial Affairs. By February 15, 2012, the Commissioner of Conservation, the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Agriculture, Food and Rural Resources, the Commissioner of Environmental Protection and the Commissioner of Marine Resources shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report on the plans developed under section 1, subsections 2 and 3.

## PART AAAA

**Sec. AAAA-1. Judicial Department to coordinate drug court efforts.** The Judicial Department shall coordinate drug court efforts within existing General Fund resources and authorized headcount. This activity was previously supported with a Fund for a Healthy Maine allocation, which was eliminated in Part A of this Act.

## PART BBBB

**Sec. BBBB-1. Transfer to General Fund; Accident, Sickness and Health Insurance Internal Service Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $1,900,000 representing the General Fund and Other Special Revenue Funds shares from the Accident, Sickness and Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund no later than June 30, 2012. The State Controller also shall transfer the equitable excess reserves as required by state law or federal regulations by June 30, 2012.

## PART CCCC

**Sec. CCCC-1. 36 MRSA §5142, sub-§8-A,** as enacted by PL 2005, c. 332, §22 and affected by §30, is repealed.

**Sec. CCCC-2. 36 MRSA §5142, sub-§8-B** is enacted to read:

**8-B. Minimum taxability threshold; exemptions.** Minimum taxability thresholds for nonresidents are governed by this subsection.

A. Compensation for personal services performed in the State as an employee is Maine-source income subject to taxation under this Part if the nonresident taxpayer is present in the State performing personal services for more than 12 days during that taxable year and directly earns or derives more than $3,000 in gross income during the year in the State from all sources.

B. A nonresident individual who is present for business in the State on other than a systematic or regular basis, either directly or through agents or employees, has Maine-source income derived from or effectively connected with a trade or business in the State and subject to taxation under this Part only if the nonresident individual was present in the State for business more than 12 days during the taxable year and earns or derives more than $3,000 of gross income during the taxable year from contractual or sales-related activities.

C. Performance of the following personal services for 24 days during a calendar year may not

be counted toward the 12-day threshold under paragraph A:

(1) Personal services performed in connection with presenting or receiving employment-related training or education;

(2) Personal services performed in connection with a site inspection, review, analysis of management or any other supervision of a facility, affiliate or subsidiary based in the State by a representative from a company, not headquartered in the State, that owns that facility or is the parent company of the affiliate or subsidiary;

(3) Personal services performed in connection with research and development at a facility based in the State or in connection with the installation of new or upgraded equipment or systems at that facility; or

(4) Personal services performed as part of a project team working on the attraction or implementation of new investment in a facility based in the State.

**Sec. CCCC-3. 36 MRSA §5220, sub-§2,** as amended by PL 2005, c. 332, §23, is further amended to read:

**2. Nonresident individuals.** Every nonresident individual who, pursuant to this Part, has a Maine individual income tax liability for the taxable year. An individual whose only Maine-source income is ~~compensation for personal services performed in Maine that is~~ excluded from Maine adjusted gross income by the threshold contained in section 5142, subsection ~~8-A~~ 8-B is not subject to taxation under this Part and need not file a return;

**Sec. CCCC-4. Application.** This Part applies to tax years beginning on or after January 1, 2011.

## PART DDDD

**Sec. DDDD-1. 36 MRSA §1752, sub-§11-A** is enacted to read:

**11-A. Retirement facility.** "Retirement facility" means a facility that includes residential dwelling units where, on an average monthly basis, at least 80% of the residents of the facility are persons 62 years of age or older.

**Sec. DDDD-2. 36 MRSA §1760, sub-§6, ¶E,** as amended by PL 2011, c. 240, §17, is further amended to read:

E. Served by a college to its employees if the meals are purchased with debit cards issued by the college; ~~and~~

**Sec. DDDD-3. 36 MRSA §1760, sub-§6, ¶F,** as amended by PL 2009, c. 211, Pt. B, §30, is further amended to read:

F. Served by youth camps licensed by the Department of Health and Human Services and defined in Title 22, section 2491, subsection 16-; and

**Sec. DDDD-4. 36 MRSA §1760, sub-§6, ¶G** is enacted to read:

G. Served by a retirement facility to its residents when participation in the meal program is a condition of occupancy or the cost of the meals is included in or paid with a comprehensive fee that includes the right to reside in a residential dwelling unit and meals or other services, whether that fee is charged annually, monthly, weekly or daily.

**Sec. DDDD-5. Retroactivity.** This Part applies retroactively to tax years beginning on or after January 1, 2010.

**Sec. DDDD-6. Effective date.** This Part takes effect October 1, 2011.

## PART EEEE

**Sec. EEEE-1. 36 MRSA §2013, sub-§2,** as amended by PL 2001, c. 396, §24, is further amended to read:

**2. Refund authorized.** Any person, association of persons, firm or corporation that purchases electricity, or that purchases or leases depreciable machinery or equipment, for use in commercial agricultural production, commercial fishing or commercial aquacultural production or that purchases fuel for use in a commercial fishing vessel must be refunded the amount of sales tax paid upon presenting to the State Tax Assessor evidence that the purchase is eligible for refund under this section.

Evidence required by the assessor may include a copy or copies of that portion of the purchaser's or lessee's most recent filing under the United States Internal Revenue Code that indicates that the purchaser or lessee is engaged in commercial agricultural production, commercial fishing or commercial aquacultural production and that the purchased machinery or equipment is depreciable for those purposes or would be depreciable for those purposes if owned by the lessee.

In the event that any piece of machinery or equipment is only partially depreciable under the United States Internal Revenue Code, any reimbursement of the sales tax must be prorated accordingly. In the event that electricity or fuel for a commercial fishing vessel is used in qualifying and nonqualifying activities, any reimbursement of the sales tax must be prorated accordingly.

Application for refunds must be filed with the assessor within 36 months of the date of purchase or execution of the lease.

**Sec. EEEE-2. 36 MRSA §2013, sub-§3,** as amended by PL 2001, c. 396, §24, is further amended to read:

**3. Purchases made free of tax with certificate.** Sales tax need not be paid on the purchase of electricity, fuel for a commercial fishing vessel or ~~of~~ a single item of machinery or equipment if the purchaser has obtained a certificate from the assessor stating that the purchaser is engaged in commercial agricultural production, commercial fishing or commercial aquacultural production and authorizing the purchaser to purchase electricity, fuel for a commercial fishing vessel or depreciable machinery and equipment without paying Maine sales tax. The seller is required to obtain a copy of the certificate together with an affidavit as prescribed by the assessor, to be maintained in the seller's records, attesting to the qualification of the purchase for exemption pursuant to this section. In order to qualify for this exemption, the electricity, fuel for a commercial fishing vessel or depreciable machinery or equipment must be used directly in commercial agricultural production, commercial fishing or commercial aquacultural production. In order to qualify for this exemption, the electricity or fuel for a commercial fishing vessel must be used in qualifying activities, including support operations.

**Sec. EEEE-3. Application.** This Part applies to purchases of fuel for use in a commercial fishing vessel on or after October 1, 2011.

## PART FFFF

**Sec. FFFF-1. 36 MRSA §1760, sub-§93** is enacted to read:

**93. Plastic bags sold to redemption centers.** Sales to a local redemption center licensed under Title 32, section 1871-A of plastic bags used by the redemption center to sort, store or transport returnable beverage containers.

**Sec. FFFF-2. Retroactivity.** This Part applies retroactively to January 1, 2004.

## PART GGGG

**Sec. GGGG-1. 36 MRSA §1760, sub-§23-C, ¶C,** as amended by PL 2005, c. 618, §2 and affected by §5, is further amended to read:

C. Aircraft, if the property is an aircraft not exempted under subsection 88-A; and

**Sec. GGGG-2. 36 MRSA §1760, sub-§45, ¶A-3,** as amended by PL 2007, c. 691, §1 and affected by §2, is further amended to read:

A-3. If the property is an aircraft not exempted under subsection 88 or 88-A and the owner at the time of purchase was a resident of another state or tax jurisdiction and the aircraft is present in this State not more than 20 days during the 12 months following its purchase, exclusive of days during which the aircraft is in this State for the purpose of undergoing "major alterations," "major repairs" or "preventive maintenance" as those terms are described in 14 Code of Federal Regulations, Appendix A to Part 43, as in effect on January 1, 2005. For the purposes of this paragraph, the location of an aircraft on the ground in the State at any time during a day is considered presence in the State for that entire day, and a day must be disregarded if at any time during that day the aircraft is used to provide free emergency or compassionate air transportation arranged by an incorporated nonprofit organization providing free air transportation in private aircraft by volunteer pilots so children and adults may access lifesaving medical care; or

**Sec. GGGG-3. 36 MRSA §1760, sub-§88-A** is enacted to read:

**88-A. Aircraft and parts.** Sales, use or leases of aircraft and sales of repair and replacement parts exclusively for use in aircraft or in the significant overhauling or rebuilding of aircraft or aircraft parts or components from July 1, 2011 to June 30, 2015.

## PART HHHH

**Sec. HHHH-1. 5 MRSA §13070-J, sub-§1, ¶D,** as amended by PL 2009, c. 337, §5, is further amended to read:

D. "Economic development incentive" means federal and state statutorily defined programs that receive state funds, dedicated revenue funds and tax expenditures as defined by section 1666 whose purposes are to create, attract or retain business entities related to business development in the State, including but not limited to:

(1) Assistance from Maine Quality Centers under Title 20-A, chapter 431-A;

(2) The Governor's Training Initiative Program under Title 26, chapter 25, subchapter 4;

(3) Municipal tax increment financing under Title 30-A, chapter 206;

(4) The jobs and investment tax credit under Title 36, section 5215;

(5) The research expense tax credit under Title 36, section 5219-K;

(6) Reimbursement for taxes paid on certain business property under Title 36, chapter 915;

(7) Employment tax increment financing under Title 36, chapter 917;

(8) The shipbuilding facility credit under Title 36, chapter 919;

(9) The credit for seed capital investment under Title 36, section 5216-B; ~~and~~

(10) The credit for pollution-reducing boilers under Title 36, section 5219-Z.~~;~~ ; and

(11) The credit for Maine fishery infrastructure investment under Title 36, section 5216-D.

**Sec. HHHH-2. 12 MRSA c. 903, sub-c. 8** is enacted to read:

**SUBCHAPTER 8**

**MAINE FISHERY INFRASTRUCTURE TAX CREDIT PROGRAM**

**§10331. Tax credit certificates**

**1. Authorization; short title.** In order to encourage investment in and contributions to infrastructure improvements and facilities that enhance the State's fisheries, the department in coordination with the Department of Marine Resources is authorized to issue certificates of eligibility for the Maine fishery infrastructure investment tax credit permitted by Title 36, section 5216-D, subject to the requirements of this section. This program may be known and cited as "the Maine Fishery Infrastructure Tax Credit Program."

**2. Eligibility for tax credit certificate; rules.** The department in coordination with the Department of Marine Resources shall adopt rules in accordance with the Maine Administrative Procedure Act to implement the Maine Fishery Infrastructure Tax Credit Program. Rules adopted pursuant to this subsection are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A. The rules must establish requirements for public fishery infrastructure project eligibility for a tax credit certificate and must include at least the following.

A. A tax credit certificate may be issued in an amount not more than 50% of the amount of cash actually invested in or contributed to an eligible public fishery infrastructure project in any calendar year.

B. An eligible public fishery infrastructure project must be determined by the department in coordination with the Department of Marine Resources to have a public benefit and be:

(1) A publicly owned infrastructure improvement or facility that enhances the State's fisheries; or

(2) A privately owned infrastructure improvement or facility that is publicly accessible.

**3. Credit certificate limit.** The aggregate investment or contribution eligible for tax credits under this subchapter may not exceed $5,000,000 per project.

**4. List of projects.** The department shall develop and maintain a list of projects eligible under this subchapter and rules adopted under this subchapter. The department shall coordinate with the Department of Marine Resources in the identification of projects that benefit freshwater and saltwater fisheries.

**5. Revocation of tax credit certificate.** The department may revoke a tax credit certificate under this subchapter if any representation to the department in connection with the application for the certificate proves to have been false when made or if the applicant violates any conditions established by the department and stated in the tax credit certificate. The revocation may be in full or in part as the department determines. The department shall specify the amount of credit being revoked and send notice of the revocation to the investor or contributor and to the State Tax Assessor.

**6. Reports.** As a condition for determination of eligibility or continuation of eligibility for a tax credit certificate under this subchapter, the department may require any information or reports from the public fishery infrastructure project that it considers necessary.

**Sec. HHHH-3. 36 MRSA §5216-D** is enacted to read:

**§5216-D. Maine Fishery Infrastructure Investment Tax Credit Program**

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

A. "Certificate" means a tax credit certificate issued by the Department of Inland Fisheries and Wildlife pursuant to Title 12, chapter 903, subchapter 8.

B. "Investment" means an investment or contribution for which a certificate has been received.

C. "Investor" means a taxpayer that has received a certificate.

**2. Credit.** An investor is entitled to a credit against the tax otherwise due under this Part equal to the amount of the tax credit certificate issued by the Department of Inland Fisheries and Wildlife in accordance with Title 12, section 10331 and as limited by subsection 3. In the case of partnerships, limited liability companies, S corporations, nontaxable trusts and any other entities that are treated as pass-through entities for tax purposes under the Code, but not including pass-through entities taxed under chapter 819, the individual partners, members, stockholders, beneficiaries or equity owners of such entities must be treated as the investors under this section and are allowed a credit against the tax otherwise due from them under this Part in proportion to their respective interests in those partnerships, limited liability companies, S corporations, nontaxable trusts or other pass-through entities. Except as limited or authorized by subsection 3 or 4, 25% of the credit must be taken in the taxable year

the investment is made and 25% per year must be taken in each of the next 3 taxable years.

**3. Limitation.** The amount of the credit allowed under this section for any one taxable year may not exceed 50% of the tax imposed by this Part on the investor for the taxable year before application of the credit.

**4. Carry forward.** A credit under this section not taken because of the limitation in subsection 3 must be taken in the next taxable year in which the credit may be taken, and the limitation of subsection 3 also applies to the carry-forward years. In no case may this carry-forward period exceed 15 years.

**5. Recapture.** If the Department of Inland Fisheries and Wildlife revokes a certificate, there must be added to the tax imposed on the investor under this Part for the taxable year in which the revocation occurs an amount equal to the excess of the amount of credit revoked over the amount of credit not yet taken.

**6. Effect of other tax benefits.** A person may not claim a credit under this section if the person also claims a deduction for the same investment under another provision of this Part.

## PART IIII

**Sec. IIII-1. Personal Services balances authorized to carry; Department of Corrections.** Notwithstanding any other provision of law, the Department of Corrections is authorized to carry up to $1,112,240 of fiscal year 2010-11 year-end balances in the Personal Services line category of General Fund accounts to fiscal year 2011-12 to be used for the purpose of paying the retroactive costs of the reclassifications, range changes and approved bargaining unit changes included in Part A of this Act. These balances may be transferred by financial order to the accounts from which these retroactive costs will be expended upon the recommendation of the State Budget Officer and approval of the Governor.

**Sec. IIII-2. Position eliminations; Department of Corrections.** No later than August 1, 2011, the Department of Corrections shall identify positions for elimination to achieve General Fund savings that are equal to or greater than the amount deappropriated from the Departmentwide - Corrections General Fund account in section 3. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings that applies against each account in the Department of Corrections and is authorized to transfer authorized headcount and Personal Services savings by financial order upon the approval of the Governor. These transfers are considered adjustments to authorized headcount and appropriations.

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

**CORRECTIONS, DEPARTMENT OF**

**Departmentwide - Corrections Z096**

Initiative: Reduces funding to offset the cost of reclassifications, range changes and bargaining unit changes included in several programs in Part A.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($287,739) | ($295,926) |
| GENERAL FUND TOTAL | ($287,739) | ($295,926) |

## PART JJJJ

**Sec. JJJJ-1. Transfer; Maine Budget Stabilization Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $29,700,000 from the Maine Budget Stabilization Fund in the Department of Administrative and Financial Services to General Fund unappropriated surplus by the close of fiscal year 2011-12 to offset a General Fund revenue shortfall.

## PART KKKK

**Sec. KKKK-1. Review of alternative sources of funding for emergency broadcast alerts.** The Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, in consultation with the Commissioner of Administrative and Financial Services, shall research the potential for federal funds to fund the cost of providing emergency broadcast alerts to the citizens of the State through the Maine Public Broadcasting Network. The agency shall report its findings on available federal resources no later than January 2, 2012 to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Appropriations and Financial Affairs.

## PART LLLL

**Sec. LLLL-1. 37-B MRSA §1151, sub-§8,** as enacted by PL 1997, c. 742, §2, is amended to read:

**8. Duties.** The duties of the commission are to:

A. Advise the Maine Women Veterans Coordinator and the Department of Defense, Veterans and Emergency Management on issues affecting women veterans~~; and~~.

~~B. Serve as a liaison between women veterans and the Department of Veterans Affairs Medical and Regional Office Center at Togus.~~

**Sec. LLLL-2. 37-B MRSA §1151, sub-§§9 to 11** are enacted to read:

**9. Maine Women Veterans Coordinator.** The Director of the Bureau of Maine Veterans' Services shall contract for a Maine Women Veterans Coordinator, referred to in this section as "the coordinator." The coordinator shall serve as a liaison to the Department of Defense, Veterans and Emergency Management on behalf of women veterans. The coordinator shall represent women veterans and communicate issues related to women veterans, including issues presented by the commission, to the United States Veterans Administration and state, regional and national veterans organizations or working groups. The coordinator shall engage in activities that disseminate information to women veterans in the State regarding available federal and state services intended to serve veterans generally and women veterans specifically. The contract may include the costs of conference fees, lodging and professional membership fees for the coordinator directly related to the duties described in this subsection. The coordinator shall submit an annual report to the director as determined by the director.

**10. Fund created.** The Fund for Women Veterans is established and is administered by the Director of the Bureau of Maine Veterans' Services for the purpose of reimbursing members of the commission for expenses directly related to their duties under subsection 8, including biannual conference attendance fees and lodging fees associated with a conference. The fund may also be used to pay the contracted services of the coordinator. The fund is a dedicated, nonlapsing fund. The director shall submit a report by January 15th annually on the work of the coordinator and commission including an accounting of expenditures of the fund to the joint standing committee of the Legislature having jurisdiction over veterans affairs.

**11. Repeal.** This section is repealed June 30, 2015.

**Sec. LLLL-3. Transfer from General Fund unappropriated surplus; Bureau of Maine Veterans' Services, Fund for Women Veterans, Department of Defense, Veterans and Emergency Management.** Notwithstanding any other provision of law, the State Controller shall transfer $20,000 by July 15, 2011 and $12,500 by July 15, 2012 from General Fund unappropriated surplus to the Bureau of Maine Veterans' Services, Fund for Women Veterans, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management.

## PART MMMM

**Sec. MMMM-1. Calculation and transfer; General Fund; Office of Information Technology.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part from a decrease in charges made to the Department of Administrative and Financial Services, Office of Information Technology for its services that applies against each General Fund account for departments and agencies statewide. 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 years 2011-12 and 2012-13. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts not later than January 15, 2012.

**Sec. MMMM-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 to recognize savings from implementing a decrease in charges made to the Department of Administrative and Financial Services, Office of Information Technology for its services. The savings to the Office of Information Technology are freezing merit and longevity payments and changes to pension and health insurance.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($220,938) | ($346,148) |
| GENERAL FUND TOTAL | ($220,938) | ($346,148) |

## PART NNNN

**Sec. NNNN-1. Transfer; Other Special Revenue Funds; Office of Public Advocate; State Nuclear Safety Advisor; General Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $55,621 from available balances in the State Nuclear Safety Advisor, Other Special Revenue Funds account within the Office of the Public Advocate to the unappropriated surplus of the General Fund by June 30, 2012.

**Sec. NNNN-2. Transfer; Other Special Revenue Funds; Office of Public Advocate; Railroad Freight Services Quality Fund; General Fund.** Notwithstanding any other provision of law, the State Controller shall transfer $20,453 from available balances in the Railroad Freight Service Quality Fund, Other Special Revenue Funds account within the Office of the Public Advocate to the unappropriated surplus of the General Fund by June 30, 2012.

## PART OOOO

**Sec. OOOO-1. Judicial branch report on electronic filing.** The judicial branch shall develop a plan to implement electronic filing for civil docket cases. The judicial branch shall submit the plan along

with an estimate of the cost to implement electronic filing in civil docket cases to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary no later than February 1, 2012.

**Sec. OOOO-2. Judicial branch report on audio broadcast.** The judicial branch shall develop a plan to provide an audio broadcast of Law Court oral arguments. The judicial branch shall submit the plan along with an estimate of the cost to implement and maintain audio broadcasts of Law Court oral arguments to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary no later than February 1, 2012.

## PART PPPP

**Sec. PPPP-1. 28-A MRSA §606, sub-§2,** as amended by PL 2005, c. 539, §6, is further amended to read:

**2. On-premises retailers must report purchases.** All persons licensed to sell liquor to be consumed on the premises shall report all liquor purchases to the alcohol bureau ~~on forms provided~~ in a manner determined by the alcohol bureau.

## PART QQQQ

**Sec. QQQQ-1. 3 MRSA §2, first ¶,** as amended by PL 2009, c. 213, Pt. LL, §1, is further amended to read:

Each member of the Senate and House of Representatives, beginning with the first Wednesday of December 2000 and thereafter, is entitled to $10,815 in the first year and $7,725 in the 2nd year of each biennium, except that if a Legislator who is a recipient of retirement benefits from the federal Social Security Administration files a written request with the Executive Director of the Legislative Council within one week after the biennium commences, the Legislator is entitled to $9,270 in each year of the biennium. Each member of the Senate and the House of Representatives must receive a cost-of-living adjustment in annual legislative salary, except that the percentage increase may not exceed 5% in any year, and except that the percentage increase may not exceed 3% beginning with the fiscal year ending June 30, 2014. Beginning December 1, 2001, the salary for each legislative session must be adjusted each December 1st by the percentage change in the Consumer Price Index for the most recently concluded fiscal year; except that no member of the Senate or the House of Representatives may receive a cost-of-living adjustment in annual legislative salary for the Second Regular Session of the 124th Legislature, and except that no member of the Senate or the House of Representatives may receive a cost-of-living adjustment in annual legislative salary for the Second Regular Session of the 125th Legislature and the First Regular Session and the Second Regular Session of the 126th Legislature, and any percentage change in the Consumer Price Index for the fiscal years ending June 30, 2011, June 30, 2012 and June 30, 2013 may not be applied to the base salary. In addition, each Legislator is entitled to be paid for travel at each legislative session once each week at the same rate per mile to and from that Legislator's place of abode as state employees receive, the mileage to be determined by the most reasonable direct route, except that Legislators may be reimbursed for tolls paid for travel on the Maine Turnpike as long as they have a receipt for payment of the tolls, such tolls to be reimbursed when Legislators use the Maine Turnpike in traveling to and from sessions of the Legislature or in performance of duly authorized committee assignments. Each Legislator is entitled to mileage on the first day of the session, and those amounts of salary and expenses at such times as the Legislature may determine during the session, and the balance at the end of the session.

**Sec. QQQQ-2. Legislative account; lapsed balances; Legislature, General Fund.** Notwithstanding any other provision of law, $36,677 of unencumbered balance forward in the Personal Services line category and $65,800 in the All Other line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. These balances will be available as a result of reducing the length of the Second Regular Session of the 125th Legislature by one week. Additionally, $38,102 of unencumbered balance forward in the Personal Services line category and $65,800 in the All Other line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of reducing the length of the First Regular Session of the 126th Legislature by one week.

Notwithstanding any other provision of law, $593,672 of unencumbered balance forward in the Personal Services line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, $87,305 of unencumbered balance forward in the Personal Services line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available from health insurance savings resulting from those Legislators who decline health insurance coverage.

Notwithstanding any other provision of law, $1,777,681 of unencumbered balance forward in the Personal Services line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12.

Notwithstanding any other provision of law, $192,700 of unencumbered balance forward in the Personal Services line category in the Legislature,

General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, $526,512 of unencumbered balance forward in the Personal Services line category in the Legislature, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of implementing Personal Services cost-savings measures determined by the Legislative Council.

**Sec. QQQQ-3. Legislative account; lapsed balances; Law and Legislative Reference Library, General Fund.** Notwithstanding any other provision of law, $76,209 of unencumbered balance forward in the Personal Services line category in the Law and Legislative Reference Library, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12.

Notwithstanding any other provision of law, $11,235 of unencumbered balance forward in the Personal Services line category in the Law and Legislative Reference Library, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, $31,777 of unencumbered balance forward in the Personal Services line category in the Law and Legislative Reference Library, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of implementing Personal Services cost-savings measures determined by the Legislative Council.

**Sec. QQQQ-4. Legislative account; lapsed balances; Office of Program Evaluation and Government Accountability, General Fund.** Notwithstanding any other provision of law, $164,030 of unencumbered balance forward in the Personal Services line category and $50,000 in the All Other line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12.

Notwithstanding any other provision of law, $17,440 of unencumbered balance forward in the Personal Services line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Legislature lapses to the General Fund in fiscal year 2011-12. In addition, $44,852 of unencumbered balance forward in the Personal Services line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Legislature lapses to the General Fund in fiscal year 2012-13. These balances will be available as a result of implementing Personal Services cost-savings measures determined by the Legislative Council.

## PART RRRR

**Sec. RRRR-1. State Lottery Fund; reduction to expenses; transfer to General Fund.** The Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services shall reduce costs of goods sold expenditures below budgeted amounts by $350,000 in fiscal year 2011-12 and $2,200,000 in fiscal year 2012-13 based on extending the lottery contract in fiscal year 2011-12 and from rebidding the existing contract in fiscal year 2012-13 in order to increase General Fund revenue by $350,000 in fiscal year 2011-12 and $2,200,000 in fiscal year 2012-13.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Lottery Operations 0023**

Initiative: Allocates funds to offset deallocations in Part A that were intended to recognize savings within the costs of goods sold account, which is not allocated by the Legislature. This allocation avoids an unintended reduction to lottery operating allocations.

| STATE LOTTERY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $350,000 | $2,200,000 |
| STATE LOTTERY FUND TOTAL | $350,000 | $2,200,000 |

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

Effective June 20, 2011, unless otherwise indicated.

## CHAPTER 381

## S.P. 502 - L.D. 1569

### An Act To Restore the White-tailed Deer Population and Improve Maine's Wildlife Economy and Heritage

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

**Sec. 1. 5 MRSA §6207, sub-§3,** as amended by PL 2001, c. 466, §2, is further amended to read:

**3. Priorities.** Whenever possible, the Land for Maine's Future Fund and the Public Access to Maine Waters Fund must be used for land acquisition projects

when matching funds are available from cooperating entities, ~~provided that~~ as long as the proposed acquisition meets all other criteria set forth in this chapter. For acquisitions funded by the Land for Maine's Future Fund, the board shall give priority to projects that conserve lands with multiple outstanding resource or recreation values or a single exceptional value, conserve and protect deer wintering areas, provide geographic representation and build upon or connect existing holdings.

When acquiring land or interest in land, the board shall examine public vehicular access rights to the land and, whenever possible and appropriate, acquire guaranteed public vehicular access as part of the acquisition.

**Sec. 2. 12 MRSA §5012,** as amended by PL 2009, c. 213, Pt. L, §§1 to 3, is further amended by adding at the end a new paragraph to read:

Prior to final negotiations and legislative and administrative review of the sale of state-designated lands or an interest in designated lands that contain significant deer wintering habitat, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over conservation matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the proposed sale. For purposes of this section, "designated lands" has the same meaning as in section 598-A.

**Sec. 3. 12 MRSA §10107-A** is enacted to read:

**§10107-A. Deer population goals and 5-year benchmark report**

The department shall establish 5-year benchmarks for managing the deer population in each wildlife management district and report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters. The annual report must include, but is not limited to:

**1. Updates.** Updates on meeting each 5-year benchmark;

**2. Annual goals.** Annual goals for wildlife management districts, funding needed to meet the goals and the progress toward meeting the goals;

**3. Deer mortality.** Data on deer mortality, including, but not limited to, predation on deer;

**4. Efforts.** An assessment of the efforts of animal depredation control agents;

**5. Annual flights.** The number of flights made annually by agents of the department to assess the deer population; and

**6. Work with others.** The department's efforts to work with interest groups regarding predator control.

**Sec. 4. 12 MRSA §10109, sub-§5** is enacted to read:

**5. Transfer of property containing deer wintering habitat.** Prior to final negotiations and legislative and administrative review of the sale of state-designated lands or an interest in designated lands that contain significant deer wintering habitat, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over conservation matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the proposed sale. For purposes of this section, "designated lands" has the same meaning as in section 598-A.

**Sec. 5. 12 MRSA §10263** is enacted to read:

**§10263. Predator Control and Deer Habitat Fund**

The Predator Control and Deer Habitat Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding predator control and to enhance deer habitat. The commissioner shall establish on the department's online licensing system checkoff options that allow a person to donate money for predator control or deer habitat enhancement. The checkoff options must be prominently displayed and contain web links to information about how the checkoff revenues have been and will be used. Revenues from the checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.

The commissioner may accept and deposit into the fund monetary gifts, donations or other contributions from public or private sources for the purposes specified in this section. The fund must be held separate and apart from all other money, funds and accounts. The department shall report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the fund and its utilization.

**Sec. 6. Funding deer management efforts; report.** The Department of Inland Fisheries and Wildlife shall report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012 on the department's efforts to secure revenue to enhance the department's efforts in protecting and expanding the State's deer population.

**Sec. 7. Predator control and deer protection on public lands.** The Department of Inland Fisheries and Wildlife, in cooperation with the Department of Conservation, shall develop and implement a plan for all state-owned lands to control predation on deer and a plan to protect, manage and enhance deer wintering areas. The Department of Inland Fisheries and Wildlife and the Department of Conservation shall jointly report on the 2 plans to the Joint Standing

Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

**Sec. 8. Outreach and public education.** The Department of Inland Fisheries and Wildlife, with the assistance of sporting groups, shall continue efforts to restructure and increase the budget of the department's Division of Public Information and Education and to continue an ongoing relationship with the State's deer hunters using surveys, newsletters and the department's publicly accessible website to keep hunters current and involved in the implementation of the department's Maine Game Plan for Deer. The department shall report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

**Sec. 9. Maine Game Plan for Deer.** The Department of Inland Fisheries and Wildlife shall expand its Maine Game Plan for Deer to the entire State and submit that plan to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

**Sec. 10. Predator control.** If funding is available, the Department of Inland Fisheries and Wildlife shall develop and implement a program to control predation on deer that includes, but is not limited to:

1. Organization of an advisory group of professional guides and trappers to help develop and implement the program;

2. Utilization of both hunters and trappers for the program;

3. Utilization of animal damage control techniques and agents trained in animal damage control techniques; and

4. Increases in the funding of animal damage control efforts related to the program.

The department shall report its progress on developing and implementing the program to the Joint Standing Committee on Inland Fisheries and Wildlife no later than February 1, 2012.

**Sec. 11. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Establishes the Predator Control and Deer Habitat Fund.

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

See title page for effective date.

## CHAPTER 382
## S.P. 260 - L.D. 856

### An Act To Change the Campaign Contribution Limits

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

**Sec. 1. 21-A MRSA §1015, sub-§1,** as amended by PL 2009, c. 286, §2, is further amended to read:

**1. Individuals.** An individual may not make contributions to a candidate in support of the candidacy of one person aggregating more than ~~$750~~ $1,500 in any election for a gubernatorial candidate ~~or~~, more than $350 for a legislative candidate, more than $350 for a candidate for municipal office and beginning January 1, 2012 more than $750 for a candidate for municipal office or more than $750 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by $25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

**Sec. 2. 21-A MRSA §1015, sub-§2,** as amended by PL 2009, c. 286, §3, is further amended to read:

2. Committees; corporations; associations. A political committee, political action committee, other committee, firm, partnership, corporation, association or organization may not make contributions to a candidate in support of the candidacy of one person aggregating more than $750 $1,500 in any election for a gubernatorial candidate or, more than $350 for a legislative candidate, more than $350 for a candidate for municipal office and beginning January 1, 2012 more than $750 for a candidate for municipal office or more than $750 in any election for any other candidate. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2

years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by $25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

See title page for effective date.

## CHAPTER 383

## H.P. 857 - L.D. 1159

### An Act To Amend the Identification Requirements under the Maine Medical Use of Marijuana Act

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

**Sec. 1. 22 MRSA §2423-A, sub-§§7 and 8** are enacted to read:

**7. Excess marijuana; forfeiture.** A person who possesses marijuana seedlings, marijuana plants or prepared marijuana in excess of the limits provided in this section and rules adopted under this section must forfeit the excess amounts to a law enforcement officer. The law enforcement officer is authorized to remove all excess marijuana seedlings, marijuana plants and prepared marijuana in order to catalog the amount of excess marijuana. Possession of marijuana in excess of the limits provided in this section and rules adopted under this section is a violation as follows:

A. Possession of marijuana in an excess amount up to 2 1/2 ounces is a violation of section 2383; and

B. Possession of marijuana in an excess amount over 2 1/2 ounces is a violation of Title 17-A, chapter 45.

**8. Repeat forfeiture.** If a cardholder has previously forfeited excess marijuana pursuant to subsection 7 and a subsequent forfeiture occurs, the department shall revoke the registry identification card of the cardholder and the entire amount of marijuana seedlings, marijuana plants and prepared marijuana must be forfeited to a law enforcement officer. The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 22 MRSA §2425, sub-§5,** as amended by PL 2009, c. 631, §32 and affected by §51, is further amended to read:

**5. Registry identification card issuance.** The department shall issue registry identification cards to registered patients, to registered primary caregivers and to staff of hospice providers and nursing facilities named as primary caregivers within 5 days of approving an application or renewal under this section. Registry identification cards expire one year after the date of issuance except that the date of issuance and expiration date of a registered primary caregiver's registry identification card must be the same as the issuance and expiration dates on the patient's registry identification card. Registry identification cards must contain:

A. The name, address and date of birth of the ~~patient~~ cardholder;

~~B. The name, address and date of birth of each registered primary caregiver, if any, of the patient;~~

C. The date of issuance and expiration date of the registry identification card;

D. A random identification number that is unique to the cardholder; and

~~E. A photograph, if required by the department; and~~

F. ~~For a registered primary caregiver, a~~ A clear designation showing whether the cardholder is allowed under this chapter to cultivate marijuana plants ~~for the patient's medical use~~.

**Sec. 3. 22 MRSA §2425, sub-§8, ¶G,** as enacted by PL 2009, c. 631, §34 and affected by §51, is amended to read:

G. Records maintained by the department pursuant to this chapter that identify applicants for a registry identification card, registered patients, registered primary caregivers and registered patients' physicians are confidential and may not be disclosed except as provided in this subsection and as follows:

(1) To department employees who are responsible for carrying out this chapter;

(2) Pursuant to court order or subpoena issued by a court;

(3) With written permission of the patient or the patient's guardian, if the patient is under guardianship, or a parent, if the patient has not attained 18 years of age;

(4) As permitted or required for the disclosure of health care information pursuant to section 1711-C;

(5) To a law enforcement official for law enforcement purposes. The records may not be disclosed further than necessary to achieve the limited goals of a specific investigation; and

(6) To a patient's treating physician and to a patient's primary caregiver for the purpose of carrying out this chapter.

**Sec. 4. 22 MRSA §2425, sub-§11** is enacted to read:

**11. Valid identification.** A registered patient, registered primary caregiver or a principal officer, board member or employee of a registered dispensary who has been issued a valid registry identification card pursuant to this section must also possess a valid Maine-issued driver's license with a photo or other Maine-issued photo identification in order to establish proof of authorized participation in the medical use of marijuana under this chapter.

**Sec. 5. 22 MRSA §2430-B** is enacted to read:

**§2430-B. Admissibility of records**

A certificate, signed by the commissioner or the commissioner's designee, stating what the records of the department show on any given matter related to this chapter is admissible in evidence in all courts of this State to prove what the records of the department are on that matter. Upon testimony of a law enforcement officer that the certificate and records were obtained by that law enforcement officer from the department, the court shall admit that certificate and those records as evidence without any further foundation or testimony. If the department stores records in a computer or similar device, a printout or other output readable by sight of information stored in the department's computer or similar device, certified by the commissioner or the commissioner's designee as an accurate reflection of the stored information, is admissible in evidence to prove the content of the records.

**Sec. 6. Rules.** The Department of Health and Human Services shall adopt rules allowing primary caregivers who register under the Maine Revised Statutes, Title 22, section 2425, subsection 5 to substitute a new qualifying patient who designates the primary caregiver for a former qualifying patient who has rescinded designation of the same primary caregiver. The rules must require that application for the new patient be filed within 10 days of rescission by the former patient and must:

A. Allow the substitution of a new patient in place of a former patient;

B. Specify that registration of the primary caregiver continues in full effect without interruption;

C. Prorate the fees paid by the primary caregiver; and

D. Authorize a reasonable fee for issuance of a new registry identification card to the primary caregiver.

See title page for effective date.

## CHAPTER 384
## S.P. 402 - L.D. 1299

## An Act To Allow Deferred Disposition in Juvenile Cases

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

**Sec. 1. 15 MRSA §3311-A** is enacted to read:

**§3311-A. Eligibility for deferred disposition**

A juvenile who has entered an admission to a juvenile crime that would be a Class C, Class D or Class E crime or a civil offense if committed by an adult and who consents in writing to a deferred disposition is eligible for a deferred disposition pursuant to section 3311-B.

**Sec. 2. 15 MRSA §3311-B** is enacted to read:

**§3311-B. Deferred disposition**

**1. Imposition.** Following the acceptance of an admission of commission of a juvenile crime for which a juvenile is eligible for a deferred disposition under section 3311-A, the court may order disposition deferred to a date certain or determinable and impose requirements upon the juvenile to be in effect during the period of deferment that are considered by the court to be reasonable and appropriate to meet the purposes of the Juvenile Code. The court-imposed deferment requirements must include a requirement that the juvenile refrain from conduct that would constitute a juvenile crime, crime or civil offense. In exchange for the deferred disposition, the juvenile shall abide by the court-imposed deferment requirements. Unless the court orders otherwise, the department requirements are immediately in effect.

**2. Amendment of requirements.** During the period of deferment and upon application by the juvenile granted deferred disposition pursuant to subsection 1 or by the attorney for the State or upon the court's own motion, the court may, after a hearing upon notice to the attorney for the State and the juvenile, modify the requirements imposed by the court, add further requirements or relieve the juvenile of any requirement imposed by the court that, in the court's opinion, imposes an unreasonable burden on the juvenile.

**3. Motion.** During the period of deferment, if the juvenile cannot meet a deferment requirement imposed by the court, the juvenile shall bring a motion pursuant to subsection 2.

**4. Finally adjudicated.** For purposes of a deferred disposition, a juvenile is deemed to have been finally adjudicated when the court imposes a disposition under section 3314.

**Sec. 3. 15 MRSA §3311-C** is enacted to read:

**§3311-C. Court hearing as to final disposition**

**1. Court hearing; final disposition.** Unless a court hearing is sooner held under subsection 2, at the conclusion of the period of deferment, after notice, a juvenile who was granted deferred disposition pursuant to section 3311-B shall return to court for a hearing on final disposition under section 3314. If the juvenile demonstrates by a preponderance of the evidence that the juvenile has complied with the court-imposed deferment requirements, the court shall impose a dispositional alternative authorized for the juvenile crime to which the juvenile has entered an admission and consented to in writing at the time disposition was deferred or as amended by agreement of the parties in writing prior to disposition, unless the attorney for the State, prior to disposition, moves the court to allow the juvenile to withdraw the admission. Except over the objection of the juvenile, the court shall grant the State's motion. Following the granting of the State's motion, the attorney for the State shall dismiss the pending petition with prejudice. If the court finds that the juvenile has inexcusably failed to comply with the court-imposed deferment requirements, the court shall impose a dispositional alternative authorized for the juvenile crime to which the juvenile entered an admission.

**2. Violation of deferment requirement.** If during the period of deferment the attorney for the State has probable cause to believe that a juvenile who was granted deferred disposition pursuant to section 3311-B has violated a court-imposed deferment requirement, the attorney for the State may move the court to terminate the remainder of the period of deferment and impose disposition. Following notice and hearing, if the attorney for the State proves by a preponderance of the evidence that the juvenile has inexcusably failed to comply with a court-imposed deferment requirement, the court may continue the running of the period of deferment with the requirements unchanged, modify the requirements, add further requirements or terminate the running of the period of deferment and conduct a dispositional hearing and impose a disposition authorized for the juvenile crime to which the juvenile entered an admission. If the court finds that the juvenile has not inexcusably failed to comply with a court-imposed deferment requirement, the court may order that the running of the period of deferment continue or, after notice and hearing, take any other action permitted under this chapter.

**3. Hearing.** A hearing under this section or section 3311-B need not be conducted by the judge who originally ordered the deferred disposition.

**4. Rights of juvenile at hearing.** The juvenile at a hearing under this section or section 3311-B must be afforded the opportunity to confront and cross-examine witnesses against the juvenile, to present evidence on the juvenile's own behalf and to be represented by counsel. If the juvenile who was granted deferred disposition pursuant to section 3311-B cannot afford counsel, the court shall appoint counsel for the juvenile. Assignment of counsel and withdrawal of counsel must be in accordance with the Maine Rules of Criminal Procedure.

**5. Summons; failure to appear.** A summons, served in accordance with section 3304, may be used to order a juvenile who was granted deferred disposition pursuant to section 3311-B to appear for a hearing under this section. If the juvenile fails to appear after having been served with a summons, the court may issue a warrant for the arrest of the juvenile.

**6. Warrant for arrest.** If during the period of deferment the attorney for the State has probable cause to believe that a juvenile who was granted deferred disposition pursuant to section 3311-B has violated a court-imposed deferment requirement, the attorney for the State may apply for a warrant for the arrest of the juvenile.

**Sec. 4. 15 MRSA §3311-D** is enacted to read:

**§3311-D. Limited review by appeal**

A juvenile is precluded from seeking to attack the legality of a deferred disposition, including a final disposition, except that a juvenile who has been determined by a court to have inexcusably failed to comply with a court-imposed deferment requirement and thereafter has had imposed a dispositional alternative authorized for the juvenile crime may appeal to the Superior Court, but not as of right. The time for taking the appeal and the manner and any conditions for the taking of the appeal are as the Supreme Judicial Court provides by rule.

See title page for effective date.

## CHAPTER 385

## S.P. 142 - L.D. 509

## An Act To Establish Emergency Shelter Family Homes To Host Youth Referred by the Department of Corrections

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

**Sec. 1. 22 MRSA §4099-H** is enacted to read:

**§4099-H. Emergency shelter family homes for youth**

This section applies to emergency shelter family homes for youths in order to provide the youths with voluntary, safe, emergency housing with individuals or

families in locations as close as reasonably possible to the home communities of the youths.

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

A. "Emergency shelter family home" means a home that provides community-based emergency shelter with an individual or a family that is operated 24 hours a day under the auspices of an emergency shelter licensed by the department in accordance with rules adopted by the department under sections 7801 and 8102.

B. "Youth" means a child 12 to 20 years of age.

**2. Placement.** A licensed emergency shelter may place in an emergency shelter family home operated by the shelter a youth who was referred to the shelter by the Department of Corrections if the shelter has obtained the agreement of the parent or legal guardian of the youth.

**3. Requirements.** A licensed emergency shelter that operates an emergency shelter family home must be licensed as a child placing agency by the department under rules adopted pursuant to sections 7801 and 8202 and must operate the home under a contract with the Department of Corrections and in accordance with an agreement between the department and the Department of Corrections. An emergency shelter family home may be, but is not required to be, licensed as a children's home by the department under rules adopted pursuant to sections 7801 and 8202.

See title page for effective date.

## CHAPTER 386

## S.P. 327 - L.D. 1094

## An Act To Improve the Delivery of School Psychological Services to Children

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

**Sec. 1. 5 MRSA §12004-I, sub-§12-A,** as enacted by PL 1993, c. 207, §2, is amended to read:

**12-A.**

| | | |
|---|---|---|
| Education | Advisory Committee on School ~~Psychological Service Providers~~ Psychologists | 20-A MRSA §13022 |

**Sec. 2. 20-A MRSA §13022,** as enacted by PL 1993, c. 207, §3, is amended to read:

**§13022. School psychologists**

**1. Definitions.** For purposes of this section, ~~a "school psychological service provider" is a professional who provides psychological assessment, consultation or direct services, other than psychotherapy, to students enrolled in a public school or approved private school~~ unless the context otherwise indicates, the following terms have the following meanings.

A. "School psychologist" means a professional certified by the department as a school psychologist who provides school psychological services consistent with the national standards articulated by the most current Model for Comprehensive and Integrated School Psychological Services as published by the National Association of School Psychologists. "School psychologist" includes a school psychologist - doctoral and a school psychologist - specialist.

B. "School psychologist - doctoral" means a professional who meets the qualifications established in subsection 3 and holds a doctoral degree in psychology or a related field as determined by the advisory committee established in subsection 7.

C. "School psychologist - specialist" means a professional who meets the qualifications established in subsection 3 and holds a master's degree or specialist-level degree.

**1-A. Scope of services.** A school psychologist delivers services to children from birth to grade 12 who are eligible to be enrolled in educational and intermediate educational units, special education programs and approved private schools. The services delivered are the services articulated under the domains of practice in the current Model for Comprehensive and Integrated School Psychological Services developed and published by the National Association of School Psychologists.

**2. Certification by commissioner.** The commissioner shall certify school ~~psychological service providers~~ psychologists pursuant to rules adopted by the state board. The rules must include ~~a code of ethics and~~ practice standards for ~~school psychological service providers~~ certified school psychologists that follow national standards set forth by the National Association of School Psychologists or a successor organization and ethics standards set forth by the National Association of School Psychologists or a successor organization and the American Psychological Association or a successor organization, violation of which constitutes grounds for suspension or revocation of the certification.

**3. Qualifications.** State board rules governing the qualifications for a school ~~psychological service provider~~ psychologist certificate must require that a certificate be issued only to an applicant who has met the academic and preprofessional requirements estab-

lished by the state board for the provision of school psychological services and who, at a minimum:

A. Holds a graduate degree from an accredited program in school psychology that was approved by the National Association of School Psychologists/National Council for Accreditation of Teacher Education or the American Psychological Association in School Psychology at the time the degree was awarded;

B. Has completed graduate work that is determined by the commissioner to be substantially similar to the programs referred to in paragraph A; or

C. Holds a valid license from the State Board of Examiners of Psychologists with demonstrated competency in the area of school psychology as established by the state board.

**4. Term of issuance.** The commissioner shall issue a school ~~psychological service provider~~ psychologist certificate for a term of years consistent with rules adopted by the state board. The length of the term may vary among certificate holders so as to be coterminous with any other professional license or certificate held by the school ~~psychological service provider~~ psychologist. The school ~~psychological service provider~~ psychologist certificate may be renewed in accordance with academic and professional requirements established by the state board. A certificate holder must be supervised for the first year following initial certification at no additional cost to the school administrative unit or the department. The state board shall require evidence of supervision prior to renewing a first-year certificate. Supervision of the first-year school psychologist must be in accordance with supervision standards established by the National Association of School Psychologists or a successor organization and provided by a person who is certified as a school psychologist under subsection 2 and is:

A. A member of the Maine Association of School Psychology or a successor organization; or

B. Employed by or under contract with a school administrative unit.

**5. Exclusive regulatory authority.** The provisions of Title 32, chapter 56 do not apply to persons certified as school ~~psychological service providers~~ psychologists under this section except to the extent that ~~such~~ the persons are also licensed or seek licensure under that chapter, engage in the practice of psychology beyond the scope of this section or hold themselves out as psychologists or psychological examiners.

**6. Designation.** Persons certified under this section may hold themselves out as school ~~psychological service providers or may use any business name incorporating variations of that title but may not hold themselves out as psychologists, psychological examiners or any business name incorporating variations of those titles~~ psychologists but must include the word "school" in the designation, or as nationally certified school psychologists if they hold the credentials as designated by the National Association of School Psychologists or a successor organization. Persons certified under this section may not hold themselves out as psychologists, psychological examiners or any business name incorporating variations of those titles other than school psychologists or nationally certified school psychologists unless they are appropriately licensed under Title 32, chapter 56.

**7. Advisory committee.** There is established within the department, in accordance with Title 5, section 12004-I, the Advisory Committee on School ~~Psychological Service Providers~~ Psychologists, referred to in this subsection as "the committee."

A. The duties of the committee are:

(1) To advise the state board in the adoption of rules and a code of ethics and practice standards for school ~~psychological service providers~~ psychologists; and

(2) To assist the commissioner in:

(i) Certifying school ~~psychological service providers~~ psychologists;

(ii) Investigating alleged violations of the code of ethics and practice standards adopted by the state board; and

(iii) Investigating alleged violations of section 13020 and certification rules governing school ~~psychological service providers~~ psychologists.

B. The committee consists of 9 members appointed by the commissioner. The membership consists of 2 certified ~~psychological service providers~~ school psychologists, 2 licensed psychologists, one faculty member from a graduate program in school psychology, one educator from a public school or approved private school and 3 parents or guardians of students.

C. Three members of the committee must be initially appointed for a term of one year, 3 for a term of 2 years and 3 for a term of 3 years. All appointments must be for a term of 3 years thereafter. Any member may serve beyond the expiration date of that member's term until a successor has been appointed and qualified. Any vacancy on the committee must be filled for the unexpired portion of the term. The committee shall elect its own chair.

D. Members of the committee are entitled to receive compensation according to the provisions of Title 5, chapter 379.

**8. Transition.** Persons certified as school ~~psychologists~~ psychological service providers and school psychological examiners on ~~the effective date of this section~~ or after October 13, 1993 may continue to provide the services authorized by their respective certificates until the scheduled expiration of those certificates. The state board's rules must contain a schedule affording all certified school ~~psychologists and school psychological examiners~~ psychological service providers a reasonable amount of time to meet the requirements of the certificate authorized by subsection 2.

**Sec. 3. Stakeholders group to convene; report to the Joint Standing Committee on Education and Cultural Affairs.** The chair of the Advisory Committee on School Psychologists, established in the Maine Revised Statutes, Title 5, section 12004-I and referred to in this section as "the advisory committee," shall invite members of the Maine Psychological Association, the Maine Association of School Psychology and other interested stakeholders to meet with members of the advisory committee to discuss the ongoing responsibilities and effectiveness of the advisory committee. The stakeholders' discussion must include, but is not limited to, issues related to certification of school psychologists and disciplinary actions. The stakeholder group shall submit its report to the Commissioner of Education who shall report to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2012 with recommendations and shall include any legislation needed to implement the recommendations with the report. The committee may report out legislation in the Second Regular Session of the 125th Legislature based on the work of the stakeholders group.

See title page for effective date.

## CHAPTER 387

## H.P. 1095 - L.D. 1490

### An Act To Amend the Laws Regarding Custody of the Remains of Deceased Persons

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

**Sec. 1. 22 MRSA §2843-A, sub-§2,** as amended by PL 2009, c. 601, §29, is further amended to read:

**2. Custody and control generally.** The custody and control of the remains of deceased residents of this State, dead bodies or dead human bodies are governed by the following provisions~~.~~ in the following order of priority:

A. If the subject has designated ~~a~~ another person to have custody and control in a written and signed document, custody and control belong to that designated person~~.~~;

B. If the subject has not left a written and signed document designating a person to have custody and control, or if the person designated by the subject refuses custody and control, custody and control belong to the next of kin~~.~~; and

C. If the next of kin is 2 or more persons with the same relationship to the subject, the majority of the next of kin have custody and control. If the next of kin can not, by majority vote, make a decision regarding the subject's remains, the court shall make the decision upon petition under subsection 4, paragraph D.

If a person who has the right of custody and control under this subsection does not exercise the rights and responsibilities of custody and control within 4 days after the death of the subject, custody and control belong to a person from the next lower level of priority as established in paragraphs A to C.

A person who has been charged with murder, as described in Title 17-A, section 201, or manslaughter, as described in Title 17-A, section 203, subsection 1, paragraph B, forfeits the right of custody and control provided under this subsection; and a funeral director or practitioner of funeral service who is aware of the charges may not release the remains or a dead body to that person who has been charged with murder or manslaughter. If the charges against the person are dismissed or the person is acquitted of the charges before the final disposition takes place, the person regains the right of custody and control in the same position of priority established in this subsection.

The remains or a dead body is considered abandoned if no one takes custody and control of the remains or dead body for a period of 15 days. A funeral director or practitioner of funeral service who has physical possession of abandoned remains or an abandoned dead body may bury the remains or dead body. The funeral director or practitioner of funeral service may embalm or refrigerate abandoned remains or an abandoned dead body without authorization. A certificate of abandonment that indicates the means of disposition must be filed in the municipality where the death occurred.

**Sec. 2. 22 MRSA §2843-A, sub-§8,** as enacted by PL 1993, c. 609, §1, is amended to read:

**8. Immunity.** A party who, in good faith, acts upon the instructions of the party having custody and control is not liable for having carried out those instructions, may not be held civilly or criminally liable and is not subject to disciplinary action for acting in accordance with those instructions.

**Sec. 3. 22 MRSA §2843-A, sub-§10** is enacted to read:

**10. Funeral director or practitioner of funeral service.** The following provisions apply to the actions and liability of a funeral director or practitioner of funeral service, cemeteries and crematories and their employees.

A. If there is a dispute regarding custody and control, a funeral director or practitioner of funeral service may refuse to accept the remains or dead body, inter or otherwise dispose of the remains or dead body or complete funeral arrangements until the funeral director or practitioner of funeral service is provided with a court order under subsection 4 or a written agreement of the person who has custody and control.

B. If there is a dispute regarding custody and control, pending a court determination under subsection 4 a funeral director or practitioner of funeral service who has physical possession of the remains or a dead body may embalm or refrigerate and shelter the remains or a dead body and may bill the estate of the subject for those costs, plus attorney's fees and court costs.

C. A person who signs a statement of funeral goods and services, cremation authorization form or other authorization for disposition of the remains or a dead body is deemed to warrant the truthfulness of the facts set forth in the document, including but not limited to the existence of custody and control and the identity of the subject.

D. A funeral director or practitioner of funeral service, cemetery or crematory may rely on a statement of funeral goods and services, cremation authorization form or other authorization signed by a person who has custody and control of the remains or a dead body and may carry out the instructions provided for in the statement of funeral goods and services or on the form or authorization unless the funeral director or practitioner of funeral service, cemetery or crematory knows of objections from another person.

E. A funeral director or practitioner of funeral service, cemetery or crematory is not required to independently investigate custody and control of the remains or a dead body or who is next of kin.

See title page for effective date.

## CHAPTER 388

## H.P. 1093 - L.D. 1486

## An Act To Amend the Laws Concerning the Child Care Advisory Council and the Maine Children's Growth Council

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

**Sec. 1. 5 MRSA §24001, sub-§6,** as enacted by PL 2007, c. 683, Pt. A, §2, is amended to read:

**6. Quorum; meetings.** ~~Thirteen~~ A majority of the voting members of the council constitute a quorum. The council may meet as often as necessary but shall meet at least 6 times a year. A meeting may be called by a cochair or by any 5 members.

**Sec. 2. 5 MRSA §24001, sub-§8,** as enacted by PL 2007, c. 683, Pt. A, §2, is amended to read:

**8. Staffing; funding.** The council may hire staff as necessary for its work and as resources permit. The council may accept grant funding and other funding as may be available for the work of the council. ~~The Department of Health and Human Services shall act as fiscal agent for the council.~~

**Sec. 3. 5 MRSA §24002, sub-§1, ¶C,** as enacted by PL 2007, c. 683, Pt. A, §2, is amended to read:

C. Reporting by January 15, ~~2010~~ 2011 and every 2 years thereafter at the start of the first regular session of the Legislature to the ~~Department of Health and Human Services, the Governor, the Children's Cabinet and~~ Governor and the one or more joint standing committees of the Legislature having jurisdiction over health, human services, taxation and education matters on the activities and accomplishments of the council and its long-term plan for investment in the healthy development of young children, and issuing such other reports as the council determines to be appropriate.

**Sec. 4. 22 MRSA §3731, sub-§1,** as enacted by PL 1993, c. 158, §2, is amended to read:

**1. Child care.** "Child care" means a regular service of care and ~~protection~~ education provided for compensation for any part of a day less than 24 hours to a child or children under 16 years of age whose parents work outside the home, attend an educational program or are otherwise unable to care for their children. "Child care" also means administrative functions related to the delivery of child care services, in-

cluding, but not limited to, contract management, voucher administration, licensing, training, technical assistance and referral.

**Sec. 5. 22 MRSA §3731, sub-§2-A** is enacted to read:

**2-A. Division.** "Division" means the early childhood division of the Department of Health and Human Services, Office of Child and Family Services.

**Sec. 6. 22 MRSA §3732, sub-§4,** as enacted by PL 1993, c. 158, §2, is amended to read:

**4. Accessibility.** High-quality child care must be available to any family seeking care regardless of where the family lives or the special needs of the child. A centralized ~~place~~ system in local communities must be available to facilitate parents' access to child care.

**Sec. 7. 22 MRSA §3732, sub-§5,** as enacted by PL 1993, c. 158, §2, is amended to read:

**5. Affordability.** High-quality child care must be available to families who receive child care subsidies available in the State on a sliding scale fee basis, with families contributing based on ability to pay.

**Sec. 8. 22 MRSA §3736, sub-§1,** as enacted by PL 1993, c. 158, §2, is amended to read:

**1. Single application form.** By October 1, 1993, the department shall develop a universal application for all publicly funded child care programs for applicants who are seeking child care as their primary service. By January 1, 1994, the department shall require all caseworkers and contractors to use the form to determine eligibility for those applicants. Applicants submitting applications to more than one caseworker or contractor may submit photocopies or facsimile copies.

**Sec. 9. 22 MRSA §3739, sub-§2,** as amended by PL 2001, c. 179, §1 and c. 354, §3 and PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

**2. Membership.** The council has a minimum of ~~25~~ 28 members, appointed as follows:

A. One employee of the ~~Bureau of Family Independence~~ department's office of integrated access and support who is responsible for child care services, appointed by the commissioner;

B. ~~Two employees~~ The employee of the Department of Health and Human Services, Office of Child Care and Head Start who ~~are responsible for~~ serves as the state child care ~~services, appointed by the commissioner~~ administrator, or the state child care administrator's designee;

C. One employee of the ~~Department of Health and Human Services, Bureau of Children with Special Needs~~ division within the department concerned with children's behavioral health services, appointed by the ~~Commissioner of Health and Human Services~~ commissioner;

D. ~~One employee~~ Two employees of the Department of Education, one of whom represents special education programs and one of whom oversees public programs for children 4 years of age, appointed by the Commissioner of Education;

E. One employee who ~~coordinates~~ serves as the state Head Start ~~program~~ collaboration director, ~~appointed by the commissioner~~ or the state Head Start collaboration director's designee;

F. The State Fire Marshal or the State Fire Marshal's designee;

G. One employee of the Office of Substance Abuse, appointed by the Director of the Office of Substance Abuse;

H. One employee of the Department of Economic and Community Development, appointed by the Commissioner of Economic and Community Development;

I. One member of the Senate, appointed by the President of the Senate;

J. Two members of the House of Representatives, at least one of whom ~~must~~ may not be from the ~~minority~~ party with the most members in the House of Representatives, appointed by the Speaker of the House of Representatives;

K. One parent or other consumer who receives a child care subsidy at the time of that parent's or consumer's appointment, appointed by the Governor;

L. One parent or other consumer of child care services who does not receive a child care subsidy, appointed by the Governor;

M. One business representative nominated by the Maine Chamber of Commerce and Industry, appointed by the Governor;

N. One center-based care representative nominated by the Maine Child Care Directors' Association, appointed by the Governor;

O. One Head Start provider nominated by the Maine Head Start Directors' Association, appointed by the Governor;

P. One family ~~day care~~ child care provider nominated by ~~the Maine Family Day Care Association~~ an association of family child care providers in the State, appointed by the Governor;

Q. One person representing Native Americans, appointed by the Governor;

R. One child care provider who does not receive public funds, appointed by the Governor;

S. One person ~~associated with a local preschool handicapped project coordination site~~ representing a nonprofit advocacy organization dedicated to improving the lives of children, youth and their families, appointed by the Governor;

T. One person ~~nominated by the Coalition for Maine's Children~~ associated with a Child Development Services System site, appointed by the Governor;

U. One person ~~nominated by the Maine Association of Child Care Resource and Referral Agencies~~ representing a collaborative partnership between the University of Maine and the Department of Health and Human Services, Office of Child Care and Head Start, nominated by the University of Maine Center for Community Inclusion and Disability Studies, appointed by the Governor;

V. One representative of women nominated by the Maine Women's Lobby, appointed by the Governor; ~~and~~

W. One direct service provider of child care for school-age children, nominated by the University of Maine at Farmington, Maine Afterschool Network, or a successor program, appointed by the Governor~~.~~;

X. One person representing the University of Southern Maine, Edmund S. Muskie School of Public Service, Maine Roads to Quality, or a successor program, appointed by the Governor;

Y. A person representing an association of resource development centers in the State, appointed by the Governor; and

Z. One person representing home-based child care providers, appointed by the Governor.

Senators and members of the House of Representatives serve for the duration of the legislative terms that they are serving when appointed. Members from state departments serve at the pleasure of their appointing authorities. All other members serve 3-year terms and may continue to serve beyond their terms until their successors are appointed. If a vacancy occurs before a term has expired, the vacancy must be filled for the remainder of the unexpired term by the authority who made the original appointment. If a member is absent for 2 consecutive meetings and has not been excused by the chair from either meeting, the council may remove the member by majority vote. If a nominating organization does not submit nominations within a reasonable period of time, the appointing authority may fill that organization's seat with a member of the public at large.

The council shall determine whether more than ~~25~~ 28 members would assist it in its work under subsections 1 and 5. If a majority of the council votes to request the appointment of additional members, the council shall specify the number of additional members needed and shall convey a request for the appointment of those additional members to the Governor, who shall make the appointments.

**Sec. 10. 22 MRSA §3739, sub-§3,** as enacted by PL 1993, c. 158, §2, is amended to read:

**3. Meetings; chair.** The commissioner shall call the first meeting of the council by October 15, 1993. At the first meeting, the council shall select by majority vote a chair from among its members to serve a term of one year. A chair may be reelected to subsequent terms. The chair shall call subsequent meetings. The council may meet as often as funding permits, but must meet at least 4 times per year at a date, time and place determined by the council. The chair, in collaboration with the department, may call a special meeting to address an issue that, in the judgment of the chair, cannot wait until the next regularly scheduled meeting.

**Sec. 11. 22 MRSA §3739, sub-§3-A** is enacted to read:

**3-A. Notice of meetings; agenda.** At a reasonable time before a meeting of the council, the chair shall send a notice of the meeting to every member under subsection 2. A notice of meeting required under this subsection must contain the date, time, place and agenda of the meeting and the minutes of the previous meeting. Notice of a special meeting under subsection 3 must be sent under this subsection as expeditiously as possible.

**Sec. 12. 22 MRSA §3739, sub-§3-B** is enacted to read:

**3-B. Attendance at meetings.** A member of the council is expected to attend all meetings under subsection 3. If a member is unable to attend a meeting called under subsection 3, the member shall inform the chair. A member may attend a meeting under subsection 3 by participating remotely through the means of telephone, electronic media or other device if the facilities allow for such participation. The council shall endeavor to install means by which a member may participate remotely pursuant to this subsection.

**Sec. 13. 22 MRSA §3739, sub-§6,** as enacted by PL 1993, c. 158, §2, is amended to read:

**6. Report.** By January 15th, the council shall submit an annual report to the commissioner, the co-chairs of the Maine Children's Growth Council established in Title 5, chapter 621 and the joint standing committee of the Legislature having jurisdiction over human ~~resource~~ services matters. The report must describe the council's activities for the year regarding its duties specified in subsection 5 and must outline policy changes recommended by the council, along with necessary implementing legislation.

**Sec. 14. 22 MRSA §3739, sub-§8** is enacted to read:

**8. Parliamentary authority.** Except as mandated by state law, a meeting under subsection 3 is governed by the current edition of Robert's Rules of Order Newly Revised.

See title page for effective date.

## CHAPTER 389

## S.P. 491 - L.D. 1541

### An Act To Amend the Campaign Finance Laws

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

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period because it amends certain provisions of the campaign finance laws that take effect August 1, 2011 and September 1, 2011; 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. 5 MRSA §19, sub-§7,** as amended by PL 1991, c. 331, §3, is further amended to read:

**7. Disclosure of reportable liabilities.** Each executive employee shall include on the statement of income under subsection 2 all reportable liabilities incurred while employed as an executive employee. The executive employee shall file a supplementary statement with the ~~Secretary of State~~ Commission on Governmental Ethics and Election Practices of any reportable liability within 30 days after it is incurred. The report must identify the creditor in the manner of subsection 2.

**Sec. 2. 21-A MRSA §1002,** as repealed and replaced by PL 2007, c. 571, §5, is amended to read:

**§1002. Meetings of commission**

**1. Meeting schedule.** The commission shall meet in Augusta for the purposes of this chapter at least once per month in any year in which primary and general elections are held ~~and every 2 weeks in the 60 days preceding an election~~. In the 28 days preceding an election, the commission shall meet in Augusta within ~~one calendar day~~ 2 business days of the filing of any complaint ~~or question~~ with the commission, unless the complainant and respondent agree otherwise. ~~Agenda items in the 28 days preceding an election must be decided within 24 hours of the filing unless all parties involved agree otherwise.~~ Regardless of whether the complainant or respondent agree, the commission may defer until after the election considering complaints determined by the chair to involve allegations of minor violations of this chapter or chapter 14, such as disclaimer statements omitted from campaign signs or transactions of less than $100 omitted from campaign finance reports.

**2. Telephone meetings.** The commission may hold meetings over the telephone if necessary, as long as the commission provides notice to all affected parties in accordance with the rules of the commission and the commission's office remains open for attendance by complainants, witnesses, the press and other members of the public. Notwithstanding Title 1, chapter 13, telephone meetings of the commission are permitted:

A. During the 28 days prior to an election when the commission is required to meet within ~~24 hours~~ 2 business days of the filing of any complaint ~~or question~~ with the commission; or

B. To address procedural or logistical issues before a monthly meeting, such as the scheduling of meetings, deadlines for parties' submission of written materials, setting of meeting agenda, requests to postpone or reschedule agenda items, issuing subpoenas for documents or witnesses and recusal of commission members.

**3. Other meetings.** The commission shall meet at other times on the call of the Secretary of State, the President of the Senate, the Speaker of the House or the chair or a majority of the members of the commission, as long as all members are notified of the time, place and purpose of the meeting at least 24 hours in advance.

**4. Office hours before election.** The commission office must be open with adequate staff resources available to respond to inquiries and receive complaints from 8 a.m. until at least 5:30 p.m. on the Saturday, Sunday and Monday immediately preceding an election ~~and from 8 a.m. until at least 8 p.m. on election day~~.

**Sec. 3. 21-A MRSA §1003, sub-§1,** as amended by PL 2009, c. 524, §4, is further amended to read:

**1. Investigations.** The commission may undertake audits and investigations to determine the facts concerning the registration of a candidate, treasurer, party committee, political action committee, ballot question committee or other political committee ~~or political action committee~~ and contributions by or to and expenditures by a person, candidate, treasurer,

party committee, political action committee, ballot question committee or other political committee ~~or political action committee~~. For this purpose, the commission may subpoena witnesses and records whether located within or without the State and take evidence under oath. A person or ~~political action committee~~ entity that fails to obey the lawful subpoena of the commission or to testify before it under oath must be punished by the Superior Court for contempt upon application by the Attorney General on behalf of the commission.

**Sec. 4. 21-A MRSA §1003, sub-§2,** as amended by PL 1991, c. 839, §1 and affected by §34, is further amended to read:

**2. Investigations requested.** A person may apply in writing to the commission requesting an investigation ~~concerning the registration of a candidate, treasurer, political committee or political action committee and contributions by or to and expenditures by a person, candidate, treasurer, political committee or political action committee~~ as described in subsection 1. The commission shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.

**Sec. 5. 21-A MRSA §1011,** as amended by PL 2009, c. 366, §1 and affected by §12 and amended by c. 652, Pt. A, §19, is further amended to read:

**§1011. Application**

This subchapter applies to candidates for all state and county offices ~~and all candidates for municipal office as defined in Title 30-A, section 2502, subsection 1~~ and to campaigns for their nomination and election.

Candidates for municipal office as described in Title 30-A, section 2502, subsection 1 are governed by this subchapter.

**3. Role of the municipal clerk; commission.** For candidates for municipal office, the municipal clerk is responsible for any duty assigned to the commission in this subchapter related to the registration of candidates, receipt of reports and distribution of information or forms, unless otherwise provided. Notwithstanding any other deadline set forth in this chapter, candidates must file their reports by the close of business on the day of the filing deadline established for the office of the municipal clerk. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns, except that the commission shall enforce late-filing penalties under section 1020-A, subsection 3 upon the request of a municipal clerk.

**4. Exemptions.** Exemptions for municipal candidates from the reporting requirements of this subchapter are governed by this subsection.

A. At the time a municipal candidate registers under section 1013-A, the candidate may notify the municipal clerk in writing that the candidate will not accept contributions, make expenditures or incur financial obligations associated with that person's candidacy. A candidate who provides this written notice is not required to appoint a treasurer or to meet the filing requirements of this section as long as the candidate complies with the commitment.

B. The notice provided to the municipal clerk in paragraph A may be revoked. A written revocation must be presented to the municipal clerk before the candidate may accept contributions, make expenditures or incur obligations associated with that person's candidacy. A candidate who has filed a notice with the municipal clerk under paragraph A and accepts contributions, makes expenditures or incurs obligations associated with that person's candidacy prior to filing a revocation may be assessed a penalty of $10 for each business day that the revocation is late, up to a maximum of $500. This penalty may be imposed in addition to the penalties assessed under other sections of this Title.

**Sec. 6. 21-A MRSA §1012, sub-§2, ¶B,** as amended by PL 2007, c. 443, Pt. A, §3, is further amended to read:

B. Does not include:

(1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;

(2) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the individual on behalf of any candidate does not exceed $100 with respect to any election;

(3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge to the candidate is at least equal to the cost of the food or beverages to the vendor and if the cumulative value of the food or beverages does not exceed $100 with respect to any election;

(4) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers personal services to a candidate, if the

cumulative amount of these expenses does not exceed $100 with respect to any election;

(4-A) Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;

(5) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;

(6) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created, obtained or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

(7) Compensation paid by a state party committee to its employees for the following purposes:

(a) Providing no more than a total of 40 hours of assistance from its employees to a candidate in any election;

(b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or

(c) Coordinating campaign events involving 3 or more candidates;

(8) Campaign training sessions provided to 3 or more candidates;

(8-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;

(8-B) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes;

(8-C) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election;

(9) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider; ~~or~~

(10) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate~~.~~; or

(11) A purchase of apparel from a commercial vendor with a total cost of $25 or less by an individual when the vendor has received a graphic or design from the candidate or the candidate's authorized committee.

**Sec. 7. 21-A MRSA §1012, sub-§3,** as amended by PL 2007, c. 443, Pt. A, §4, is further amended to read:

**3. Expenditure.** The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination or election of any person to political office, except that a loan of money to a candidate by a financial institution in this State made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure;

(3) The transfer of funds by a candidate or a political committee to another candidate or political committee; and

(4) A payment or promise of payment to a person contracted with for the purpose of ~~supporting or opposing~~ influencing any ~~candidate,~~ campaign~~, political committee, political action committee, political party, referendum or initiated petition or circulating an initiated petition~~ as defined in section 1052, subsection 1; and

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, candidate or candidate's immediate family;

(1-A) Any communication distributed through a public access television station if the communication complies with the laws and rules governing the station and all candidates in the race have an equal opportunity to promote their candidacies through the station;

(2) Activity or communication designed to encourage individuals to register to vote or to vote if that activity or communication does not mention a clearly identified candidate;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for

the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by an individual to a candidate in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities does not exceed $100 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by an individual who volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed $100 with respect to any election;

(5-A) Any unreimbursed campaign-related travel expenses incurred and paid for by the candidate or the candidate's spouse or domestic partner;

(6) Any communication by any person that is not made for the purpose of influencing the nomination for election, or election, of any person to state or county office;

(7) The payment by a party's state, district, county or municipal committee of the costs of preparation, display or mailing or other distribution of a party candidate listing;

(8) The use or distribution of any communication, as described in section 1014, obtained by the candidate for a previous election and fully paid for during that election campaign;

(9) Documents, in printed or electronic form, including party platforms, single copies of issue papers, information pertaining to the requirements of this Title, lists of registered voters and voter identification information, created or maintained by a political party for the general purpose of party building and provided to a candidate who is a member of that party;

(10) Compensation paid by a state party committee to its employees for the following purposes:

(a) Providing no more than a total of 40 hours of assistance from its employees to a candidate in any election;

(b) Recruiting and overseeing volunteers for campaign activities involving 3 or more candidates; or

(c) Coordinating campaign events involving 3 or more candidates;

(10-A) Costs paid for by a party committee in connection with a campaign event at which 3 or more candidates are present;

(11) Campaign training sessions provided to 3 or more candidates;

(11-A) Wood or other materials used for political signs that are found or contributed if not originally obtained by the candidate or contributor for campaign purposes; ~~or~~

(12) The use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the provider~~.~~; or

(13) A purchase of apparel from a commercial vendor with a total cost of $25 or less by an individual when the vendor has received a graphic or design from the candidate or the candidate's authorized committee.

**Sec. 8. 21-A MRSA §1012, sub-§4-A** is enacted to read:

**4-A. Influence.** "Influence" means to promote, support, oppose or defeat.

**Sec. 9. 21-A MRSA §1013-A, sub-§1, ¶A,** as amended by PL 2009, c. 366, §2 and affected by §12, is further amended to read:

A. No later than 10 days after becoming a candidate and before accepting contributions, making expenditures or incurring obligations, a candidate for state~~,~~ or county ~~or municipal~~ office or a candidate for municipal office who has not filed a written notice in accordance with section 1011, subsection 4, paragraph A shall appoint a treasurer. The candidate may serve as treasurer, except that a participating candidate, as defined in section 1122, subsection 6, or a candidate certified in accordance with section 1125 may not serve as treasurer, except that the candidate may serve as treasurer or deputy treasurer for up to 14 days after declaring an intention to qualify for campaign financing under chapter 14 until the candidate identifies another person to serve as treasurer. The candidate may have only one treasurer, who is responsible for the filing of campaign finance reports under this chapter. A candidate shall register the candidate's name and address and the name and address of the treasurer appointed under this section no later than 10 days after the appointment of the treasurer. A candidate may accept contributions personally or make or authorize expenditures personally, as long as the candidate reports all contributions and expenditures to the treasurer. The treasurer shall make a consolidated report of all income and expenditures and provide this report to the commission.

(1) A candidate may appoint a deputy treasurer to act in the absence of the treasurer. The deputy treasurer, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. A candidate certified in accordance with section 1125 may not serve as deputy treasurer. When a treasurer dies or resigns, the deputy treasurer may not assume the position of treasurer unless the candidate appoints the deputy treasurer to the position of treasurer. The candidate shall report the name and address of the deputy treasurer to the commission no later than 10 days after the deputy treasurer has been appointed.

**Sec. 10. 21-A MRSA §1014, sub-§1,** as repealed and replaced by PL 2009, c. 652, Pt. A, §20, is amended to read:

**1. Authorized by candidate.** Whenever a person makes an expenditure to finance a communication expressly advocating the election or defeat of a clearly identified candidate through broadcasting stations, cable television systems, newspapers, magazines, campaign signs or other outdoor advertising facilities, publicly accessible sites on the Internet, direct mails or other similar types of general public political advertising or through flyers, handbills, bumper stickers and other nonperiodical publications, the communication, if authorized by a candidate, a candidate's authorized political committee or their agents, must clearly and conspicuously state that the communication has been so authorized and must clearly state the name and address of the person who made or financed the expenditure for the communication. The following forms of political communication do not require the name and address of the person who made or authorized the expenditure for the communication because the name or address would be so small as to be illegible or infeasible: ashtrays, badges and badge holders, balloons, campaign buttons, clothing, coasters, combs, emery boards, envelopes, erasers, glasses, key rings, letter openers, matchbooks, nail files, noisemakers, paper and plastic cups, pencils, pens, plastic tableware, 12-inch or shorter rulers, swizzle sticks, tickets to fundraisers, electronic media advertisements where compliance with this section would be impracticable due to size or character limitations and similar items determined by the commission to be too small and unnecessary for the disclosures required by this section. A communication financed by a candidate or the candidate's committee is not required to state the address of the candidate or committee that financed the communication. A communication in the form of a sign that is financed by a candidate or the candidate's committee and that clearly identifies the name of the candidate and is lettered or printed individually by hand is not required to include the name and address of the person who made or financed the communication or to include a statement that the communication has been authorized by the candidate, the candidate's authorized committee or their agents.

**Sec. 11. 21-A MRSA §1014, sub-§3,** as amended by PL 2007, c. 443, Pt. A, §9, is further amended to read:

**3. Broadcasting prohibited without disclosure.** No person operating a broadcasting station or cable television system within this State may broadcast any communication, as described in subsections 1 to 2-A, without an oral or written visual announcement of the disclosure required by this section.

**Sec. 12. 21-A MRSA §1014, sub-§4,** as amended by PL 2007, c. 443, Pt. A, §9, is further amended to read:

**4. Enforcement.** ~~An expenditure, communication or broadcast made within 20 days before the election to which it relates that results in a~~ A violation of this section may result in a civil ~~fine~~ penalty of no more than $5,000, except that an expenditure for yard signs lacking the required information may result in a maximum civil penalty of $200. In assessing a civil penalty, the commission shall consider, among other things, how widely the communication was disseminated, whether the violation was intentional, whether the violation occurred as the result of an error by a printer or other paid vendor and whether the communication conceals or misrepresents the identity of the person who financed it. ~~The~~ If the person who financed the communication or who committed the violation ~~shall correct~~ corrects the violation within 10 days after receiving notification of the violation from the commission by adding the missing information to the communication, the commission may decide to assess no civil penalty. ~~An expenditure, communication or broadcast made more than 20 days before the election that results in a violation of this section may result in a civil fine of no more than $100 if the violation is not corrected within 10 days after the person who financed the communication or other person who committed the violation receives notification of the violation from the commission. If the commission determines that a person violated this section with the intent to misrepresent the name or address of the person who made or financed the communication or whether the communication was or was not authorized by the candidate, the commission may impose a fine of no more than $5,000 against the person responsible for the communication. Enforcement and collection procedures must be in accordance with section 1020-A.~~

**Sec. 13. 21-A MRSA §1014, sub-§6** is enacted to read:

**6. Exclusions.** The requirements of this section do not apply to:

A. Handbills or other literature produced and distributed at a cost not exceeding $100 and prepared

by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee;

B. Campaign signs produced and distributed at a cost not exceeding $100, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee; and

C. Internet and e-mail activities costing less than $100, as excluded by rule of the commission, paid for by one or more individuals who are not required to register or file campaign finance reports with the commission and who are acting independently of and without authorization by a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee or an agent of a candidate, candidate's authorized campaign committee, party committee, political action committee or ballot question committee.

**Sec. 14. 21-A MRSA §1015, sub-§4,** as amended by PL 2007, c. 443, Pt. A, §13, is further amended to read:

**4. Political committees; intermediaries.** For the purpose of the limitations imposed by this section, contributions made to any political committee authorized by a candidate to accept contributions on the candidate's behalf are considered to be contributions made to that candidate. If the campaign activities of a political action committee within a calendar year primarily promote or support the nomination or election of a single candidate, contributions to the committee that were solicited by the candidate are considered to be contributions made to the candidate for purposes of the limitations in this section. For purposes of this subsection, solicitation of contributions includes but is not limited to the candidate's appearing at a fundraising event organized by or on behalf of the political action committee or suggesting that a donor make a contribution to that committee.

For the purposes of the limitations imposed by this section, all contributions made by a person, either directly or indirectly, on behalf of a particular candidate, that are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate are considered to be contributions from that person to the candidate. The intermediary or conduit shall report the original source and the intended recipient of the contribution to the commission and to the intended recipient.

**Sec. 15. 21-A MRSA §1017, sub-§3-A,** as amended by PL 2009, c. 190, Pt. A, §5 and c. 366, §3 and affected by §12, is further amended to read:

**3-A. Other candidates.** A treasurer of a candidate for state~~,~~ or county ~~or municipal~~ office other than the office of Governor shall file reports with the commission and municipal candidates shall file reports with the municipal clerk as follows. Once the first required report has been filed, each subsequent report must cover the period from the end date of the prior report filed.

A. In any calendar year in which an election for the candidate's particular office is not scheduled, when any candidate or candidate's political committee has received contributions in excess of $500 or made or authorized expenditures in excess of $500, reports must be filed no later than 11:59 p.m. on July 15th of that year and January 15th of the following calendar year. These reports must include all contributions made to and all expenditures made or authorized by or on behalf of the candidate or the treasurer of the candidate as of the end of the preceding month, except those covered by a previous report.

B. Reports must be filed no later than 11:59 p.m. on the 11th day before the date on which an election is held and must be complete as of the 14th day before that date. If a report was not filed under paragraph A, the report required under this paragraph must cover all contributions and expenditures through the 14th day before the election.

C. Contributions aggregating $1,000 or more from any one contributor or single expenditures of $1,000 or more made after the 14th day before any election and more than 24 hours before 11:59 p.m. on the day of any election must be reported within 24 hours of those contributions or expenditures.

D. Reports must be filed no later than 11:59 p.m. on the 42nd day after the date on which an election is held and must be complete for the filing period as of the 35th day after that date.

D-1. Reports must be filed no later than 11:59 p.m. on the 42nd day before the date on which a general election is held and must be complete as of the 49th day before that date, except that this report is not required for candidates for municipal office.

E. Unless further reports will be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of $100 shown in the reports described in paragraph D must be reported as provided by this paragraph. The treasurer of a candidate with a surplus or deficit in excess of $100 shall file reports semiannually with the commission within 15 days following the end of the 2nd and 4th quarters of the State's fiscal year, complete as of the last day of the quarter, until the surplus is disposed of or the deficit is liquidated. The first report under this paragraph is not required until the 15th day of the period beginning at least 90 days from the date of the election. The reports will be considered timely if filed electronically or in person with the commission on that date or postmarked on that date. The reports must set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

F. Reports with respect to a candidate who seeks nomination by petition must be filed on the same dates that reports must be filed by a candidate for the same office who seeks that nomination by primary election.

**Sec. 16. 21-A MRSA §1017-A, sub-§2,** as amended by PL 2009, c. 190, Pt. A, §9, is further amended to read:

**2. Expenditures to influence a campaign.** A party committee shall report all expenditures made to ~~support or oppose a candidate, political committee, political action committee or party committee registered under this chapter~~ influence a campaign, as defined in section 1052, subsection 1. The party committee shall report:

A. The name of each candidate, political committee, political action committee or party committee;

B. The office sought by a candidate and the district that the candidate seeks to represent; and

C. The date, amount and purpose of each expenditure.

**Sec. 17. 21-A MRSA §1017-A, sub-§3,** as amended by PL 2009, c. 190, Pt. A, §10, is further amended to read:

**3. Other expenditures.** Operational expenses and other expenditures that are not made to ~~support or oppose a candidate, committee, political action committee or party committee~~ influence a campaign, as defined in section 1052, subsection 1 must be reported separately. The party committee shall report:

A. The name and address of each payee;

B. The purpose for the expenditure; and

C. The date and amount of each expenditure.

**Sec. 18. 21-A MRSA §1017-A, sub-§4-A, ¶C,** as amended by PL 2007, c. 443, Pt. A, §17, is further amended to read:

C. ~~Reports of spending to influence~~ Preelection and post-election reports for special elections, referenda, initiatives, bond issues or constitutional amendments must be filed by 11:59 p.m.:

(1) On the 11th day before the date on which the election is held and must be complete up to the 14th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date.

**Sec. 19. 21-A MRSA §1017-A, sub-§8,** as amended by PL 2009, c. 366, §4 and affected by §12, is further amended to read:

**8. Municipal elections.** When a party committee makes contributions or expenditures on behalf of a candidate for municipal office ~~in a town or city that has chosen to be governed by~~ subject to this subchapter, it shall file a copy of the reports required by this section with the clerk in that candidate's municipality.

**Sec. 20. 21-A MRSA §1019-B, sub-§4,** as enacted by PL 2009, c. 524, §7, is amended to read:

**4. Report required; content; rules.** A person, party committee, political committee or political action committee that makes independent expenditures aggregating in excess of $100 during any one candidate's election shall file a report with the commission. In the case of a municipal election ~~in a town or city that has chosen to be governed by this subchapter~~, ~~a copy of the same information~~ the report must be filed with the municipal clerk.

A. A report required by this subsection must be filed with the commission according to a reporting schedule that the commission shall establish by rule that takes into consideration existing campaign finance reporting requirements and matching fund provisions under chapter 14. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

B. A report required by this subsection must contain an itemized account of each expenditure aggregating in excess of $100 in any one candidate's election, the date and purpose of each expenditure and the name of each payee or creditor. The report must state whether the expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate.

C. A report required by this subsection must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form.

This subsection takes effect August 1, 2011.

**Sec. 21. 21-A MRSA §1019-B, sub-§5** is enacted to read:

**5. Exclusions.** An independent expenditure does not include:

A. An expenditure made by a person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's political committee or their agents;

B. A telephone survey that meets generally accepted standards for polling research and that is not conducted for the purpose of changing the voting position of the call recipients or discouraging them from voting;

C. A telephone call naming a clearly identified candidate that identifies an individual's position on a candidate, ballot question or political party for the purpose of encouraging the individual to vote, as long as the call contains no advocacy for or against any candidate; and

D. A voter guide that consists primarily of candidates' responses to surveys and questionnaires and that contains no advocacy for or against any candidate.

**Sec. 22. 21-A MRSA §1020-A, sub-§3,** as amended by PL 2009, c. 366, §6 and affected by §12, is further amended to read:

**3. Municipal campaign finance reports.** Municipal campaign finance reports must be filed, subject to all the provisions of this subchapter, with the municipal clerk ~~in a town or city that has chosen to be governed by this subchapter~~ on forms prescribed by the Commission on Governmental Ethics and Election Practices. The municipal clerk shall send any notice of lateness required by subsection 6 and shall notify the commission of any late reports subject to a penalty.

**Sec. 23. 21-A MRSA §1020-A, sub-§5-A, ¶A,** as amended by PL 2009, c. 190, Pt. A, §14, is further amended to read:

A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; and section 1017, subsection 4~~; and section 1019-B, subsection 3~~;

**Sec. 24. 21-A MRSA §1020-A, sub-§5-A, ¶A-1** is enacted to read:

A-1. Five thousand dollars for reports required under section 1019-B, subsection 4, except that if the financial activity reported late exceeds $50,000, the maximum penalty is 1/5 of the amount reported late;

**Sec. 25. 21-A MRSA §1020-A, sub-§5-A, ¶B,** as amended by PL 2003, c. 628, Pt. A, §4, is further amended to read:

B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4-A, paragraphs A, B, C and E, except that if the financial activity reported late exceeds $50,000, the maximum penalty is 1/5 of the amount reported late;

**Sec. 26. 21-A MRSA §1052, sub-§1,** as amended by PL 1995, c. 483, §17, is further amended to read:

**1. Campaign.** "Campaign" means any course of activities ~~for a specific purpose such as the initiation, promotion or defeat of~~ to influence the nomination or election of a candidate or ~~question, including~~ to initiate or influence any of the following ballot measures:

A. ~~The~~ A people's veto referendum ~~procedure~~ under the Constitution of Maine, Article IV, Part Third, Section 17;

B. ~~The~~ A direct initiative ~~procedure~~ of legislation under the Constitution of Maine, Article IV, Part Third, Section 18;

C. An amendment to the Constitution of Maine under Article X, Section 4;

D. ~~Legislation~~ A referendum vote on a measure enacted by the Legislature and expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19;

E. The ratification of the issue of bonds by the State or any agency thereof; and

F. Any county or municipal referendum.

**Sec. 27. 21-A MRSA §1052, sub-§3, ¶C,** as amended by PL 2005, c. 575, §3, is further amended to read:

C. Any funds received by a political action committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of ~~promoting, defeating or initiating a candidate, referendum, political party or initiative, including the collection of signatures for a direct initiative, in this State~~ initiating or influencing a campaign; or

**Sec. 28. 21-A MRSA §1052, sub-§3, ¶D,** as enacted by PL 1985, c. 161, §6, is amended to read:

D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a political action committee

~~which~~ that is used by the political action committee to ~~promote, defeat or initiate a candidate, campaign political party, referendum or initiated petition in this State~~ initiate or influence a campaign.

**Sec. 29. 21-A MRSA §1052, sub-§4,** as amended by PL 2007, c. 443, Pt. A, §28, is further amended to read:

**4. Expenditure.** The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of initiating or influencing ~~the nomination or election of any person to political office; or for the initiation, support or defeat of~~ a campaign~~, referendum or initiative, including the collection of signatures for a direct initiative, in this State~~;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and

(3) The transfer of funds by a political action committee to another candidate or political committee; and

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or candidate's immediate family;

(2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed $100 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by a political action committee that volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed $100 with respect to any election; and

(6) Any communication by any political action committee member that is not made for the purpose of influencing the nomination ~~for election,~~ or election~~,~~ of any person to state or county office.

**Sec. 30. 21-A MRSA §1052, sub-§4-A** is enacted to read:

**4-A. Influence.** "Influence" means to promote, support, oppose or defeat.

**Sec. 31. 21-A MRSA §1052, sub-§4-B** is enacted to read:

**4-B. Initiate.** "Initiate" includes the collection of signatures and related activities to qualify a state or local initiative or referendum for the ballot.

**Sec. 32. 21-A MRSA §1052, sub-§5,** as amended by PL 2009, c. 190, Pt. A, §16, is further amended to read:

**5. Political action committee.** The term "political action committee:"

A. Includes:

(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to initiate or influence ~~the outcome of an election, including a candidate election or ballot question~~ a campaign;

(4) Any organization, including any corporation or association, that has as its major purpose initiating~~, promoting, defeating~~ or influencing a ~~candidate election,~~ campaign ~~or ballot question~~ and that receives contributions or makes expenditures aggregating more than $1,500 in a calendar year for that purpose~~, including for the collection of signatures for a direct initiative or referendum in this State~~; and

(5) Any organization that does not have as its major purpose ~~promoting, defeating or~~ influencing candidate elections but that receives contributions or makes expenditures aggregating more than $5,000 in a calendar year for the purpose of ~~promoting, defeating or~~ influencing ~~in any way~~ the nomination or election of any candidate to political office; and

B. Does not include:

(1) A candidate or a candidate's treasurer under section 1013-A, subsection 1;

(2) A candidate's authorized political committee under section 1013-A, subsection 1, paragraph B; ~~or~~

(3) A party committee under section 1013-A, subsection 3~~.~~; or

(4) An organization whose only payments of money in the prior 2 years for the purpose of influencing a campaign in this State are contributions to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality and that has not raised and accepted any contributions during the calendar year for the purpose of influencing a campaign in this State.

**Sec. 33. 21-A MRSA §1053, sub-§6,** as amended by PL 2007, c. 443, Pt. A, §29, is further amended to read:

**6. Statement of support or opposition.** A statement indicating the positions of the committee, support or opposition, with respect to a candidate, political committee~~, referendum, initiated petition~~ or campaign~~, if known at the time of registration~~. ~~If a committee has no position on a candidate, campaign or issue at the time of registration, the committee must inform the commission as soon as the committee knows this information.~~

**Sec. 34. 21-A MRSA §1053, last ¶,** as amended by PL 2007, c. 443, Pt. A, §29, is further amended to read:

Every change in information required by this section must be included in an amended registration form submitted to the commission within 10 days of the date of the change. The committee must file an updated registration form ~~every 2 years~~ between January 1st and March 1st of ~~an election~~ each year in which a general election is held. The commission may waive the updated registration requirement for newly registered political action committees or other registered political action committees if it determines that the requirement would cause an administrative burden disproportionate to the public benefit of updated information.

**Sec. 35. 21-A MRSA §1053-A,** as enacted by PL 2009, c. 190, Pt. A, §18, is amended to read:

**§1053-A. Municipal elections**

Organizations that qualify as political action committees under section 1052, subsection 5 and that ~~are organized~~ receive contributions or make expenditures to influence ~~elections on the~~ a municipal ~~ballot~~ campaign in towns or cities with a population of 15,000 or more shall register and file reports with the municipal clerk as required by Title 30-A, section 2502. The reports must be filed in accordance with the reporting schedule in section 1059 and must contain the information listed in section 1060. A political action committee registered with the commission and that receives contributions or makes expenditures relating to a municipal election shall file a copy of the report containing such contributions or expenditures with the clerk in the subject municipality. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns, except that the commission shall enforce late-filing penalties under section 1020-A, subsection 3 upon the request of a municipal clerk.

**Sec. 36. 21-A MRSA §1053-B,** as enacted by PL 2009, c. 190, Pt. A, §19, is amended to read:

**§1053-B. Out-of-state political action committees**

A political action committee organized outside of this State shall register and file reports with the commission in accordance with sections 1053 and 1058. The committee is not required to register and file reports if the committee's only financial activity within the State is to make contributions to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality and the committee has not raised and accepted any contributions during the calendar year to influence ~~an election or~~ a campaign in this State.

**Sec. 37. 21-A MRSA §1056, sub-§1,** as amended by PL 2001, c. 430, §10, is further amended to read:

**1. Aggregate expenditures.** A committee may not make contributions in support of the candidacy of one person aggregating more than ~~$500 in any election for a gubernatorial candidate, or $250 in any election for any other candidate~~ the contribution limits established by the commission pursuant to section 1015.

**Sec. 38. 21-A MRSA §1056-B, first ¶,** as repealed and replaced by PL 2009, c. 524, §8, is amended to read:

A person not defined as a political action committee who receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of $5,000 for the purpose of initiating~~, promoting, defeating~~ or influencing ~~in any way~~ a campaign as defined by section 1052, subsection 1, ~~must~~ shall file reports with the commission in accordance with this section. For the purposes of this section, "campaign" does not include activities to ~~promote or defeat or in any way~~ influence the nomination or election of a candidate. Within 7 days of receiving contributions or making expenditures that exceed $5,000, the person shall register with the commission as a ballot question committee. For the pur-

poses of this section, expenditures include paid staff time spent for the purpose of initiating or influencing ~~in any way~~ a campaign. The commission must prescribe forms for the registration, and the forms must include specification of a treasurer for the committee, any other principal officers and all individuals who are the primary fund-raisers and decision makers for the committee. ~~Until July 31, 2011, in the case of a municipal election, the registration and reports must be filed with the clerk of that municipality. Beginning August 1, 2011, in the case of a municipal election, the registration and reports must be filed with the commission.~~

**Sec. 39. 21-A MRSA §1056-B, sub-§2,** as amended by PL 2009, c. 524, §9, is further amended to read:

**2. Content.** A report must contain an itemized account of each expenditure made to and contribution received from a single source aggregating in excess of $100 in any election; the date of each contribution; the date and purpose of each expenditure; the name and address of each contributor, payee or creditor; and the occupation and principal place of business, if any, for any person who has made contributions exceeding $100 in the aggregate. The filer is required to report only those contributions made to the filer for the purpose of initiating~~, promoting, defeating~~ or influencing ~~in any way~~ a campaign and only those expenditures made for those purposes. The definitions of "contribution" and "expenditure" in section 1052, subsections 3 and 4, respectively, apply to persons required to file ballot question reports.

**Sec. 40. 21-A MRSA §1056-B, sub-§2-A, ¶B,** as amended by PL 2009, c. 524, §11, is further amended to read:

B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating~~, promoting, defeating~~ or influencing ~~in any way~~ a campaign;

**Sec. 41. 21-A MRSA §1056-B, sub-§2-A, ¶C,** as amended by PL 2009, c. 524, §12, is further amended to read:

C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating~~, promoting, defeating~~ or influencing ~~in any way~~ a campaign when viewed in the context of the contribution and the recipient's activities regarding a campaign; and

**Sec. 42. 21-A MRSA §1056-B, sub-§4, ¶A,** as amended by PL 2009, c. 524, §13, is further amended to read:

A. The filer shall keep a detailed account of all contributions made to the filer for the purpose of initiating~~, promoting, defeating~~ or influencing ~~in any way~~ a campaign and all expenditures made for those purposes.

**Sec. 43. 21-A MRSA §1059, first ¶,** as repealed and replaced by PL 2009, c. 652, Pt. A, §22, is amended to read:

Committees required to register under section 1053, 1053-B or 1056-B shall file an initial campaign finance report at the time of registration and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the day of the filing deadline, except that reports submitted to a municipal clerk ~~in a town or city that has chosen to be governed by this subchapter~~ must be filed by the close of business on the day of the filing deadline.

**Sec. 44. 21-A MRSA §1059, sub-§2, ¶A,** as amended by PL 2009, c. 190, Pt. A, §24, is further amended to read:

A. ~~Quarterly~~ All committees shall file quarterly reports ~~must be filed~~:

(1) On January 15th and must be complete as of December 31st;

(2) On April 10th and must be complete as of March 31st;

(3) On July 15th and must be complete as of June 30th; and

(4) On October 10th and must be complete as of September 30th.

**Sec. 45. 21-A MRSA §1059, sub-§2, ¶C,** as amended by PL 2007, c. 443, Pt. A, §35, is further amended to read:

C. ~~Reports of spending to influence~~ Preelection and post-election reports for special elections~~, referenda, initiatives, bond issues~~ or ~~constitutional amendments~~ ballot measure campaigns must be filed:

(1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date.

**Sec. 46. 21-A MRSA §1060, sub-§4,** as amended by PL 2009, c. 190, Pt. A, §25, is further amended to read:

**4. Itemized expenditures.** An itemization of each expenditure made to ~~support or oppose any candidate, campaign, political committee, political action committee and party committee or to support or oppose a referendum or initiated petition~~ initiate or influence any campaign, including the date, payee and purpose of the expenditure; the name of each candidate, campaign, political committee, political action com-

mittee or party committee supported or opposed; and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition, including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of political action committees;

**Sec. 47. 21-A MRSA §1060, sub-§6,** as amended by PL 2007, c. 477, §6, is further amended to read:

**6. Identification of contributions.** Names, occupations, places of business and mailing addresses of contributors who have given more than $50 to the political action committee in the reporting period and the amount and date of each contribution, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those contributions made to the organization for the purpose of ~~promoting, defeating or~~ influencing a ballot question or the nomination or election of a candidate to political office and all transfers to or funds used to support the political action committee from the general treasury of the organization; and

**Sec. 48. 21-A MRSA §1060, sub-§7,** as amended by PL 2009, c. 190, Pt. A, §26, is further amended to read:

**7. Other expenditures.** Operational expenses and other expenditures that are not made on behalf of a candidate, committee or campaign, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those expenditures made for the purpose of ~~promoting, defeating or~~ influencing a ballot question or the nomination or election of a candidate to political office.

**Sec. 49. 21-A MRSA §1062-A, sub-§4,** as amended by PL 2009, c. 190, Pt. A, §30, is further amended to read:

**4. Maximum penalties.** The maximum penalty under this subchapter is $10,000 for reports required under section 1056-B or section 1059, except that if the financial activity reported late exceeds $50,000, the maximum penalty is 1/5 of the amount reported late.

**Sec. 50. 21-A MRSA §1124, sub-§2, ¶H,** as enacted by IB 1995, c. 1, §17, is amended to read:

H. Fines collected under section 1020-A, subsection ~~4~~ 4-A and section 1127.

**Sec. 51. 21-A MRSA §1125, sub-§1,** as amended by PL 2007, c. 443, Pt. B, §6, is further amended to read:

**1. Declaration of intent.** A participating candidate must file a declaration of intent to seek certification as a Maine Clean Election Act candidate and to comply with the requirements of this chapter. The declaration of intent must be filed with the commission prior to or during the qualifying period, except as provided in subsection 11, according to forms and procedures developed by the commission. ~~A participating candidate must submit a declaration of intent within 5 business days of collecting qualifying contributions under this chapter.~~ Qualifying contributions collected more than 5 business days before the declaration of intent has been filed will not be counted toward the eligibility requirement in subsection 3.

**Sec. 52. 21-A MRSA §1125, sub-§5,** as amended by PL 2009, c. 190, Pt. B, §2 and c. 363, §5, is further amended to read:

**5. Certification of Maine Clean Election Act candidates.** Upon receipt of a final submittal of qualifying contributions by a participating candidate, the executive director of the commission ~~or its executive director~~ shall determine whether the candidate has:

A. Signed and filed a declaration of intent to participate in this Act;

B. Submitted the appropriate number of valid qualifying contributions;

C. Qualified as a candidate by petition or other means no later than 5 business days after the end of the qualifying period;

C-1. As a gubernatorial candidate, collected at least $40,000 in seed money contributions from registered voters in the State;

D. Not accepted contributions, except for seed money contributions, and otherwise complied with seed money restrictions;

D-1. Not run for the same office as a nonparticipating candidate in a primary election in the same election year;

D-2. Not been found to have made a material false statement in a report or other document submitted to the commission;

D-3. Not otherwise substantially violated the provisions of this chapter or chapter 13;

D-4. Not failed to pay any civil penalty assessed by the commission under this Title, except that a candidate has 3 business days from the date of the request for certification to pay the outstanding penalty and remain eligible for certification; ~~and~~

D-5. Not submitted any fraudulent qualifying contributions or any falsified acknowledgement forms for qualifying contributions or seed money contributions; and

E. Otherwise met the requirements for participation in this Act.

The ~~commission or its~~ executive director shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible after final submittal of qualifying contributions and other supporting documents required under subsection 4 but no later than 3 business days for legislative candidates and 5 business days for gubernatorial candidates. The ~~commission and its~~ executive director may take additional time if further investigation is necessary to verify compliance with this Act as long as the commission notifies the candidate regarding the anticipated schedule for conclusion of the investigation. A candidate or other interested person may appeal the decision of the executive director to the members of the commission in accordance with subsection 14.

A certified candidate must comply with all requirements of this Act after certification and throughout the primary and general election periods. Failure to do so is a violation of this chapter.

**Sec. 53. 21-A MRSA §1125, sub-§5-B,** as enacted by PL 2007, c. 642, §11, is amended to read:

**5-B. Restrictions on serving as treasurer.** A participating or certified candidate may not serve as a treasurer or deputy treasurer for that candidate's campaign, except that the candidate may serve as treasurer or deputy treasurer for up to 14 days after declaring an intention to qualify for campaign financing under this chapter until the candidate identifies another person to serve as treasurer.

**Sec. 54. 21-A MRSA §1125, sub-§6,** as amended by PL 2009, c. 105, §1, is further amended to read:

**6. Restrictions on contributions and expenditures for certified candidates.** After certification, a candidate must limit the candidate's campaign expenditures and obligations, including outstanding obligations, to the revenues distributed to the candidate from the fund and may not accept any contributions unless specifically authorized by the commission. Candidates may also accept and spend interest earned on fund revenues in campaign bank accounts. All revenues distributed to a certified candidate from the fund must be used for campaign-related purposes. The candidate, the treasurer, the candidate's committee authorized pursuant to section 1013-A, subsection 1 or any agent of the candidate and committee may not use these revenues for any but campaign-related purposes. ~~A television advertisement purchased with these revenues must be closed-captioned when closed-captioning is available from the broadcasting station who will broadcast the advertisement.~~ The commission shall publish guidelines outlining permissible campaign-related expenditures.

**Sec. 55. 21-A MRSA §1125, sub-§6-E** is enacted to read:

**6-E. Expenditures for television advertising.** A candidate must include closed-captioning within any television advertisement that the candidate provides to a broadcasting or cable television station for broadcast to the public, except for an advertisement aired in the final 4 days before an election if inclusion of closed-captioning during that period is impractical or would materially affect the timing of the candidate's advertisement.

**Sec. 56. 21-A MRSA §1125, sub-§10,** as repealed and replaced by PL 2009, c. 652, Pt. A, §27 and affected by §28, is amended to read:

**10. Candidate not enrolled in a party.** An unenrolled candidate for the Legislature who submits the required number of qualifying contributions and other required documents under subsection 4 by 5:00 p.m. on April ~~15th~~ 20th preceding the primary election and who is certified is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election candidate and a general election candidate as specified in subsections 7 and 8-A. ~~Otherwise, an unenrolled candidate for the Legislature must submit the required number of qualifying contributions and the other required documents under subsection 4 by 5:00 p.m. on June 2nd preceding the general election. If certified, the candidate is eligible for revenues from the fund in the same amounts as a general election candidate, as specified in subsection 8-A.~~ Revenues for the general election must be distributed to the candidate no later than 3 days after certification. An unenrolled candidate for Governor who submits the required number of qualifying contributions and other required documents under subsections 2-B and 4 by 5:00 p.m. on April 1st preceding the primary election and who is certified is eligible for revenues from the fund in the same amounts and at the same time as an uncontested primary election gubernatorial candidate and a general election gubernatorial candidate as specified in subsections 7 and 8-A. Revenues for the general election must be distributed to the candidate for Governor no later than 3 days after the primary election results are certified.

**Sec. 57. 21-A MRSA §1125, sub-§12-A, ¶E,** as enacted by PL 2009, c. 524, §16, is amended to read:

E. A contemporaneous document such as an invoice, contract or timesheet that specifies in detail the services provided by a vendor who was paid $500 or more for the election cycle for providing

campaign staff or consulting services to a candidate.

**Sec. 58. 21-A MRSA §1125, sub-§13-A,** as enacted by PL 2009, c. 524, §18, is amended to read:

**13-A. Distributions not to exceed amount in fund.** The commission may not distribute revenues to certified candidates in excess of the total amount of money deposited in the fund as set forth in section 1124. Notwithstanding any other provisions of this chapter, if the commission determines that the revenues in the fund are insufficient to meet distributions under subsection 8-A or 9, the commission may permit certified candidates to accept and spend contributions, reduced by any seed money contributions, aggregating no more than ~~$750 per donor per election for gubernatorial candidates and $350 per donor per election for State Senate and State House candidates~~ the applicable contribution limits established by the commission pursuant to section 1015, up to the applicable amounts set forth in subsections 8-A and 9 according to rules adopted by the commission.

This subsection takes effect September 1, 2011.

**Sec. 59. 21-A MRSA §1125, sub-§14,** as amended by PL 2007, c. 443, Pt. B, §6, is further amended to read:

**14. Appeals.** A candidate who has been denied certification as a Maine Clean Election Act candidate by the commission's executive director, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the ~~commission or its~~ executive director as follows.

A. A challenger may appeal to the ~~full~~ commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal.

B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing, except that the commission may extend this period upon agreement of the challenger and the candidate whose certification is the subject of the appeal, or in response to the request of either party upon a showing of good cause. The appellant has the burden of proving that the certification decision was in error as a matter of law or was based on factual error. The commission must rule on the appeal within 5 business days after the completion of the hearing.

C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court within 5 days of the date of the commission's decision. The action must be conducted in accordance with Rule 80C of the Maine Rules of Civil Procedure, except that the court shall issue its written decision within 20 days of the date of the commission's decision. Any aggrieved party may appeal the decision of the Superior Court by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after the notice of appeal is filed. After filing the notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of the court. The court shall consider the case as soon as possible after the record and briefs have been filed and shall issue its decision within 14 days of the decision of the Superior Court.

D. A candidate whose certification as a Maine Clean Election Act candidate is reversed on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court finds that an appeal was made frivolously or to cause delay or hardship, the commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any.

**Sec. 60. 30-A MRSA §2502,** as amended by PL 2009, c. 366, §10 and affected by §12, is further amended to read:

**§2502. Campaign reports in municipal elections**

**1. Reports by candidates.** A candidate for municipal office of a town or city with a population of 15,000 or more is governed by Title 21-A, sections 1001 to 1020-A ~~and must register and file campaign reports with~~, except that registrations and campaign finance reports must be filed with the municipal clerk instead of the Commission on Governmental Ethics and Election Practices. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, sections 1001 to 1020-A by vote of its legislative body at least 90 days before an election for office. ~~A candidate in a town or city with a population of less than 15,000 that has adopted those provisions must register and file campaign finance reports with the municipal clerk instead of the Commission on Governmental Ethics and Election Practices.~~ A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to those sections.

**2. Municipal referenda campaigns.** Municipal referenda campaigns in towns or cities with a population of 15,000 or more are governed by Title 21-A, chapter 13, subchapter 4. The registrations and reports of political action committees and ballot question committees must be filed with the ~~Commission on Governmental Ethics and Election Practices~~ municipal clerk. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, chapter 13, subchapter 4 by vote of its legislative body at least 90 days before a referendum election. ~~The registrations and reports of political action committees~~

~~and ballot question committees in a town or city that has adopted those provisions must be filed with the municipal clerk instead of the Commission on Governmental Ethics and Election Practices.~~ A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to that subchapter.

**3. Public access to records.** A town or city ~~with a population of less than 15,000 that has adopted the provisions of Title 21-A, chapter 13~~ that receives registrations or reports pursuant to this section must keep ~~the campaign reports for at least~~ them for 8 years.

**Sec. 61. Legislation.** The Commission on Governmental Ethics and Election Practices is authorized to submit legislation to the Second Regular Session of the 125th Legislature to address the definition of "expenditure" in a campaign for office or by a political action committee relating to the production or distribution of a news story made by persons not directly connected to the candidate or to the political action committee. The commission shall consider similar provisions in other states and any relevant court decisions concerning disclosure of such expenditures.

**Sec. 62. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 21-A, section 1011; section 1013-A, subsection 1, paragraph A; section 1017, subsection 3-A; section 1017-A, subsection 8; section 1019-B, subsection 4; section 1020-A, subsection 3; section 1056-B, first paragraph; section 1059, first paragraph; and Title 30-A, section 2502 take effect August 1, 2011. Those sections of this Act that amend Title 21-A, section 1125, subsections 10 and 13-A take effect September 1, 2011.

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

Effective June 20, 2011, unless otherwise indicated.

## CHAPTER 390

## H.P. 865 - L.D. 1167

### An Act To Protect the Privacy of Persons Involved in Reportable Motor Vehicle Accidents

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

**Sec. 1. 29-A MRSA §2251, sub-§7,** as amended by PL 2003, c. 709, §4, is further amended to read:

**7. Report information.** An accident report made by an investigating officer or a ~~48 hour~~ report made by an operator as required by ~~former~~ subsection ~~5~~ 2 is for the purposes of statistical analysis and accident prevention.

A report or statement contained in the accident report, or a ~~48 hour~~ report as required by ~~former~~ subsection ~~5~~ 2, a statement made or testimony taken at a hearing before the Secretary of State held under section 2483, or a decision made as a result of that report, statement or testimony may not be admitted in evidence in any trial, civil or criminal, arising out of the accident.

A report may be admissible in evidence solely to prove compliance with this section.

~~The~~ Notwithstanding subsection 7-A, the Chief of the State Police may disclose the date, time and location of the accident and the names and addresses of operators, owners, injured persons, witnesses and the investigating officer. On written request, the chief may furnish a photocopy of the investigating officer's report at the expense of the person making the request. The cost of furnishing a copy of the report is not subject to the limitations of Title 1, section 408, subsection 3.

**Sec. 2. 29-A MRSA §2251, sub-§7-A** is enacted to read:

**7-A. Accident report database; public dissemination of accident report data.** Data contained in an accident report database maintained, administered or contributed to by the Department of Public Safety, Bureau of State Police must be treated as follows.

A. For purposes of this subsection, the following terms have the following meanings.

(1) "Data" means information existing in an electronic medium and contained in an accident report database.

(2) "Nonpersonally identifying accident report data" means any data in an accident report that are not personally identifying accident report data.

(3) "Personally identifying accident report data" means:

(a) An individual's name, residential and post office box mailing address, social security number, date of birth and driver's license number;

(b) A vehicle registration number;

(c) An insurance policy number;

(d) Information contained in any free text data field of an accident report; and

(e) Any other information contained in a data field of an accident report that may be used to identify a person.

B. The Department of Public Safety, Bureau of State Police may not publicly disseminate personally identifying accident report data that are contained in an accident report database maintained, records administered or contributed to by the Bureau of State Police. Such data are not public records for the purposes of Title 1, chapter 13.

C. The Department of Public Safety, Bureau of State Police may publicly disseminate nonpersonally identifying accident report data that are contained in an accident report database maintained, administered or contributed to by the Bureau of State Police. The cost of furnishing a copy of such data is not subject to the limitations of Title 1, section 408.

See title page for effective date.

## CHAPTER 391

## S.P. 353 - L.D. 1153

### An Act Related to Authorization of GARVEE Bonds

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

**Sec. 1. 23 MRSA §1612, first ¶,** as enacted by PL 2007, c. 329, Pt. P, §1, is amended to read:

Notwithstanding any other provision of law, upon certification, the bank may issue from time to time GARVEE bonds for qualified transportation projects and qualified transportation project costs in such amounts as are authorized by the Legislature by a 2/3 vote in each House of the Legislature, as long as the rolling, 3-year average ratio of GARVEE bond debt service payments to federal funds received from the United States Department of Transportation, Federal Highway Administration does not exceed 15%, less the amount of capacity necessary to issue a $25,000,000 GARVEE bond for extraordinary, unprogrammed needs.

See title page for effective date.

## CHAPTER 392

## H.P. 989 - L.D. 1348

### An Act Making Unified 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, 2011, 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**

**Budget - Bureau of the 0055**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $86,057 | $87,252 |
| All Other | $8,914 | $8,914 |
| HIGHWAY FUND TOTAL | $94,971 | $96,166 |

## BUDGET - BUREAU OF THE 0055

### PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $86,057 | $87,252 |
| All Other | $8,914 | $8,914 |
| HIGHWAY FUND TOTAL | $94,971 | $96,166 |

### Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.000 | 16.000 |
| Personal Services | $710,133 | $740,814 |
| All Other | $1,385,683 | $1,385,683 |
| HIGHWAY FUND TOTAL | $2,095,816 | $2,126,497 |

## BUILDINGS AND GROUNDS OPERATIONS 0080

### PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 16.000 | 16.000 |
| Personal Services | $710,133 | $740,814 |
| All Other | $1,385,683 | $1,385,683 |
| HIGHWAY FUND TOTAL | $2,095,816 | $2,126,497 |

### Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $669,497 | $669,497 |
| HIGHWAY FUND TOTAL | $669,497 | $669,497 |

### Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: Provides funding necessary to meet the required debt service payment in fiscal year 2011-12. Reduces funding in fiscal year 2012-13 that is no longer required for debt service.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,003 | ($669,497) |
| HIGHWAY FUND TOTAL | $7,003 | ($669,497) |

## BUREAU OF GENERAL SERVICES - CAPITAL CONSTRUCTION AND IMPROVEMENT RESERVE FUND 0883

### PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $676,500 | $0 |
| HIGHWAY FUND TOTAL | $676,500 | $0 |

### Claims Board 0097

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $60,551 | $61,939 |
| All Other | $23,673 | $23,673 |
| HIGHWAY FUND TOTAL | $84,224 | $85,612 |

## CLAIMS BOARD 0097

### PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $60,551 | $61,939 |
| All Other | $23,673 | $23,673 |
| HIGHWAY FUND TOTAL | $84,224 | $85,612 |

### Revenue Services - Bureau of 0002

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $792,147 | $819,178 |
| All Other | $171,833 | $171,833 |
| HIGHWAY FUND TOTAL | $963,980 | $991,011 |

## REVENUE SERVICES - BUREAU OF 0002

### PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 5.000 | 5.000 |
| Personal Services | $792,147 | $819,178 |
| All Other | $171,833 | $171,833 |
| HIGHWAY FUND TOTAL | $963,980 | $991,011 |

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| **HIGHWAY FUND** | **$3,915,491** | **$3,299,286** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$3,915,491** | **$3,299,286** |

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

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Air Quality 0250**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $33,054 | $33,054 |
| HIGHWAY FUND TOTAL | $33,054 | $33,054 |

**AIR QUALITY 0250**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $33,054 | $33,054 |
| HIGHWAY FUND TOTAL | $33,054 | $33,054 |

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

**LEGISLATURE**

**Legislature 0081**

Initiative: Provides funding for the Joint Standing Committee on Transportation to meet monthly when the Legislature is not in session. Notwithstanding any other provision of law, any remaining funds at the end of any fiscal year may not be carried forward but must lapse to the Department of Transportation, Highway and Bridge Capital program, Highway Fund account.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,720 | $3,575 |
| All Other | $7,280 | $4,550 |
| HIGHWAY FUND TOTAL | $13,000 | $8,125 |

**LEGISLATURE 0081**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,720 | $3,575 |
| All Other | $7,280 | $4,550 |
| HIGHWAY FUND TOTAL | $13,000 | $8,125 |

**Sec. A-4. Appropriations and allocations.** The following appropriations and allocations are made.

**MUNICIPAL BOND BANK, MAINE**

**Transcap Trust Fund Z064**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $38,780,088 | $38,780,088 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $38,780,088 | $38,780,088 |

**Transcap Trust Fund Z064**

Initiative: Reduces funding to align with projected available resources approved by the Revenue Forecasting Committee in December 2010 and May 2011.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($754,254) | ($77,641) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($754,254) | ($77,641) |

**Transcap Trust Fund Z064**

Initiative: Adjusts the allocation to recognize less revenue for the TransCap Trust Fund account at the Maine Municipal Bond Bank from the gasoline tax and special fuel taxes associated with the elimination of the indexing of motor fuel taxes.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | ($426,991) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | ($426,991) |

**TRANSCAP TRUST FUND Z064**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $38,025,834 | $38,275,456 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $38,025,834 | $38,275,456 |

**MUNICIPAL BOND BANK, MAINE**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS | $38,025,834 | $38,275,456 |
| DEPARTMENT TOTAL - ALL FUNDS | $38,025,834 | $38,275,456 |

**Sec. A-5. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $136,998 | $142,048 |
| All Other | $747,787 | $747,787 |
| HIGHWAY FUND TOTAL | $884,785 | $889,835 |

**ADMINISTRATION - PUBLIC SAFETY 0088**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $136,998 | $142,048 |
| All Other | $747,787 | $747,787 |
| HIGHWAY FUND TOTAL | $884,785 | $889,835 |

**Highway Safety DPS 0457**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $77,069 | $79,166 |
| All Other | $540,559 | $540,559 |
| HIGHWAY FUND TOTAL | $617,628 | $619,725 |

**Highway Safety DPS 0457**

Initiative: Provides funding for the increased cost of building rent.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,385 | $7,848 |
| HIGHWAY FUND TOTAL | $7,385 | $7,848 |

**Highway Safety DPS 0457**

Initiative: Provides funding for the Highway Safety program for the Department of Administrative and Financial Services, Office of Information Technology services that are not funded.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,558 | $1,558 |
| HIGHWAY FUND TOTAL | $1,558 | $1,558 |

**Highway Safety DPS 0457**

Initiative: Provides funding for the increased cost of STA-CAP.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,856 | $6,112 |
| HIGHWAY FUND TOTAL | $3,856 | $6,112 |

**Highway Safety DPS 0457**

Initiative: Provides funding for the replacement of breathalyzers and supplies needed for field sobriety testing.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $51,383 |

| | | |
|---|---|---|
| HIGHWAY FUND TOTAL | $0 | $51,383 |

## HIGHWAY SAFETY DPS 0457

## PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $77,069 | $79,166 |
| All Other | $553,358 | $607,460 |
| HIGHWAY FUND TOTAL | $630,427 | $686,626 |

### Motor Vehicle Inspection 0329

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 12.000 | 12.000 |
| Personal Services | $842,665 | $870,150 |
| All Other | $264,069 | $264,069 |
| HIGHWAY FUND TOTAL | $1,106,734 | $1,134,219 |

### Motor Vehicle Inspection 0329

Initiative: Provides funding for the increased cost of gasoline.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $17,015 | $17,015 |
| HIGHWAY FUND TOTAL | $17,015 | $17,015 |

### Motor Vehicle Inspection 0329

Initiative: Provides funding for the replacement of vehicles.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $42,900 | $21,500 |
| HIGHWAY FUND TOTAL | $42,900 | $21,500 |

### Motor Vehicle Inspection 0329

Initiative: Transfers one State Police Sergeant position from the Motor Vehicle Inspection program to the Traffic Safety - Commercial Vehicle Enforcement program.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($105,673) | ($111,867) |
| HIGHWAY FUND TOTAL | ($105,673) | ($111,867) |

## MOTOR VEHICLE INSPECTION 0329

## PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 11.000 | 11.000 |
| Personal Services | $736,992 | $758,283 |
| All Other | $281,084 | $281,084 |
| Capital Expenditures | $42,900 | $21,500 |
| HIGHWAY FUND TOTAL | $1,060,976 | $1,060,867 |

### State Police 0291

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $17,182,756 | $17,715,920 |
| All Other | $6,677,982 | $6,677,982 |
| HIGHWAY FUND TOTAL | $23,860,738 | $24,393,902 |

### State Police 0291

Initiative: Provides funding for the increased cost of gasoline.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $121,275 | $121,275 |
| HIGHWAY FUND TOTAL | $121,275 | $121,275 |

### State Police 0291

Initiative: Provides funding for the increased cost of building rent.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $32,007 | $34,747 |
| HIGHWAY FUND TOTAL | $32,007 | $34,747 |

### State Police 0291

Initiative: Provides funding for the same level of dispatch services administered by the Department of Public Safety, Bureau of Consolidated Emergency Communications.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $261,112 | $287,910 |
| HIGHWAY FUND TOTAL | $261,112 | $287,910 |

**State Police 0291**

Initiative: Establishes 2 22-week State Police Sergeant project positions to backfill when a troop sergeant is teaching at the Maine Criminal Justice Academy.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $5,133 | $5,461 |
| HIGHWAY FUND TOTAL | $5,133 | $5,461 |

**State Police 0291**

Initiative: Provides funding to cover the extra equipment cost of filling 22 vacant positions within the State Police program.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $76,740 | $0 |
| HIGHWAY FUND TOTAL | $76,740 | $0 |

**State Police 0291**

Initiative: Provides funding to cover the increased cost of replacing state trooper vehicles.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $196,000 | $196,000 |
| HIGHWAY FUND TOTAL | $196,000 | $196,000 |

**State Police 0291**

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $28,854 | $54,523 |
| HIGHWAY FUND TOTAL | $28,854 | $54,523 |

**State Police 0291**

Initiative: Continues one limited-period Detective position within the Maine State Police Crime Laboratory, computer crimes unit. This position ends no later than June 30, 2013.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $0 | $140,908 |
| All Other | $0 | $17,044 |
| HIGHWAY FUND TOTAL | $0 | $157,952 |

**STATE POLICE 0291**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $17,187,889 | $17,862,289 |
| All Other | $7,393,970 | $7,389,481 |
| HIGHWAY FUND TOTAL | $24,581,859 | $25,251,770 |

**State Police - Support 0981**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $566,531 | $584,901 |
| All Other | $11,145 | $11,145 |
| HIGHWAY FUND TOTAL | $577,676 | $596,046 |

**STATE POLICE - SUPPORT 0981**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 10.000 | 10.000 |
| Personal Services | $566,531 | $584,901 |
| All Other | $11,145 | $11,145 |
| HIGHWAY FUND TOTAL | $577,676 | $596,046 |

**Traffic Safety 0546**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $845,203 | $865,671 |
| All Other | $188,102 | $188,102 |
| HIGHWAY FUND TOTAL | $1,033,305 | $1,053,773 |

**Traffic Safety 0546**

Initiative: Provides funding for the increased cost of gasoline.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $11,713 | $11,713 |
| HIGHWAY FUND TOTAL | $11,713 | $11,713 |

**Traffic Safety 0546**

Initiative: Provides funding to replace an airplane engine.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $30,000 | $0 |
| HIGHWAY FUND TOTAL | $30,000 | $0 |

**TRAFFIC SAFETY 0546**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 8.000 | 8.000 |
| Personal Services | $845,203 | $865,671 |
| All Other | $199,815 | $199,815 |
| Capital Expenditures | $30,000 | $0 |
| HIGHWAY FUND TOTAL | $1,075,018 | $1,065,486 |

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 47.000 | 47.000 |
| Personal Services | $4,184,010 | $4,288,245 |
| All Other | $643,053 | $643,053 |
| HIGHWAY FUND TOTAL | $4,827,063 | $4,931,298 |

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Provides funding for the projected increase in insurance rates based upon calculations provided by the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,063 | $13,593 |
| HIGHWAY FUND TOTAL | $7,063 | $13,593 |

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Provides funding for the replacement of vehicles.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $46,360 | $46,360 |
| HIGHWAY FUND TOTAL | $46,360 | $46,360 |

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Transfers one State Police Sergeant position from the Motor Vehicle Inspection program to the Traffic Safety - Commercial Vehicle Enforcement program.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 1.000 | 1.000 |
| Personal Services | $105,673 | $111,867 |
| HIGHWAY FUND TOTAL | $105,673 | $111,867 |

**TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 48.000 | 48.000 |
| Personal Services | $4,289,683 | $4,400,112 |
| All Other | $650,116 | $656,646 |
| Capital Expenditures | $46,360 | $46,360 |
| HIGHWAY FUND TOTAL | $4,986,159 | $5,103,118 |

| PUBLIC SAFETY, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| HIGHWAY FUND | $33,796,900 | $34,653,748 |
| DEPARTMENT TOTAL - ALL FUNDS | $33,796,900 | $34,653,748 |

**Sec. A-6. Appropriations and allocations.** The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles 0077**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 371.000 | 371.000 |
| Personal Services | $23,490,745 | $24,602,017 |
| All Other | $11,357,399 | $11,357,455 |
| HIGHWAY FUND TOTAL | $34,848,144 | $35,959,472 |

**Administration - Motor Vehicles 0077**

Initiative: Reduces funding by freezing one Office Associate II position and 2 Office Specialist I positions. These positions will be frozen through the 2012-2013 biennium only.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($175,790) | ($188,896) |
| All Other | ($7,476) | ($8,034) |
| HIGHWAY FUND TOTAL | ($183,266) | ($196,930) |

**Administration - Motor Vehicles 0077**

Initiative: Reorganizes one Motor Vehicle Section Manager position, 2 Office Assistant II positions and one Office Associate I position to 4 Customer Representative Associate II positions.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($2,382) | ($2,437) |
| HIGHWAY FUND TOTAL | ($2,382) | ($2,437) |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding on a one-time basis for the programming that is required to meet a federal mandate for modernization under the United States Department of Transportation, Federal Motor Carrier Administration, Commercial Driver's License Information System Specifications (Release 5.1). This project is scheduled to start in January 2011 with a completion date of January 2012.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $108,423 | $0 |
| HIGHWAY FUND TOTAL | $108,423 | $0 |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for the replacement of 3 database servers. These servers have a 5-year life span and were purchased in 2007.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $106,000 | $53,000 |
| HIGHWAY FUND TOTAL | $106,000 | $53,000 |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for upgrading electronic firmware on the storage array.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $70,000 | $40,000 |
| HIGHWAY FUND TOTAL | $70,000 | $40,000 |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding to process International Registration Plan (IRP) transactions and increased membership costs in the International Fuel Tax Agreement (IFTA) clearinghouse. The IRP and IFTA are base-state interstate motor carrier programs. State participation in both programs is required by federal law.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $56,238 | $56,238 |
| HIGHWAY FUND TOTAL | $56,238 | $56,238 |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for interpreter services that are required by the federal Americans with Disabilities Act, the federal Rehabilitation Act and the Maine Human Rights Act.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $13,032 | $13,032 |
| HIGHWAY FUND TOTAL | $13,032 | $13,032 |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding to cover the increase in costs for witness fees paid to police officers or police departments in accordance with the Maine Revised Statutes, Title 16, section 251.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $26,063 | $26,063 |

| | | |
|---|---|---|
| HIGHWAY FUND TOTAL | $26,063 | $26,063 |

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for mailings that are required by federal law. The United States Department of Transportation, Federal Motor Carrier Administration, Commercial Driver's License Information System Specifications (Release 5.1) requires medical certification for commercial driver's license drivers.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $12,771 | $12,771 |
| HIGHWAY FUND TOTAL | $12,771 | $12,771 |

**Administration - Motor Vehicles 0077**

Initiative: Reorganizes 14 Motor Vehicle Branch Office Manager positions from range 18 to range 20 and transfers All Other to Personal Services to fund the reorganization.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $66,605 | $68,903 |
| All Other | ($66,605) | ($68,903) |
| HIGHWAY FUND TOTAL | $0 | $0 |

**Administration - Motor Vehicles 0077**

Initiative: Continues 5 limited-period Customer Representative Associate II positions that were previously authorized by Public Law 2007, chapter 329. These positions will end on June 8, 2013.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $299,988 | $322,267 |
| HIGHWAY FUND TOTAL | $299,988 | $322,267 |

**ADMINISTRATION - MOTOR VEHICLES 0077**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 371.000 | 371.000 |
| Personal Services | $23,679,166 | $24,801,854 |
| All Other | $11,499,845 | $11,388,622 |
| Capital Expenditures | $176,000 | $93,000 |
| HIGHWAY FUND TOTAL | $35,355,011 | $36,283,476 |

**SECRETARY OF STATE, DEPARTMENT OF**

| DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| HIGHWAY FUND | $35,355,011 | $36,283,476 |
| DEPARTMENT TOTAL - ALL FUNDS | $35,355,011 | $36,283,476 |

**Sec. A-7. Appropriations and allocations.** The following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF**

**Administration 0339**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 91.000 | 91.000 |
| Personal Services | $7,303,448 | $7,559,974 |
| All Other | $5,669,637 | $5,669,637 |
| HIGHWAY FUND TOTAL | $12,973,085 | $13,229,611 |

**Administration 0339**

Initiative: Eliminates one Public Service Manager II position, 2 Public Service Coordinator I positions, one Office Assistant II position, one Mapping and Graphic Arts Specialist II position, one Office Associate II position and one Student Intern position in the Administration program and one Transportation Planning Analyst position in the Highway and Bridge Capital program. Allocated costs in this initiative appear in the Public Transportation program.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (7.000) | (7.000) |
| Personal Services | ($462,725) | ($485,117) |
| HIGHWAY FUND TOTAL | ($462,725) | ($485,117) |

**Administration 0339**

Initiative: Transfers one Public Service Coordinator I position and one Planning and Research Associate I position from the Highway and Bridge Capital program to the Department of Administrative and Financial Services, Financial and Personnel Services - Division of program, transportation service center account to reflect the work the individuals are performing in the most appropriate organizational structure and allocates the cost in the Department of Transportation,

Administration program to pay for the transportation service center account billings.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $140,426 | $144,330 |
| HIGHWAY FUND TOTAL | $140,426 | $144,330 |

**Administration 0339**

Initiative: Provides funding for the increased cost of the Department of Administrative and Financial Services, Financial and Personnel Services - Division of program, transportation service center account due to standard increases in salaries and benefits.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $7,060 | $77,057 |
| HIGHWAY FUND TOTAL | $7,060 | $77,057 |

**Administration 0339**

Initiative: Transfers positions within department programs and accounts to reflect the work the individuals are performing in the most appropriate organizational structure. Position detail is on file in the Bureau of the Budget.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($164,764) | ($169,661) |
| HIGHWAY FUND TOTAL | ($164,764) | ($169,661) |

**Administration 0339**

Initiative: Provides funding for the increased cost of tort and general liability insurance from the Department of Administrative and Financial Services, Bureau of General Services, risk management division.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $27,327 | $60,383 |
| HIGHWAY FUND TOTAL | $27,327 | $60,383 |

**Administration 0339**

Initiative: Provides funding for building and small equipment costs that was not included in the baseline budget.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $75,000 | $75,000 |
| HIGHWAY FUND TOTAL | $75,000 | $75,000 |

**Administration 0339**

Initiative: Reduces Personal Services by freezing vacant positions during the 2012-2013 biennium.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($325,000) | ($340,000) |
| HIGHWAY FUND TOTAL | ($325,000) | ($340,000) |

**ADMINISTRATION 0339**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 83.000 | 83.000 |
| Personal Services | $6,350,959 | $6,565,196 |
| All Other | $5,844,450 | $5,951,407 |
| Capital Expenditures | $75,000 | $75,000 |
| HIGHWAY FUND TOTAL | $12,270,409 | $12,591,603 |

**Administration - Aeronautics 0294**

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,585,782 | $1,585,782 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,585,782 | $1,585,782 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,000 | $100,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $100,000 | $100,000 |

**Administration - Aeronautics 0294**

Initiative: Provides funding for capital expenditure purchases in Federal Expenditures Fund and Other Special Revenue Funds accounts that was not included in the baseline budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $300,000 | $300,000 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $300,000 | $300,000 |

## ADMINISTRATION - AERONAUTICS 0294

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,585,782 | $1,585,782 |
| Capital Expenditures | $300,000 | $300,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,885,782 | $1,885,782 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,000 | $100,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $100,000 | $100,000 |

### Administration - Ports and Marine Transportation 0298

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $157,209 | $157,209 |
| FEDERAL EXPENDITURES FUND TOTAL | $157,209 | $157,209 |

### Administration - Ports and Marine Transportation 0298

Initiative: Reduces funding to better reflect anticipated spending in Federal Expenditures Fund, Other Special Revenue Funds and Enterprise Fund accounts.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($7,209) | ($7,209) |
| FEDERAL EXPENDITURES FUND TOTAL | ($7,209) | ($7,209) |

## ADMINISTRATION - PORTS AND MARINE TRANSPORTATION 0298

### PROGRAM SUMMARY

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

### Bond Interest - Highway 0358

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,168,544 | $5,168,544 |
| HIGHWAY FUND TOTAL | $5,168,544 | $5,168,544 |

### Bond Interest - Highway 0358

Initiative: Adjusts funding to correctly reflect the debt service needed for current bond authorizations.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $618,741 | ($1,553) |
| HIGHWAY FUND TOTAL | $618,741 | ($1,553) |

### Bond Interest - Highway 0358

Initiative: Reduces funding for the adjustment of the interest rate assumption that was lowered to be closer to the current market rate.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($88,917) | ($15,150) |
| HIGHWAY FUND TOTAL | ($88,917) | ($15,150) |

## BOND INTEREST - HIGHWAY 0358

### PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,698,368 | $5,151,841 |
| HIGHWAY FUND TOTAL | $5,698,368 | $5,151,841 |

### Bond Retirement - Highway 0359

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $15,995,000 | $15,995,000 |
| HIGHWAY FUND TOTAL | $15,995,000 | $15,995,000 |

### Bond Retirement - Highway 0359

Initiative: Adjusts funding to correctly reflect the debt service needed for current bond authorizations.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $675,000 | $1,025,000 |
| HIGHWAY FUND TOTAL | $675,000 | $1,025,000 |

**Bond Retirement - Highway 0359**

Initiative: Reduces funding for the adjustment of the interest rate assumption that was lowered to be closer to the current market rate.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($285,000) | ($285,000) |
| HIGHWAY FUND TOTAL | ($285,000) | ($285,000) |

**BOND RETIREMENT - HIGHWAY 0359**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $16,385,000 | $16,735,000 |
| HIGHWAY FUND TOTAL | $16,385,000 | $16,735,000 |

**Callahan Mine Site Restoration Z007**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

**Callahan Mine Site Restoration Z007**

Initiative: Provides funding to design and implement clean-up initiatives of the Callahan Mine site.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $490,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $490,000 | $0 |

**CALLAHAN MINE SITE RESTORATION Z007**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500,000 | $10,000 |

**Fleet Services 0347**

Initiative: BASELINE BUDGET

| FLEET SERVICES FUND - DOT | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 45.000 | 45.000 |
| POSITIONS - FTE COUNT | 142.000 | 142.000 |
| Personal Services | $13,458,782 | $14,039,625 |
| All Other | $12,788,523 | $12,788,523 |
| FLEET SERVICES FUND - DOT TOTAL | $26,247,305 | $26,828,148 |

**Fleet Services 0347**

Initiative: Eliminates one Office Associate II position, 2 Inventory and Property Associate I positions, one Inventory and Property Associate I Supervisor position and 2 Crew Field Heavy Vehicle/Equipment Technician positions.

| FLEET SERVICES FUND - DOT | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (4.000) | (4.000) |
| POSITIONS - FTE COUNT | (2.000) | (2.000) |
| Personal Services | ($339,500) | ($354,439) |
| FLEET SERVICES FUND - DOT TOTAL | ($339,500) | ($354,439) |

**Fleet Services 0347**

Initiative: Reduces Personal Services by freezing vacant positions during the 2012-2013 biennium.

| FLEET SERVICES FUND - DOT | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($62,000) | ($66,000) |
| FLEET SERVICES FUND - DOT TOTAL | ($62,000) | ($66,000) |

**FLEET SERVICES 0347**

**PROGRAM SUMMARY**

| FLEET SERVICES FUND - DOT | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 41.000 | 41.000 |
| POSITIONS - FTE COUNT | 140.000 | 140.000 |
| Personal Services | $13,057,282 | $13,619,186 |
| All Other | $12,788,523 | $12,788,523 |
| FLEET SERVICES FUND - DOT TOTAL | $25,845,805 | $26,407,709 |

### Highway and Bridge Capital 0406

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 505.000 | 505.000 |
| POSITIONS - FTE COUNT | 23.538 | 23.538 |
| Personal Services | $17,219,767 | $17,869,401 |
| All Other | $17,211,432 | $17,211,432 |
| HIGHWAY FUND TOTAL | $34,431,199 | $35,080,833 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $23,791,555 | $24,686,310 |
| All Other | $27,721,623 | $27,721,623 |
| FEDERAL EXPENDITURES FUND TOTAL | $51,513,178 | $52,407,933 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,270,725 | $2,353,200 |
| All Other | $3,095,223 | $3,095,223 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $5,365,948 | $5,448,423 |

### Highway and Bridge Capital 0406

Initiative: Transfers one Public Service Coordinator I position and one Planning and Research Associate I position from the Highway and Bridge Capital program to the Department of Administrative and Financial Services, Financial and Personnel Services - Division of program, transportation service center account to reflect the work the individuals are performing in the most appropriate organizational structure and allocates the cost in the Department of Transportation, Administration program to pay for the transportation service center account billings.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($56,169) | ($57,731) |
| HIGHWAY FUND TOTAL | ($56,169) | ($57,731) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($77,233) | ($79,380) |
| FEDERAL EXPENDITURES FUND TOTAL | ($77,233) | ($79,380) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($7,024) | ($7,219) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($7,024) | ($7,219) |

### Highway and Bridge Capital 0406

Initiative: Transfers positions within department programs and accounts to reflect the work the individuals are performing in the most appropriate organizational structure. Position detail is on file in the Bureau of the Budget.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (2.000) | (2.000) |
| Personal Services | ($45,242) | ($45,697) |
| HIGHWAY FUND TOTAL | ($45,242) | ($45,697) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($133,590) | ($135,899) |
| FEDERAL EXPENDITURES FUND TOTAL | ($133,590) | ($135,899) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($12,149) | ($12,357) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($12,149) | ($12,357) |

**Highway and Bridge Capital 0406**

Initiative: Provides funding towards achieving the capital goals set forth in the Maine Revised Statutes, Title 23, section 73, subsection 6 to improve the interstate system, reconstruct major and minor arterials and collectors, rehabilitate bridges and improve freight and passenger transportation.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $1,000,000 | $1,500,000 |
| HIGHWAY FUND TOTAL | $1,000,000 | $1,500,000 |

**Highway and Bridge Capital 0406**

Initiative: Provides funding for previously authorized Maine Municipal Bond Bank TransCap Trust Fund revenue bonds for bridges in accordance with Public Law 2007, chapter 647.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $55,000,000 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $55,000,000 | $0 |

**Highway and Bridge Capital 0406**

Initiative: Provides funding for capital projects from the return of the 7.5% of fuel tax previously transferred to the Maine Municipal Bond Bank TransCap Trust Fund.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $17,838,596 | $15,536,509 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $17,838,596 | $15,536,509 |

**Highway and Bridge Capital 0406**

Initiative: Provides funding for the Highway and Bridge Light Capital program at a level to provide approximately 600 miles of light capital paving (maintenance surface treatment) per year, among other work, depending on bid prices and the severity of winter weather. Personal Services amounts are transferred from Maintenance and Operations and Highway and Bridge Capital programs.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($433,125) | ($454,781) |
| HIGHWAY FUND TOTAL | ($433,125) | ($454,781) |

**Highway and Bridge Capital 0406**

Initiative: Eliminates 7 Assistant Technician positions, one Public Service Coordinator I position, 3 Senior Technician positions, one Engineering Technician IV position, 2 Civil Engineer III positions, 5 Technician positions, one Transportation Planning Specialist position, 6 seasonal Transportation Aide positions, one Transportation Aide position, one Transportation Planning Analyst position, one Office Associate II position and one part-time Right of Way Appraiser I position. Savings in the Federal Expenditures Fund and Other Special Revenue Funds are reallocated to the Capital Expenditures line category for improvements to the highway system.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (23.500) | (23.500) |
| POSITIONS - FTE COUNT | (2.846) | (2.846) |
| Personal Services | ($684,806) | ($725,238) |
| HIGHWAY FUND TOTAL | ($684,806) | ($725,238) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($941,601) | ($997,225) |
| Capital Expenditures | $941,601 | $997,225 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($85,623) | ($90,687) |
| Capital Expenditures | $85,623 | $90,687 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**Highway and Bridge Capital 0406**

Initiative: Provides funding for capital expenditure purchases in Federal Expenditures Fund and Other Special Revenue Funds accounts that was not included in the baseline budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $109,129,166 | $112,704,926 |
| FEDERAL EXPENDITURES FUND TOTAL | $109,129,166 | $112,704,926 |

### Highway and Bridge Capital 0406

Initiative: Eliminates one Public Service Manager II position, 2 Public Service Coordinator I positions, one Office Assistant II position, one Mapping and Graphic Arts Specialist II position, one Office Associate II position and one Student Intern position in the Administration program and one Transportation Planning Analyst position in the Highway and Bridge Capital program. Allocated costs in this initiative appear in the Public Transportation program.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (1.000) | (1.000) |
| Personal Services | ($28,206) | ($30,034) |
| HIGHWAY FUND TOTAL | ($28,206) | ($30,034) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($38,783) | ($41,296) |
| FEDERAL EXPENDITURES FUND TOTAL | ($38,783) | ($41,296) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($3,526) | ($3,754) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($3,526) | ($3,754) |

### Highway and Bridge Capital 0406

Initiative: Reduces Personal Services by freezing vacant positions during the 2012-2013 biennium.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($63,000) | ($65,000) |
| HIGHWAY FUND TOTAL | ($63,000) | ($65,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($86,625) | ($89,375) |
| FEDERAL EXPENDITURES FUND TOTAL | ($86,625) | ($89,375) |

## HIGHWAY AND BRIDGE CAPITAL 0406 PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 476.500 | 476.500 |
| POSITIONS - FTE COUNT | 20.692 | 20.692 |
| Personal Services | $15,909,219 | $16,490,920 |
| All Other | $17,211,432 | $17,211,432 |
| Capital Expenditures | $1,000,000 | $1,500,000 |
| HIGHWAY FUND TOTAL | $34,120,651 | $35,202,352 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $22,513,723 | $23,343,135 |
| All Other | $27,721,623 | $27,721,623 |
| Capital Expenditures | $110,070,767 | $113,702,151 |
| FEDERAL EXPENDITURES FUND TOTAL | $160,306,113 | $164,766,909 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,162,403 | $2,239,183 |
| All Other | $3,095,223 | $3,095,223 |
| Capital Expenditures | $72,924,219 | $15,627,196 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $78,181,845 | $20,961,602 |

### Highway and Bridge Light Capital Z095

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,300,000 | $1,300,000 |
| HIGHWAY FUND TOTAL | $1,300,000 | $1,300,000 |

### Highway and Bridge Light Capital Z095

Initiative: Provides funding for the Highway and Bridge Light Capital program at a level to provide approximately 600 miles of light capital paving (maintenance surface treatment) per year, among other work, depending on bid prices and the severity of winter weather. Personal Services amounts are transferred from Maintenance and Operations and Highway and Bridge Capital programs.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,858,625 | $3,001,557 |
| All Other | $519,125 | $610,081 |

| | | |
|---|---|---|
| Capital Expenditures | $19,322,250 | $16,088,362 |
| HIGHWAY FUND TOTAL | $22,700,000 | $19,700,000 |

### Highway and Bridge Light Capital Z095

Initiative: Provides funding for maintenance paving from the return of a portion of the 7.5% of fuel tax previously transferred to the Maine Municipal Bond Bank TransCap Trust Fund.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $0 | $4,200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $4,200,000 |

## HIGHWAY AND BRIDGE LIGHT CAPITAL Z095

## PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,858,625 | $3,001,557 |
| All Other | $1,819,125 | $1,910,081 |
| Capital Expenditures | $19,322,250 | $16,088,362 |
| HIGHWAY FUND TOTAL | $24,000,000 | $21,000,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $0 | $4,200,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $4,200,000 |

### Island Ferry Service 0326

Initiative: BASELINE BUDGET

| ISLAND FERRY SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 75.500 | 75.500 |
| POSITIONS - FTE COUNT | 7.826 | 7.826 |
| Personal Services | $5,808,389 | $6,012,931 |
| All Other | $3,590,467 | $3,590,467 |
| ISLAND FERRY SERVICES FUND TOTAL | $9,398,856 | $9,603,398 |

### Island Ferry Service 0326

Initiative: Adjusts full-time equivalents and funding to correctly reflect the actual hours worked by intermittent staff to provide the necessary service.

| ISLAND FERRY SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - FTE COUNT | 2.993 | 2.993 |
| Personal Services | $146,905 | $146,905 |
| All Other | ($146,905) | ($146,905) |
| ISLAND FERRY SERVICES FUND TOTAL | $0 | $0 |

### Island Ferry Service 0326

Initiative: Adjusts fuel prices to assume diesel price of $3.15 per gallon for fiscal years 2011-12 and 2012-13.

| ISLAND FERRY SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $175,000 | $175,000 |
| ISLAND FERRY SERVICES FUND TOTAL | $175,000 | $175,000 |

## ISLAND FERRY SERVICE 0326

## PROGRAM SUMMARY

| ISLAND FERRY SERVICES FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 75.500 | 75.500 |
| POSITIONS - FTE COUNT | 10.819 | 10.819 |
| Personal Services | $5,955,294 | $6,159,836 |
| All Other | $3,618,562 | $3,618,562 |
| ISLAND FERRY SERVICES FUND TOTAL | $9,573,856 | $9,778,398 |

### Island Town Refunds - Highway 0334

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $109,877 | $109,877 |
| HIGHWAY FUND TOTAL | $109,877 | $109,877 |

### Island Town Refunds - Highway 0334

Initiative: Eliminates the Island Town Refunds - Highway program and transfers all funding to the Ma-

rine Highway Transportation program to support the Island Ferry Service.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($109,877) | ($109,877) |
| HIGHWAY FUND TOTAL | ($109,877) | ($109,877) |

## ISLAND TOWN REFUNDS - HIGHWAY 0334

## PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $0 |
| HIGHWAY FUND TOTAL | $0 | $0 |

### Maintenance and Operations 0330

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 150.000 | 150.000 |
| POSITIONS - FTE COUNT | 1,079.381 | 1,079.381 |
| Personal Services | $77,393,504 | $80,926,216 |
| All Other | $53,900,247 | $53,900,247 |
| HIGHWAY FUND TOTAL | $131,293,751 | $134,826,463 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,858,899 | $4,029,655 |
| All Other | $5,106,169 | $5,106,169 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,965,068 | $9,135,824 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,374,984 | $1,374,984 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,374,984 | $1,374,984 |

### Maintenance and Operations 0330

Initiative: Provides funding necessary to maintain the operations of the fleet of vehicles for the department including truck purchases that were deferred from the prior biennium.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,991,372 | $4,564,282 |
| HIGHWAY FUND TOTAL | $1,991,372 | $4,564,282 |

### Maintenance and Operations 0330

Initiative: Transfers positions within department programs and accounts to reflect the work the individuals are performing in the most appropriate organizational structure. Position detail is on file in the Bureau of the Budget.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | $358,510 | $366,784 |
| HIGHWAY FUND TOTAL | $358,510 | $366,784 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $264 | ($2) |
| FEDERAL EXPENDITURES FUND TOTAL | $264 | ($2) |

### Maintenance and Operations 0330

Initiative: Provides funding in the Maintenance and Operations program and reduces the Transportation Facilities program to match the available funding for the maintenance and capital repairs of over 600 buildings statewide.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,000,000 | $1,000,000 |
| HIGHWAY FUND TOTAL | $1,000,000 | $1,000,000 |

### Maintenance and Operations 0330

Initiative: Provides funding for specialized construction equipment required to perform maintenance functions including flagger devices, cargo trailers and culvert thawers.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $600,000 | $600,000 |
| HIGHWAY FUND TOTAL | $600,000 | $600,000 |

### Maintenance and Operations 0330

Initiative: Provides funding for the Highway and Bridge Light Capital program at a level to provide

approximately 600 miles of light capital paving (maintenance surface treatment) per year, among other work, depending on bid prices and the severity of winter weather. Personal Services amounts are transferred from Maintenance and Operations and Highway and Bridge Capital programs.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($2,425,500) | ($2,546,776) |
| HIGHWAY FUND TOTAL | ($2,425,500) | ($2,546,776) |

**Maintenance and Operations 0330**

Initiative: Provides funding for the cost of reimbursing municipalities for Priority 3 and Priority 4 sand and salt building projects.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $832,930 | $0 |
| HIGHWAY FUND TOTAL | $832,930 | $0 |

**Maintenance and Operations 0330**

Initiative: Adjusts funding between line categories to more easily identify the purchase of heavy equipment in accordance with the long-term equipment purchasing plan.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($9,499,980) | ($7,800,000) |
| Capital Expenditures | $9,499,980 | $7,800,000 |
| HIGHWAY FUND TOTAL | $0 | $0 |

**Maintenance and Operations 0330**

Initiative: Eliminates one Transportation Operations Manager position, one Public Service Manager II position, one Office Assistant II position, one seasonal Transportation Aide position, one Crew Field Heavy Vehicle/Equipment Technician position, one Crew Bridge Maintenance Supervisor position, 2 Transportation Crew Supervisor positions, one Crew Master Bridge Technician position, one Crew Sign Painter position and 4 project Crew Highway Laborer positions.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (3.000) | (3.000) |
| POSITIONS - FTE COUNT | (6.500) | (6.500) |
| Personal Services | ($683,115) | ($704,502) |
| HIGHWAY FUND TOTAL | ($683,115) | ($704,502) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($41,267) | ($43,054) |
| FEDERAL EXPENDITURES FUND TOTAL | ($41,267) | ($43,054) |

**Maintenance and Operations 0330**

Initiative: Reduces Personal Services by freezing vacant positions during the 2012-2013 biennium.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($330,000) | ($350,000) |
| HIGHWAY FUND TOTAL | ($330,000) | ($350,000) |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($330,000) | ($350,000) |
| FEDERAL EXPENDITURES FUND TOTAL | ($330,000) | ($350,000) |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($3,667) | ($3,889) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($3,667) | ($3,889) |

## MAINTENANCE AND OPERATIONS 0330 PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 150.000 | 150.000 |
| POSITIONS - FTE COUNT | 1,072.881 | 1,072.881 |
| Personal Services | $74,313,399 | $77,691,722 |
| All Other | $48,224,569 | $51,664,529 |
| Capital Expenditures | $10,099,980 | $8,400,000 |
| HIGHWAY FUND TOTAL | $132,637,948 | $137,756,251 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|

| | | |
|---|---|---|
| Personal Services | $3,487,896 | $3,636,599 |
| All Other | $5,106,169 | $5,106,169 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,594,065 | $8,742,768 |

| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($3,667) | ($3,889) |
| All Other | $1,374,984 | $1,374,984 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,371,317 | $1,371,095 |

### Marine Highway Transportation Z016

Initiative: BASELINE BUDGET

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $4,640,445 | $4,640,445 |
| HIGHWAY FUND TOTAL | $4,640,445 | $4,640,445 |

### Marine Highway Transportation Z016

Initiative: Provides funding to adjust the State's support to 50% of the operating cost of the Maine State Ferry Service in accordance with the Maine Revised Statutes, Title 23, section 4210-C.

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($8,912) | $109,597 |
| HIGHWAY FUND TOTAL | ($8,912) | $109,597 |

### Marine Highway Transportation Z016

Initiative: Eliminates the Island Town Refunds - Highway program and transfers all funding to the Marine Highway Transportation program to support the Island Ferry Service.

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $109,877 | $109,877 |
| HIGHWAY FUND TOTAL | $109,877 | $109,877 |

### Marine Highway Transportation Z016

Initiative: Adjust fuel prices to assume diesel price of $3.15 per gallon for fiscal years 2011-12 and 2012-13.

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $87,500 | $87,500 |
| HIGHWAY FUND TOTAL | $87,500 | $87,500 |

## MARINE HIGHWAY TRANSPORTATION Z016

## PROGRAM SUMMARY

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $4,828,910 | $4,947,419 |
| HIGHWAY FUND TOTAL | $4,828,910 | $4,947,419 |

### Motor Carrier Safety Program Z066

Initiative: BASELINE BUDGET

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,000,000 | $1,000,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,000,000 | $1,000,000 |

## MOTOR CARRIER SAFETY PROGRAM Z066

## PROGRAM SUMMARY

| **FEDERAL EXPENDITURES FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $1,000,000 | $1,000,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,000,000 | $1,000,000 |

### Ports and Marine Transportation 0323

Initiative: BASELINE BUDGET

| **MARINE PORTS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | $103,959 | $103,959 |
| MARINE PORTS FUND TOTAL | $103,959 | $103,959 |

### Ports and Marine Transportation 0323

Initiative: Reduces funding to better reflect anticipated spending in Federal Expenditures Fund, Other Special Revenue Funds and Enterprise Fund accounts.

| **MARINE PORTS FUND** | **2011-12** | **2012-13** |
|---|---|---|
| All Other | ($78,959) | ($78,959) |
| MARINE PORTS FUND TOTAL | ($78,959) | ($78,959) |

## PORTS AND MARINE TRANSPORTATION 0323

### PROGRAM SUMMARY

| MARINE PORTS FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $25,000 | $25,000 |
| MARINE PORTS FUND TOTAL | $25,000 | $25,000 |

### Public Transportation 0443

Initiative: BASELINE BUDGET

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $311,322 | $321,720 |
| All Other | $8,135,253 | $8,135,253 |
| FEDERAL EXPENDITURES FUND TOTAL | $8,446,575 | $8,456,973 |

### Public Transportation 0443

Initiative: Eliminates one Public Service Manager II position, 2 Public Service Coordinator I positions, one Office Assistant II position, one Mapping and Graphic Arts Specialist II position, one Office Associate II position and one Student Intern position in the Administration program and one Transportation Planning Analyst position in the Highway and Bridge Capital program. Allocated costs in this initiative appear in the Public Transportation program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($73,643) | ($75,350) |
| FEDERAL EXPENDITURES FUND TOTAL | ($73,643) | ($75,350) |

### Public Transportation 0443

Initiative: Provides funding for capital expenditure purchases in Federal Expenditures Fund and Other Special Revenue Funds accounts that was not included in the baseline budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $3,040,000 | $3,040,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $3,040,000 | $3,040,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $760,000 | $760,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $760,000 | $760,000 |

## PUBLIC TRANSPORTATION 0443

### PROGRAM SUMMARY

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $237,679 | $246,370 |
| All Other | $8,135,253 | $8,135,253 |
| Capital Expenditures | $3,040,000 | $3,040,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $11,412,932 | $11,421,623 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $760,000 | $760,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $760,000 | $760,000 |

### Railroad Assistance Program 0350

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $603,599 | $603,599 |
| HIGHWAY FUND TOTAL | $603,599 | $603,599 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $14,425 | $14,758 |
| FEDERAL EXPENDITURES FUND TOTAL | $14,425 | $14,758 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,904 | $10,904 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,904 | $10,904 |

### Railroad Assistance Program 0350

Initiative: Transfers positions within department programs and accounts to reflect the work the individuals are performing in the most appropriate organizational structure. Position detail is on file in the Bureau of the Budget.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($14,425) | ($14,758) |
| FEDERAL EXPENDITURES FUND TOTAL | ($14,425) | ($14,758) |

### Railroad Assistance Program 0350

Initiative: Provides funding for anticipated United States Department of Transportation, Federal Rail Administration grants.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $100,000 | $100,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $100,000 | $100,000 |

## RAILROAD ASSISTANCE PROGRAM 0350

## PROGRAM SUMMARY

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $603,599 | $603,599 |
| HIGHWAY FUND TOTAL | $603,599 | $603,599 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $0 | $0 |
| All Other | $100,000 | $100,000 |
| FEDERAL EXPENDITURES FUND TOTAL | $100,000 | $100,000 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $10,904 | $10,904 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,904 | $10,904 |

### State Infrastructure Bank 0870

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $163,561 | $163,561 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $163,561 | $163,561 |

### State Infrastructure Bank 0870

Initiative: Reduces funding to better reflect anticipated spending in Federal Expenditures Fund, Other Special Revenue Funds and Enterprise Fund accounts.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($13,561) | ($13,561) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($13,561) | ($13,561) |

## STATE INFRASTRUCTURE BANK 0870

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $150,000 | $150,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $150,000 | $150,000 |

### State Transit, Aviation and Rail Transportation Fund Z017

Initiative: BASELINE BUDGET

| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $221,348 | $227,028 |
| All Other | $6,043,931 | $6,043,931 |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL | $6,265,279 | $6,270,959 |

### State Transit, Aviation and Rail Transportation Fund Z017

Initiative: Transfers positions within department programs and accounts to reflect the work the individuals are performing in the most appropriate organizational

structure. Position detail is on file in the Bureau of the Budget.

| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $14,425 | $14,758 |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL | $14,425 | $14,758 |

**State Transit, Aviation and Rail Transportation Fund Z017**

Initiative: Provides funding for engineering services performed by department staff for projects financed through general obligation bond funds for fiscal years 2011-12 and 2012-13.

| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $339,475 | $344,375 |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL | $339,475 | $344,375 |

**State Transit, Aviation and Rail Transportation Fund Z017**

Initiative: Reduces funding that was included in the baseline budget from the sale of rail from the Calais Branch corridor that was intended to be one-time only.

| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($1,000,000) | ($1,000,000) |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL | ($1,000,000) | ($1,000,000) |

**State Transit, Aviation and Rail Transportation Fund Z017**

Initiative: Adjusts funding in the STAR Transportation Fund from changing the transfer from 50% to 100% of the revenue from the tax imposed on the value of the rental of an automobile.

| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $3,130,000 |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL | $0 | $3,130,000 |

## STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND Z017

## PROGRAM SUMMARY

| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $575,248 | $586,161 |
| All Other | $5,043,931 | $8,173,931 |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL | $5,619,179 | $8,760,092 |

**Suspense Receivable - Transportation 0344**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $148,560 | $154,086 |
| All Other | $908,928 | $908,928 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,057,488 | $1,063,014 |

**Suspense Receivable - Transportation 0344**

Initiative: Transfers positions within department programs and accounts to reflect the work the individuals are performing in the most appropriate organizational structure. Position detail is on file in the Bureau of the Budget.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($3,029) | ($3,168) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($3,029) | ($3,168) |

**Suspense Receivable - Transportation 0344**

Initiative: Eliminates one Transportation Operations Manager position, one Public Service Manager II position, one Office Assistant II position, one seasonal Transportation Aide position, one Crew Field Heavy Vehicle/Equipment Technician position, one Crew Bridge Maintenance Supervisor position, 2 Transportation Crew Supervisor positions, one Crew Master Bridge Technician position, one Crew Sign Painter position and 4 project Crew Highway Laborer positions.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($3,099) | ($3,316) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($3,099) | ($3,316) |

**Suspense Receivable - Transportation 0344**

Initiative: Provides funding for capital expenditure purchases in Federal Expenditures Fund and Other Special Revenue Funds accounts that was not included in the baseline budget.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $150,000 | $150,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $150,000 | $150,000 |

**Suspense Receivable - Transportation 0344**

Initiative: Reduces Personal Services by freezing vacant positions during the 2012-2013 biennium.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($7,875) | ($8,125) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($7,875) | ($8,125) |

## SUSPENSE RECEIVABLE - TRANSPORTATION 0344

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $134,557 | $139,477 |
| All Other | $908,928 | $908,928 |
| Capital Expenditures | $150,000 | $150,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,193,485 | $1,198,405 |

**Transportation Efficiency Fund Z119**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

## TRANSPORTATION EFFICIENCY FUND Z119

## PROGRAM SUMMARY

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

**Transportation Facilities Z010**

Initiative: BASELINE BUDGET

| TRANSPORTATION FACILITIES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,503,930 | $2,503,930 |
| TRANSPORTATION FACILITIES FUND TOTAL | $2,503,930 | $2,503,930 |

**Transportation Facilities Z010**

Initiative: Provides funding in the Maintenance and Operations program and reduces the Transportation Facilities program to match the available funding for the maintenance and capital repairs of over 600 buildings statewide.

| TRANSPORTATION FACILITIES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($303,930) | ($303,930) |
| TRANSPORTATION FACILITIES FUND TOTAL | ($303,930) | ($303,930) |

## TRANSPORTATION FACILITIES Z010

## PROGRAM SUMMARY

| TRANSPORTATION FACILITIES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,200,000 | $2,200,000 |

| | | |
|---|---|---|
| TRANSPORTATION FACILITIES FUND TOTAL | $2,200,000 | $2,200,000 |

**Urban-Rural Initiative Program 0337**

Initiative: BASELINE BUDGET

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $18,448,355 | $18,448,355 |
| HIGHWAY FUND TOTAL | $18,448,355 | $18,448,355 |

**Urban-Rural Initiative Program 0337**

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

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $5,568,581 | $4,968,385 |
| HIGHWAY FUND TOTAL | $5,568,581 | $4,968,385 |

**URBAN-RURAL INITIATIVE PROGRAM 0337**

**PROGRAM SUMMARY**

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $24,016,936 | $23,416,740 |
| HIGHWAY FUND TOTAL | $24,016,936 | $23,416,740 |

**Van-pool Services 0451**

Initiative: BASELINE BUDGET

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $137,537 | $137,537 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $137,537 | $137,537 |

**Van-pool Services 0451**

Initiative: Provides additional funding due to the increased ridership of the Van-pool Services program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $152,463 | $152,463 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $152,463 | $152,463 |

**Van-pool Services 0451**

Initiative: Provides funding for capital expenditure purchases in Federal Expenditures Fund and Other Special Revenue Funds accounts that was not included in the baseline budget.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Capital Expenditures | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $10,000 | $10,000 |

**VAN-POOL SERVICES 0451**

**PROGRAM SUMMARY**

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $290,000 | $290,000 |
| Capital Expenditures | $10,000 | $10,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $300,000 | $300,000 |

| TRANSPORTATION, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| HIGHWAY FUND | $254,561,821 | $257,404,805 |
| FEDERAL EXPENDITURES FUND | $183,448,892 | $188,067,082 |
| OTHER SPECIAL REVENUE FUNDS | $82,568,051 | $29,062,506 |
| TRANSPORTATION FACILITIES FUND | $2,200,000 | $2,200,000 |
| FLEET SERVICES FUND - DOT | $25,845,805 | $26,407,709 |
| STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND | $5,619,179 | $8,760,092 |
| ISLAND FERRY SERVICES FUND | $9,573,856 | $9,778,398 |
| MARINE PORTS FUND | $25,000 | $25,000 |
| DEPARTMENT TOTAL - ALL FUNDS | $563,842,604 | $521,705,592 |

## PART B

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

## ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

### Revenue Services - Bureau of 0002

Initiative: RECLASSIFICATIONS

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $2,675 | $2,855 |
| All Other | ($2,675) | ($2,855) |
| HIGHWAY FUND TOTAL | $0 | $0 |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| HIGHWAY FUND | $0 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 |

## PUBLIC SAFETY, DEPARTMENT OF

### State Police 0291

Initiative: RECLASSIFICATIONS

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $13,910 | $16,474 |
| All Other | ($13,910) | ($16,474) |
| HIGHWAY FUND TOTAL | $0 | $0 |

### Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: RECLASSIFICATIONS

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $8,182 | $8,301 |
| All Other | ($8,182) | ($8,301) |
| 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 |

## SECRETARY OF STATE, DEPARTMENT OF

### Administration - Motor Vehicles 0077

Initiative: RECLASSIFICATIONS

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $7,880 | $8,028 |
| All Other | ($7,880) | ($8,028) |
| HIGHWAY FUND TOTAL | $0 | $0 |

| SECRETARY OF STATE, 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 | $7,213 | $8,517 |
| All Other | ($7,213) | ($8,517) |
| HIGHWAY FUND TOTAL | $0 | $0 |

### Highway and Bridge Capital 0406

Initiative: RECLASSIFICATIONS

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $29,279 | $29,962 |
| All Other | ($29,279) | ($29,962) |
| HIGHWAY FUND TOTAL | $0 | $0 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $40,260 | $41,202 |
| All Other | ($40,260) | ($41,202) |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $0 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $3,660 | $3,748 |

| | | |
|---|---|---|
| All Other | ($3,660) | ($3,748) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $0 | $0 |

**TRANSPORTATION, DEPARTMENT OF**

| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **HIGHWAY FUND** | **$0** | **$0** |
| **FEDERAL EXPENDITURES FUND** | **$0** | **$0** |
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$0** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$0** |

| **SECTION TOTALS** | **2011-12** | **2012-13** |
|---|---|---|
| **HIGHWAY FUND** | **$0** | **$0** |
| **FEDERAL EXPENDITURES FUND** | **$0** | **$0** |
| **OTHER SPECIAL REVENUE FUNDS** | **$0** | **$0** |
| **SECTION TOTAL - ALL FUNDS** | **$0** | **$0** |

## PART C

**Sec. C-1. 36 MRSA §3321, sub-§5** is enacted to read:

**5. Repeal.** This section is repealed January 1, 2012.

## PART D

**Sec. D-1. Merit increases.** Notwithstanding the Maine Revised Statutes, Title 26, section 979-D or 1285 or any other provision of law, any merit increase, regardless of funding source, scheduled to be awarded or paid between July 1, 2011 and June 30, 2013 to any person employed by the departments and agencies within the executive branch, including the constitutional officers and the Department of Audit, the legislative branch and the judicial branch may not be awarded, authorized or implemented. These savings may be replaced by other Personal Services savings by agreement of the State and the bargaining agents representing state employees.

**Sec. D-2. Longevity payments.** Notwithstanding the Maine Revised Statutes, Title 26, section 979-D or 1285 or any other provision of law, any longevity payment, regardless of funding source, scheduled to be awarded or paid between July 1, 2011 and June 30, 2013 to any person not eligible for a longevity payment on June 30, 2011 and employed by the departments and agencies within the executive branch, including the constitutional officers and the Department of Audit, the legislative branch and the judicial branch may not be awarded, authorized or implemented. Employees eligible for a longevity payment on June 30, 2011 remain eligible for a longevity payment at the rate in effect on June 30, 2011 for the period between July 1, 2011 and June 30, 2013. These savings may be replaced by other Personal Services savings by agreement of the State and the bargaining agents representing state employees.

**Sec. D-3. Calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in sections 1 and 2 of this Part that applies against each Highway Fund account for all departments and agencies from savings associated with eliminating merit pay increases and longevity payments and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2011-12 and fiscal year 2012-13. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation no later than October 1, 2012.

**Sec. D-4. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Departments and Agencies - Statewide 0016**

Initiative: Deappropriates funds from eliminating longevity payments for individuals not eligible on June 30, 2011 and maintains the longevity payment level for those eligible on June 30, 2011 to the rate in effect on June 30, 2011 during the 2012-2013 biennium.

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($19,777) | ($39,554) |
| HIGHWAY FUND TOTAL | ($19,777) | ($39,554) |

**Departments and Agencies - Statewide 0016**

Initiative: Reduces funding to reflect projected savings from eliminating merit increases for fiscal years 2011-12 and 2012-13.

| **HIGHWAY FUND** | **2011-12** | **2012-13** |
|---|---|---|
| Personal Services | ($512,039) | ($1,046,854) |

| | | |
|---|---|---|
| HIGHWAY FUND TOTAL | ($512,039) | ($1,046,854) |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF | | |
|---|---|---|
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **HIGHWAY FUND** | **($531,816)** | **($1,086,408)** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **($531,816)** | **($1,086,408)** |

## PART E

**Sec. E-1. Attrition savings.** The attrition rate for the 2012-2013 biennium is increased from 1.6% to 5.0%.

## PART F

**Sec. F-1. Transfer of funds; Highway Fund; TransCap.** Notwithstanding any other provision of law, the State Controller shall transfer $5,300,052 in fiscal year 2011-12 and $5,419,451 in fiscal year 2012-13 from the Highway Fund unallocated surplus to the TransCap Trust Fund in accordance with Public Law 2007, chapter 682, section 3.

## PART G

**Sec. G-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of the fiscal years 2011-12 and 2012-13 the State Controller shall transfer amounts exceeding $100,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute and the fiscal year 2011-12 unallocated balance dedicated to the fiscal year 2012-13 budgets to the Department of Transportation Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs for capital needs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. The transferred amounts are considered adjustments to allocations. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

## PART H

**Sec. H-1. Transfer authorized.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the fiscal years ending June 30, 2012 and June 30, 2013 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, identified Highway Fund Personal Services savings to the Department of Transportation Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs for capital or all other needs. The financial order must identify the specific savings after all adjustments that may be required by the State Controller to ensure that all financial commitments have been met in Personal Services after assuming all costs for that program including collective bargaining costs. The Commissioner of Transportation shall provide a report by September 15, 2012 and September 15, 2013 to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters detailing the financial adjustments to the Highway Fund.

## PART I

**Sec. I-1. 29-A MRSA §203,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

## PART J

**Sec. J-1. Transfers of non-bond funds; capital project expenditures; 5-year useful life.** Notwithstanding the Maine Revised Statutes, Title 23, section 1604, subsection 3, and any other provision of law, transfers of non-bond funds from the TransCap Trust Fund may be used for capital projects having an estimated useful life of 5 years.

## PART K

**Sec. K-1. Rename Fuel Use Decal Program.** Notwithstanding any other provision of law, the "Fuel Use Decal Program" within the Department of the Secretary of State is renamed the "International Fuel Tax Agreement" program.

## PART L

**Sec. L-1. 3 MRSA §522-C** is enacted to read:

**§522-C. Meetings of the joint standing committee of the Legislature having jurisdiction over transportation matters**

The joint standing committee of the Legislature having jurisdiction over transportation matters shall oversee the transfer of funds in accordance with Title 23, section 1652. The committee may meet monthly or as often as is determined necessary by the chairs.

**Sec. L-2. 23 MRSA §1652,** as amended by PL 1985, c. 737, Pt. B, §20, is further amended to read:

**§1652. Unexpended balances nonlapsing, non-transferable**

Such unexpended balances of the ~~General~~ Highway Fund as have been set up for general construction and maintenance of highways and bridges ~~shall be~~ are deemed nonlapsing carrying accounts. All other unexpended balances ~~shall~~ lapse into the ~~General~~ Highway Fund at the end of each fiscal period, but ~~shall~~ may not lapse or be transferred to the General Fund in the Treasury.

Any balance of any allocation or subdivision of an allocation from the Highway Fund made by the Legislature for any department or agency, which at any time may not be required for the purposes named in that allocation or subdivision, may be transferred at any time prior to the closing of the books, to any other allocation or subdivision of an allocation from the Highway Fund made by the Legislature for the same fiscal year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. In addition to transfers of Highway Fund allocations and subdivisions of allocations from the Highway Fund, the joint standing committee of the Legislature having jurisdiction over transportation matters shall review all other allocations or subdivisions of allocations to the Department of Transportation. Financial orders describing these transfers ~~shall~~ must be submitted by the Bureau of the Budget to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented.

## PART M

**Sec. M-1. Carrying provision; Department of Secretary of State, Administration - Motor Vehicles program.** Notwithstanding any other provision of law, the State Controller shall carry forward an unexpended balance of $596,870 in the Personal Services line category on June 30, 2011 to fiscal year 2011-12 and fiscal year 2012-13 in the Department of Secretary of State, Administration - Motor Vehicles program. The amount carried forward will be $287,750 in fiscal year 2011-12 and $309,120 in fiscal year 2012-13. The amount carried forward must be used to continue the funding of 5 limited-period Customer Representative Associate II positions to ensure adequate staffing levels exist in the motor vehicle branch offices for the issuance of driver's license renewals in fiscal year 2011-12 and fiscal year 2012-13.

## PART N

**Sec. N-1. Calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with the retirement incentive program and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2011-12 and fiscal year 2012-13. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation no later than October 1, 2012.

**Sec. N-2. 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 to be achieved through a retirement incentive program.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($2,000,000) | ($2,500,000) |
| HIGHWAY FUND TOTAL | ($2,000,000) | ($2,500,000) |

## PART O

**Sec. O-1. Calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with future pension obligation changes and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2011-12 and fiscal year 2012-13. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation no later than October 1, 2012.

**Sec. O-2. 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 changes to future pension obligations.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($8,314,300) | ($8,326,500) |
| HIGHWAY FUND TOTAL | ($8,314,300) | ($8,326,500) |

**Departments and Agencies - Statewide 0016**

Initiative: Reduces funding to reflect savings from recalculating the baseline pension budget using updated actuarial assumptions.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($872,343) | ($1,416,498) |
| HIGHWAY FUND TOTAL | ($872,343) | ($1,416,498) |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| HIGHWAY FUND | ($9,186,643) | ($9,742,998) |
| DEPARTMENT TOTAL - ALL FUNDS | ($9,186,643) | ($9,742,998) |

## PART P

**Sec. P-1. Calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with health insurance changes and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2011-12 and fiscal year 2012-13. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation no later than October 1, 2012.

**Sec. P-2. 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 maintaining the cost of health insurance at the fiscal year 2010-11 level.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($957,640) | ($1,992,488) |
| HIGHWAY FUND TOTAL | ($957,640) | ($1,992,488) |

#### Departments and Agencies - Statewide 0016

Initiative: Reduces funding to reflect projected savings from changes to future retiree health obligations.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | ($1,908,200) | ($3,139,500) |
| HIGHWAY FUND TOTAL | ($1,908,200) | ($3,139,500) |

| ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| HIGHWAY FUND | ($2,865,840) | ($5,131,988) |
| DEPARTMENT TOTAL - ALL FUNDS | ($2,865,840) | ($5,131,988) |

## PART Q

**Sec. Q-1. Elimination of vacant positions; calculation and transfer.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the elimination of vacant positions in this Part that applies against each General Fund account, Highway Fund account and All Other funds accounts for all executive branch departments and agencies statewide, including the Department of the Attorney General, the Department of the Secretary of State and the Department of Audit, and transfer those savings and the headcount by financial order upon the approval of the Governor. These transfers are considered adjustments to authorized position count and appropriations and allocations in fiscal years 2011-12 and 2012-13 based on a report submitted to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation in May 2011.

**Sec. Q-2. 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 the elimination of 227.267 position count representing 259 positions as a result of the review of vacant positions statewide as authorized in Public Law 2011, chapter 1, Part R, section 1. This initiative represents the Highway Fund share of savings from the position eliminations.

| HIGHWAY FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | (7.000) | (7.000) |
| Personal Services | ($185,965) | ($198,886) |
| HIGHWAY FUND TOTAL | ($185,965) | ($198,886) |

## PART R

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

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles 0077**

Initiative: Reduces funding from managing vacancies.

| HIGHWAY FUND | 2010-11 | 2011-12 | 2012-13 |
|---|---|---|---|
| Personal Services | ($754,870) | $0 | $0 |
| HIGHWAY FUND TOTAL | ($754,870) | $0 | $0 |

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

Effective June 21, 2011.

## CHAPTER 393

## H.P. 28 - L.D. 35

### An Act Relating to Concealed Firearms Locked in Vehicles

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

**Sec. 1. 26 MRSA §600** is enacted to read:

**§600. Concealed firearms in vehicles**

**1. Firearms in vehicles.** An employer or an agent of an employer may not prohibit an employee who has a valid permit to carry a concealed firearm under Title 25, chapter 252 from keeping a firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible. This subsection does not authorize an employee to carry a firearm in a place where carrying a firearm is prohibited by law.

**2. Immunity from liability.** An employer or an agent of an employer may not be held liable in any civil action for damages, injury or death resulting from or arising out of another person's actions involving a firearm or ammunition transported or stored pursuant to this section, including, but not limited to, the theft of a firearm from an employee's vehicle, unless the employer or an agent of the employer intentionally solicited or procured the other person's injurious actions. Nothing in this section affects provisions in the Maine Workers' Compensation Act of 1992.

See title page for effective date.

## CHAPTER 394

## H.P. 988 - L.D. 1347

### An Act Relating to Locations where Concealed Weapons May Be Carried

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

**Sec. 1. 12 MRSA §1803, sub-§7** is enacted to read:

**7. Exceptions.** Notwithstanding subsection 6 or any other rule-making authority, the bureau may not adopt rules that prohibit the following persons from carrying a concealed firearm in the buildings or parts of buildings and other public property that are under the bureau's jurisdiction:

A. A person to whom a valid permit to carry a concealed firearm has been issued under Title 25, chapter 252. The person must have in that person's possession the valid permit;

B. A person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity under Title 25, chapter 252. The person must have in that person's possession the valid permit;

C. An authorized federal, state or local law enforcement officer in the performance of that officer's official duties;

D. A qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The law enforcement officer must have in that law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer; and

E. A qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

(2) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement

officer and a certification issued by the state in which the person resides that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by that state to meet the standards established by that state for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

**Sec. 2. 17-A MRSA §1057, sub-§3,** as enacted by PL 1989, c. 917, §2, is repealed.

**Sec. 3. 25 MRSA §2001-A, sub-§2,** as amended by PL 2007, c. 555, §1, is further amended to read:

**2. Exceptions.** The provisions of this section concerning the carrying of concealed weapons do not apply to:

A. ~~Firearms~~ A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued as provided in this chapter;

B. Disabling chemicals as described in Title 17-A, section 1002;

C. Knives used to hunt, fish or trap as defined in Title 12, section 10001;

D. ~~Law~~ A firearm carried by a law enforcement ~~officers~~ officer, a corrections ~~officers and~~ officer or a corrections ~~supervisors~~ supervisor as permitted in writing by ~~their~~ the officer's or supervisor's employer;

E. ~~Firearms~~ A firearm carried by a person engaged in conduct for which a state-issued hunting or trapping license is required and possessing the required license, or ~~firearms~~ a firearm carried by a resident person engaged in conduct expressly authorized by Title 12, section 11108 and section 12202, subsection 1. This paragraph does not authorize or permit the carrying of a concealed or loaded firearm in a motor vehicle; ~~and~~

F. A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity. The Chief of the State Police may enter into reciprocity agreements with any other states that meet the requirements of this paragraph. Reciprocity may be granted to a permit to carry a concealed firearm issued from another state if:

(1) The other state that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and

(2) The other state that issued the permit to carry a concealed firearm observes the same rules of reciprocity regarding a person issued a permit to carry a concealed firearm under this chapter~~.~~;

G. A firearm carried by an authorized federal, state or local law enforcement officer in the performance of the officer's official duties;

H. A firearm carried by a qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The law enforcement officer must have in the law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer; and

I. A firearm carried by a qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm; or

(2) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer and a certification issued by the state in which the person resides that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by that state to meet the standards established by that state for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

See title page for effective date.

## CHAPTER 395

## H.P. 972 - L.D. 1326

### An Act To Allow School Administrative Units To Seek Less Expensive Health Insurance Alternatives

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

**Sec. 1. 20-A MRSA §1001, sub-§5,** as repealed and replaced by PL 1989, c. 425, §1, is amended to read:

**5. Insurance premiums and employee benefits.** They may:

A. Pay the premiums on life, health, dental, disability, accident, hospitalization, major medical and such other types of insurance as may be provided to employees and their families from time to time;

B. Provide direct reimbursement of the costs incurred by employees and their family members pursuant to a direct reimbursement plan for dental costs, including endodontic, periodontic and orthodontic costs, ~~provided~~ except that reimbursement of orthodontic costs ~~shall be~~ is limited to 60% of the plan participant's costs.

(1) Prior to the commencement of operation of any such direct reimbursement plan or program, the school board shall adopt guidelines ~~which~~ that embody a funding mechanism adequate to the financial needs of the plan or program and shall provide for the fixed costs of operations of the plan for the first prospective fund year. A reasonable amount sufficient to satisfy immediate claims costs ~~shall~~ must be held in a segregated account to be used solely for this purpose.

(2) The school board or other legal entity establishing a plan or program for the purpose of direct reimbursement pursuant to this paragraph, whether or not a body corporate, may with respect to the plan or program sue or be sued; make contracts; hold and dispose of real property; borrow money, contract debts and pledge assets in the name of the plan; and perform such other actions incidental to this subparagraph as necessary.

(3) The plan or program may be established as a separate legal or administrative entity.

(4) The legal entity ~~which~~ that establishes a plan or program ~~which~~ that provides coverage for more than one school administrative unit with respect to the benefits authorized in this paragraph shall adopt a plan of management ~~which~~ that, at a minimum, provides the following:

(a) The means of establishing and maintaining a governing authority of the program, including the selection of a governing authority, which ~~shall~~ must be a board of directors or trustees for the plan, a majority of whom ~~shall~~ must be from the participating school administrative unit or units;

(b) That the governing authority has the responsibility with regard to fixing contributions to the plan, maintaining reserves, levying and collecting assessments for deficiencies, disposing of surplus and administering the plan in the event of its termination, liquidation or insolvency;

(c) The identification of funds and reserves by the type of benefit provided and exposure area;

(d) The basis upon which new members may be admitted to and existing members may leave the plan;

(e) That any member of a group plan or pool established for more than one school administrative unit shall prepay to the plan administrator an initial deposit equal to 25% of the annual contribution before coverage is effective;

(f) Other provisions as necessary or desirable for the operation of the plan;

(g) A provision that if the assets set aside in any group plan for more than one school administrative unit are at any time determined to be insufficient to enable the plan to discharge its legal liabilities and other obligations and to maintain sound reserves for the provision of the employee benefits provided by the plan, the governing authority shall within 90 days satisfy the deficiency or levy a prorated assessment upon the participating school administrative unit or units for the amount needed to satisfy the deficiency. The agreement among school administrative units in the group plan ~~shall~~ must provide sanctions for failure to comply with a mandatory assessment under this subparagraph;

(5) Prior to the operation of any group or pool plan for more than one school administrative unit, the governing authority shall adopt underwriting guidelines ~~which~~ that embody rate charges to prospective members at a level adequate to its financial needs and shall provide for the fixed costs of operations for the first prospective fund year. An amount sufficient to reasonably meet immediate claims costs ~~shall~~ must be held in a segregated account to be used solely for this purpose. Funds determined to be necessary to fund the program on an ongoing basis ~~shall~~ must also be held in a segregated account;

(6) Each group plan or pool established for more than one school administrative unit shall file with its members, by the last day of the 6th month following the end of the fiscal year, audited financial statements certified by an independent certified public accountant. The financial statement ~~shall~~ must include, but is not limited to:

(a) Appropriate reserves for known claims and expenses associated with those claims;

(b) Claims incurred but not reported and expenses associated with those claims;

(c) Unearned contributions; and

(d) Reserve for bad debts.

The audited financial statement ~~shall~~ must include information concerning the adequacy of the plan. This report ~~shall~~ must result from a charge by the directors to the plan's actuary and auditor and ~~shall~~ must address excess insurance, charges for coverage to members, service agents' costs and costs of administration of the program.

Two additional copies of the audited financial statements ~~shall~~ must be filed with the Superintendent of Insurance.

If a group plan or pool established for more than one school administrative unit fails to provide for the audited financial statements required, the Superintendent of Insurance shall perform or cause to be performed the audit. The group plan or pool shall reimburse the Superintendent of Insurance for the cost of the audit; and

(7) Any reimbursement plan or program for the provision of the employee benefits established and operated pursuant to this paragraph is not an insurance company, reciprocal insurer or insurer under the laws of this State and the development, administration and provision of such plans and programs does not constitute doing an insurance business;

C. Pay premiums on liability insurance for employees and school officials; and

D. Provide such other employee benefits, directly or indirectly, to their employees as any school board determines from time to time, upon such terms and conditions and in such manner as the school board determines, subject to the requirements of all applicable laws.

Nothing in this subsection or subsection 14 prohibits a school board from arranging for and offering a choice of optional health or dental insurance plans to employees and their families that may vary in benefits provided and costs.

**Sec. 2. 20-A MRSA §1001, sub-§5-D** is enacted to read:

**5-D. Group self-insured options.** Notwithstanding any other provision of this section, they may arrange for a group self-insurance program to provide health or dental insurance for employees and their families, including a group self-insurance program established through an interlocal agreement with other school administrative units or municipalities established pursuant to Title 30-A, chapter 115. The following restrictions apply to self-insured group health or dental programs.

A. For purposes of this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Program" means a group self-insurance health or dental program.

(2) "Program provider" means a school administrative unit that has arranged for a program under this subsection or collectively those school administrative units or municipalities that have entered an interlocal agreement to arrange for a program under this subsection.

(3) "Qualified actuary" means an actuary who is a member of the American Academy of Actuaries qualified as to health reserving methodologies.

B. To the extent the program provider assumes the risk with respect to any program provided under this subsection, the program provider shall maintain a reserve at least equal to the sum of:

(1) An amount estimated to be necessary to pay claims and administrative costs for the assumed risk for 2 1/2 months; and

(2) The amount determined annually by a qualified actuary to be necessary to fund the unpaid portion of ultimate expected losses, including incurred but not reported claims, and related expenses incurred in the provision of benefits for eligible participants, less any credit, as determined by a qualified actuary, for excess or stop-loss insurance.

If the program provider self-insures for more than one program, a reserve meeting the requirements of this paragraph must be maintained for each program.

C. The program provider may purchase excess or stop-loss insurance for any program, with attachment levels and limits as recommended by a qualified actuary.

D. Paragraph B does not apply to a program in the first 2 years after the program is changed from a fully insured program to a fully or partially self-insured program. Before a program may begin its first year of operation:

(1) The reserve fund must contain a reserve at least equal to the amount estimated to be necessary to pay the claims and administrative costs with respect to the assumed risk for one full month; and

(2) The rate structure of the program, as certified by a qualified actuary, must be designed to enable the fund to attain the following reserve levels:

(a) By the end of the first year of the program, the reserve required by paragraph B, subparagraph (2) and an amount estimated to be necessary to pay claims and administrative costs for the assumed risk for 2 full months; and

(b) By the end of the 2nd year of the program, the reserve required by paragraph B, subparagraph (2) and an amount estimated to be necessary to pay claims and administrative costs for the assumed risk for 2 1/2 full months.

If the program provider purchases stop-loss or excess insurance with respect to the risk, the required reserve is reduced by the credit specified in paragraph B. A self-insurance program may not continue if the reserve fund with respect to that program does not contain the amounts set forth in subparagraph (2) by the time limits established.

E. The program provider may not enter into a contract with a 3rd-party administrator that has not demonstrated compliance with all applicable state laws and that is not, at the time of entering into the contract, administering a health plan or providing health care coverage for a total number of lives equal to the number that would be covered by the program provider contract.

F. Every applicant to provide service as a 3rd-party administrator for the program shall file a fidelity bond in favor of the program provider executed by a surety company for the benefit of the program provider or beneficiaries of the program and shall maintain the fidelity bond in force while representing the program. The bond must be continuous in form and in one of the following amounts, up to $1,000,000:

(1) For an administrator that collects contributions and premiums for a program but does not administer or pay claims, the greater of $50,000 and 5% of contributions and premiums projected to be received or collected for the following plan year from the program provider or from persons covered by the program;

(2) For an administrator that administers and pays claims but does not collect premiums and contributions, the greater of $50,000 and 5% of the claims and claim expenses projected to be held for the following year to pay claims and claim expenses for persons covered by the program; or

(3) For an administrator that collects premiums and contributions and administers and pays claims, the greater of the amounts determined under subparagraphs (1) and (2).

This paragraph applies only if no other applicable state law requires bonding of 3rd-party administrators.

G. Any contract entered into by the program provider must provide for coverage that meets the same level of benefits as those that would be required by state law if the coverage were provided by a health insurance plan governed by Title 24 or Title 24-A.

H. If a group self-insurance program is established through an interlocal agreement with other school administrative units or municipalities established pursuant to Title 30-A, chapter 115, the group self-insurance program must be approved by the Superintendent of Insurance as a multiple-employer welfare arrangement pursuant to Title 24-A, chapter 81.

**Sec. 3. 20-A MRSA §1001, sub-§14, ¶D** is enacted to read:

D. In order to facilitate the competitive bidding process in procuring health insurance for a school administrative unit's employees under this subsection, a school administrative unit may request from the insurer providing health insurance coverage to its employees and retirees loss information concerning all of that school administrative unit's employees and retirees and their dependents covered under the school administrative unit's policy or contract pursuant to Title 24-A, section 2803-A.

**Sec. 4. 24-A MRSA §2803-A, sub-§2,** as amended by PL 2003, c. 428, Pt. D, §1, is further amended to read:

**2. Disclosure of basic loss information.** Upon written request, every insurer shall provide loss information concerning a group policy or contract to its policyholder ~~or~~, to a former policyholder or to a school administrative unit pursuant to Title 20-A, section 1001, subsection 14, paragraph D within 21 business days of the date of the request. This subsection does not apply to a former policyholder whose coverage

terminated more than 18 months prior to the date of a request.

See title page for effective date.

## CHAPTER 396

## H.P. 339 - L.D. 446

### An Act To Allow Law Enforcement Officers from Out of State To Carry Concealed Firearms

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

**Sec. 1. 25 MRSA §2001-A, sub-§2, ¶E,** as enacted by PL 2003, c. 452, Pt. N, §2 and affected by Pt. X, §2, is amended to read:

E. Firearms carried by a person engaged in conduct for which a state-issued hunting or trapping license is required and possessing the required license, or firearms carried by a resident person engaged in conduct expressly authorized by Title 12, section 11108 and section 12202, subsection 1. This paragraph does not authorize or permit the carrying of a concealed or loaded firearm in a motor vehicle; ~~and~~

**Sec. 2. 25 MRSA §2001-A, sub-§2, ¶F,** as amended by PL 2007, c. 555, §1, is further amended to read:

F. A firearm carried by a person to whom a valid permit to carry a concealed firearm has been issued by another state if a permit to carry a concealed firearm issued from that state has been granted reciprocity. The Chief of the State Police may enter into reciprocity agreements with any other states that meet the requirements of this paragraph. Reciprocity may be granted to a permit to carry a concealed firearm issued from another state if:

(1) The other state that issued the permit to carry a concealed firearm has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed firearm; and

(2) The other state that issued the permit to carry a concealed firearm observes the same rules of reciprocity regarding a person issued a permit to carry a concealed firearm under this chapter~~.~~;

**Sec. 3. 25 MRSA §2001-A, sub-§2, ¶¶G and H** are enacted to read:

G. A firearm carried by a qualified law enforcement officer pursuant to 18 United States Code, Section 926B. The qualified law enforcement officer must have in the law enforcement officer's possession photographic identification issued by the law enforcement agency by which the person is employed as a law enforcement officer; and

H. A firearm carried by a qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C. The qualified retired law enforcement officer must have in the retired law enforcement officer's possession:

(1) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by that agency to meet the standards established by that agency for training and qualification for an active law enforcement officer to carry a firearm of the same type as the concealed firearm; or

(2) Photographic identification issued by the law enforcement agency from which the person retired from service as a law enforcement officer and a certification issued by the state in which the person resides that indicates that the person has, not less recently than one year before the date the person carries the concealed firearm, been tested or otherwise found by that state to meet the standards established by that state for training and qualification for an active law enforcement officer to carry a firearm of the same type as the concealed firearm.

See title page for effective date.

## CHAPTER 397

## H.P. 1030 - L.D. 1402

### An Act To Extend Employment Reference Immunity to School Administrative Units

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

**Sec. 1. 20-A MRSA §4010** is enacted to read:

**§4010. Employment reference immunity**

An employee of a school administrative unit who discloses information about a former employee's job performance or work record to a prospective employer of the former employee is presumed to be acting in good faith and, unless lack of good faith is shown by clear and convincing evidence, is immune from civil

liability for such disclosure or its consequences. "Clear and convincing evidence of lack of good faith" means evidence that clearly shows the knowing disclosure, with malicious intent, of false or deliberately misleading information. This section is supplemental to and not in derogation of any claims available to the former employee that exist under state law and any protections that are already afforded employers under state law.

See title page for effective date.

## CHAPTER 398

## H.P. 954 - L.D. 1302

### An Act To Extend Fire Code Rules to Single-family Dwellings Used as Nursing Homes for 3 or Fewer Patients

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

**Sec. 1. 25 MRSA §2452, first ¶,** as amended by PL 2007, c. 632, §1, is further amended to read:

The Commissioner of Public Safety shall adopt and may amend rules governing the safety to life from fire in or around all buildings or other structures and mass outdoor gatherings, as defined in Title 22, section 1601, subsection 2, within the commissioner's jurisdiction. ~~These rules do not apply to nursing homes having 3 or fewer patients.~~ Automatic sprinkler systems may not be required in existing noncommercial places of assembly. Noncommercial places of assembly include those facilities used for such purposes as deliberation, worship, entertainment, amusement or awaiting transportation that have a capacity of 100 to 300 persons. Rules adopted pursuant to this section are routine technical rules, except that rules pertaining to fire sprinklers are major substantive rules, both of which are defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 399

## H.P. 1015 - L.D. 1376

### An Act To Preserve the Integrity of the Voter Registration and Election Process

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

**Sec. 1. 21-A MRSA §121, sub-§1-A,** as amended by PL 2005, c. 453, §12, is further amended to read:

**1-A. Identification and proof.** Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 30 days of an election must be advised that the registrar might not receive the application before ~~that election~~ the deadline for mail or 3rd-person registration, but that the applicant may register in person ~~before or on election day~~ no later than the deadline for in-person registration set forth in section 122, subsection 4-A.

Registration applications received by the Secretary of State from outside agencies 30 days or more before an election must be transferred to the appropriate registrar's office within 7 business days of receipt. Registration applications received by the Secretary of State from outside agencies less than 30 days before an election must be transferred to the appropriate registrar's office within 5 business days of receipt. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business on the 21st day before election day in order for persons' names to appear on the incoming voting list for that election. The 20-day period before the election is the closed period for outside registrations. The registrar shall send the notice required by section 122 to all voters whose applications were received by mail or a 3rd person by the 21st day before election day no later than the 18th day before election day.

A person who registers ~~during the 20 days before election day or on election day shall register~~ in person ~~and~~ shall show proof of identity and residency. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person's name is entered into the central voter registration system and placed on the incoming voting list and the person casts a challenged ballot.

**Sec. 2. 21-A MRSA §122, first ¶,** as amended by PL 2003, c. 584, §3, is further amended to read:

A person may register as a voter by appearing before the registrar, by the registration deadline in subsection 4-A, proving that the person meets the qualifications of section 111, subsections 1 to 3, and filing an application provided by the registrar containing the information required by section 152 or 154, if applicable. Township residents may register as provided in section 156.

**Sec. 3. 21-A MRSA §122, sub-§4,** as amended by PL 2005, c. 453, §16, is repealed.

**Sec. 4. 21-A MRSA §122, sub-§4-A** is enacted to read:

**4-A. Deadline for registration.** The deadline for receipt of registration applications submitted by mail or by a 3rd person is the close of business on the 21st day before election day. The deadline for in-person registration is the 3rd business day before election day by the close of the registrar's hours established under subsection 6.

**Sec. 5. 21-A MRSA §122, sub-§5,** as amended by PL 2007, c. 515, §3, is further amended to read:

**5. Alternative registration schedule for absentee voters.** If the clerk receives a properly completed absentee ballot application that is signed by a person who is not a registered voter in the municipality, a presumption of the person's qualification as a voter is established. The clerk shall send an absentee ballot to the voter at the address indicated, along with a voter registration application under section 152. The completed registration application must be returned to the clerk ~~by the close of the polls on election day~~ no later than the deadline for in-person registration under subsection 4-A, in order for the ballot to be counted and may not be sealed with the voted absentee ballot. If the application is received ~~during the closed period~~ before the registration deadline and the registrar is not satisfied as to the person's qualification as a voter, the registrar shall follow the requirements of section 121, subsection 1-A to place the person's name on the incoming voting list and challenge the absentee ballot. An application by telephone under section 753-A, subsection 4 or an application by e-mail under section 753-A, subsection 6 does not establish a presumption of qualification under this section and the requestor must submit a properly completed voter registration application before the clerk may issue an absentee ballot.

**Sec. 6. 21-A MRSA §122, sub-§6,** as amended by PL 2005, c. 453, §18, is repealed and the following enacted in its place:

**6. Schedule for acceptance of registrations.** The registrar shall accept registrations on any business day or other day that the clerk's office is open prior to the registration deadline established by subsection 4-A. The names and other information from the voter registration applications of any persons registering by this deadline must be recorded as provided in subsection 7. On the 3rd business day before election day, the registrar must be available to accept the registrations of applicants who appear in person as follows:

A. For at least 2 hours, in a municipality with a population of 500 or fewer;

B. For at least 4 hours, in a municipality with a population of more than 500 but fewer than 2,500; or

C. For at least 6 hours, including at least 2 hours in the evening between 5:00 p.m. and 9:00 p.m., in a municipality with a population of 2,500 or more.

The registrar shall publish the hours for registration required by this section according to section 125.

**Sec. 7. 21-A MRSA §122, sub-§7,** as amended by PL 2005, c. 453, §19, is repealed and the following enacted in its place:

**7. Record of names.** The registrar shall, after finding the applicant qualified, enter the voter's name and other information from the voter registration application into the central voter registration system before the incoming voting list is printed. Before the polls are opened, the registrar shall deliver the incoming voting list to the clerk. The inclusion of a person's name on the incoming voting list entitles that person to vote on election day.

**Sec. 8. 21-A MRSA §122, sub-§8,** as enacted by PL 1985, c. 307, §1, is repealed.

**Sec. 9. 21-A MRSA §122, sub-§9,** as amended by PL 2003, c. 395, §1, is further amended to read:

**9. Regulation of registration monitors.** Anyone who wishes to monitor the names and addresses of persons who are registering at the registrar's office or the clerk's office shall inform the registrar or clerk of that intent~~. Anyone who wishes to monitor the names and addresses of persons who are registering at the polling place shall inform the registrar or clerk of that intent~~ by submitting a written, signed statement containing the proposed monitor's name, address and intent. The registrar or clerk may designate a place where a person monitoring registrations may stand. The registrar or clerk shall then announce the name and address of individuals registering to vote in a loud and clear voice. A person monitoring registrations shall direct any questions the person has to the registrar or clerk. These questions must be limited to information pertinent to the qualifications of an individual to register. A person monitoring registrations may not ask questions of individuals waiting to register concerning their eligibility to vote. ~~A polling place registration monitor may not handle or inspect registration cards, files or other materials used by the registrar or clerk except as provided in section 22.~~ A monitor may not inhibit the work of the registrar or clerk. ~~If the work of a registrar or clerk appears to be inhibited, the warden may request a reduction in the number of monitors present in the polling place.~~ A registrar or clerk may require a person monitoring registrations who violates the provisions of this subsection to leave the building.

**Sec. 10. 21-A MRSA §125,** as amended by PL 1997, c. 436, §24, is further amended to read:

**§125. Notice of schedule**

The registrar shall publish the schedule established under section 122, subsection 6 ~~or as changed by the municipal officers under subsection 8,~~ in a newspaper having general circulation in the municipality at least ~~7~~ 10 to 15 business days before the ~~schedule becomes effective~~ election, except that, in municipalities with a population of 2,500 or fewer, ~~the~~ publication of the time schedule ~~by the registrar is discretionary rather than compulsory~~ may be done by another means the registrar considers sufficient to provide adequate notice to the residents of the municipality.

**Sec. 11. 21-A MRSA §129, first ¶,** as amended by PL 1985, c. 383, §2, is further amended to read:

When a voter's name is changed by marriage or other process of law, or when ~~he~~ the voter moves within a municipality, the following provisions apply.

**Sec. 12. 21-A MRSA §129, sub-§1,** as enacted by PL 1985, c. 161, §6, is amended to read:

**1. Notice.** The voter must give written notice to the registrar of ~~his~~ the voter's new and former names or ~~addresses before the close of registrations~~ changes of address within the municipality prior to casting a ballot on election day.

**Sec. 13. 21-A MRSA §129, sub-§3,** as amended by PL 1995, c. 459, §15, is further amended to read:

**3. Failure to notify.** If a voter fails to notify the registrar of a change of name or change of address within the municipality before the ~~close of registrations~~ registration deadline in section 122, subsection 4-A, the voter must appear before the registrar on election day and follow the procedure outlined in section 661 if the voter wishes to vote, unless the registrar has already made the correction in following the procedure prescribed by section 128. If the voter wishes to exercise the right to vote, the voter must vote using the ballot or ballots for the new polling place, if applicable, on election day.

**Sec. 14. 21-A MRSA §130,** as amended by PL 2005, c. 453, §22, is further amended to read:

**§130. Applications for voter registration**

A person who completes an application for registration to vote, as provided in section 152, may mail the application or have the application delivered to the registrar before the closed period for the acceptance of mail or 3rd-person registrations in the person's municipality, to be entered into the central voter registration system and placed on the incoming voting list prior to the next election; except that applications completed under section 122, subsection 5 may be delivered by the voter during the closed period by the in-person registration deadline under section 122, subsection 4-A for immediate placement on the incoming voting list.

**Sec. 15. 21-A MRSA §156, sub-§1,** as amended by PL 2005, c. 568, §7, is further amended to read:

**1. Registration and enrollment.** A township resident who lives in a township for which the county commissioners have not established a voting place as provided in section 632 may register and enroll in any municipality within the applicant's representative district or, if the applicant lives in a portion of a township not easily accessible to a municipality within the representative district, the township resident may register and enroll in a more convenient municipality within or outside the county. The township resident ~~may~~ must register ~~and enroll on election day~~ according to the deadlines established in section 122, subsection 4-A. The registrar shall designate the applicant as a township voter with the letter "T" in the central voter registration system and on the incoming voting list.

**Sec. 16. 21-A MRSA §661, sub-§1, ¶B,** as amended by PL 2005, c. 453, §54, is further amended to read:

B. If the name or address of the voter was omitted by error from or placed incorrectly on the incoming voting list and the registrar is able to determine that an error has been made, the registrar shall issue a certificate to the voter containing the voter's correct name and address and directed to the warden of the appropriate voting place. The registrar shall correct the name and address on the incoming voting list and in the central voter registration system.

**Sec. 17. 21-A MRSA §661, sub-§1, ¶D** is enacted to read:

D. If the registrar is unable to determine that an error was made, but the voter declares the voter is registered to vote and eligible to vote in the municipality, the voter must be permitted to vote a provisional ballot pursuant to section 673-A.

**Sec. 18. 21-A MRSA §671, sub-§2,** as amended by PL 2003, c. 584, §9, is further amended to read:

**2. Enters guardrail enclosure.** The election clerk in charge of the incoming voting list shall place a check mark or a horizontal line, in red ink, on the list beside the voter's name and allow the voter to enter the area enclosed by the guardrail. If the person's name does not appear on the incoming voting list, the warden shall inform the person of the provisional voting process and, if the person meets the requirements to be a provisional voter, shall allow the person to cast a provisional ballot as provided in section 673-A.

**Sec. 19. 21-A MRSA §673, sub-§1, ¶A,** as amended by PL 2007, c. 455, §32, is further amended to read:

A. A voter or an election official may challenge another voter only upon personal knowledge or a reasonably supported belief that the challenged voter is unqualified. Only the following reasons for challenges may be accepted by the warden. The challenged person:

~~(1) Is not a registered voter;~~

(2) Is not enrolled in the proper party, if voting in a primary election;

(3) Is not qualified to be a registered voter because the challenged person:

(a) Does not meet the age requirements as specified in sections 111, subsection 2 and section 111-A;

(b) Is not a citizen of the United States; or

(c) Is not a resident of the municipality or appropriate electoral district within the municipality;

(4) Registered to vote during the closed period ~~or on election day~~ and did not provide satisfactory proof of identity and residency to the registrar pursuant to section 121, subsection 1-A, except that only an election official may challenge for this reason;

(5) Did not properly apply for an absentee ballot;

(6) Did not properly complete the affidavit on the absentee return envelope;

(7) Did not cast the ballot or complete the affidavit before the appropriate witness;

(8) Communicated with someone as prohibited by section 754-A, subsection 1, paragraph B or subsection 3, paragraph B or D;

(9) Did not have the ballot returned to the clerk by the time prescribed;

(10) Voted using the name of another;

(11) Committed any other specified violation of this Title; or

(12) Voted using the wrong ballot for the appropriate electoral district or political party, if applicable.

**Sec. 20. 21-A MRSA §673, sub-§6,** as reallocated by RR 2003, c. 1, §12, is repealed.

**Sec. 21. 21-A MRSA §673-A** is enacted to read:

**§673-A. Provisional voting**

If a person declares that the person is a registered voter in the jurisdiction in which the person desires to vote and that the person is eligible to vote in an election for federal office, but the name of the person does not appear on the incoming voting list for the voting place, such person must be permitted to cast a provisional ballot as follows.

**1. How issued.** The person must complete and sign a provisional ballot affidavit, swear to or affirm the information before the warden and show proof of identity and current residency in the municipality and voting district, if applicable. The provisional ballot affidavit must be on a form designed by the Secretary of State and must include, at a minimum, the person's name, address, party affiliation, if any, and reason that the person believes the person is a registered voter in that jurisdiction.

**2. Ballot and provisional envelope issued.** As soon as the provisional ballot affidavit form has been completed, the election clerk in charge of ballots shall give a provisional ballot and a provisional ballot envelope to the warden. The warden shall write a provisional ballot number on the affidavit form and the provisional ballot envelope and give them to the voter. The warden also shall give the voter a notice about provisional voting, on a form designed by the Secretary of State, that includes the provisional ballot number assigned to the voter's ballot.

**3. Proceed to vote.** After the voter marks the provisional ballot, the voter shall seal it in the provisional ballot envelope and return it to the warden.

**4. Provisional ballots segregated and logged.** The warden shall place every provisional ballot envelope containing a completed provisional ballot in a tamper-proof container until a determination of the person's eligibility to vote can be made. The warden also shall complete a provisional ballot log, on a form provided by the Secretary of State, that indicates for each provisional ballot the name of the voter, the provisional ballot number and a notation of whether the provisional ballot was resolved and cast or rejected. The sealed tamper-proof containers of provisional ballots that are not resolved must be returned to the municipal clerk after the polls are closed, along with all provisional ballot affidavits and the provisional ballot log form.

**5. Ballots relating to court order.** In an election for federal office, if a federal or state court has issued an order extending the time established for closing the polls, any ballots cast during the period of that extension must be treated as provisional ballots according to this section.

**6. Resolution and counting of provisional ballots.** By the close of the polls if possible, but no later than 3 business days after election day, the municipal

clerk or registrar shall review the information on the provisional ballot affidavits and determine whether each voter is eligible to vote in the election. In making this determination, the municipal clerk or registrar must review all voter registration information on file with the municipality, including, but not limited to, the voter registration applications and attached documentation, the incoming voter list from any previous election and information or records in the central voter registration system. After reviewing the voter registration information, the municipal clerk or registrar must proceed as follows:

A. If the person's eligibility to vote in the election is confirmed by the close of the polls on election day, the clerk or registrar shall designate on the provisional ballot log that the provisional ballot was accepted. The warden shall remove the provisional ballot from the sealed provisional ballot envelope and place it into the ballot box or tabulator to be counted with the other ballots after the polls close. The warden shall annotate the incoming voting list to add the voter's name and address, along with an indication that the voter voted.

B. If the person's eligibility to vote in the election is confirmed after the close of the polls on election day, the clerk or registrar shall designate on the provisional ballot log that the provisional ballot was accepted. The clerk or registrar, in the presence of one or more witnesses, shall remove the provisional ballot from the sealed provisional ballot envelope and place it into a ballot box in a manner that preserves the secrecy of the vote. After all accepted provisional ballots have been placed into the ballot box, the clerk or registrar shall remove and count the provisional ballots in the same manner as regular ballots. After the incoming voting list is unsealed following the election, the clerk or registrar shall annotate the list to add the names and addresses of the voters under this subsection, along with an indication that the voters voted.

C. If the eligibility of a voter cannot be confirmed, the clerk or registrar shall write "rejected" on the provisional ballot envelope and return the unopened envelope to the tamper-proof container. The clerk or registrar shall update the provisional ballot log to indicate the ballot was rejected.

**7. Report to Secretary of State.** After all provisional ballots have been resolved, but no later than 3 business days after election day, the clerk shall report the status of all provisional ballots to the Secretary of State by providing a copy of the provisional ballot log. In addition to annotating the provisional ballot log to indicate whether provisional ballots were accepted or rejected, the clerk shall update the municipality's return of votes cast to include the votes cast by all provisional voters who were determined to be eligible to vote in the election.

**8. Secretary of State to make status available.** Within 20 days after any election, the Secretary of State shall make available the status of the provisional ballots on the Secretary of State's publicly accessible website, including whether the ballot was counted and if not, the reason the ballot was not counted.

**Sec. 22. 21-A MRSA §753-B, sub-§1,** as amended by PL 2009, c. 563, §2, is further amended to read:

**1. Application or written request received.** Upon receipt of an application or written request for an absentee ballot that is accepted pursuant to section 753-A, the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter, except ~~that the clerk does not have to issue a ballot by mail to any voter whose request was received after 5:00 p.m. on the Thursday before election day~~ as provided in subsection 2. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope.

**Sec. 23. 21-A MRSA §753-B, sub-§2,** as enacted by PL 1999, c. 645, §6, is repealed and the following enacted in its place:

**2. Restrictions on issuing ballot.** The clerk may not issue an absentee ballot:

A. To any 3rd person who is a candidate or a member of a candidate's immediate family;

B. To an immediate family member or to a 3rd person if the absentee ballot was requested by telephone;

C. To a 3rd person who already has been issued 5 absentee ballots for voters in the municipality, until the 3rd person has returned one of those ballots; or

D. To any voter, immediate family member or 3rd person whose request was received in the municipal office after the 3rd business day before election day, unless the voter signs an application, designed by the Secretary of State, stating one of the following reasons for requesting an absentee ballot on that day:

(1) Unexpected absence from the municipality during the entire time the polls are open on election day;

(2) Physical disability or an incapacity or illness that has resulted in the voter's being unable to leave home or a treatment facility; or

(3) Inability to travel to the polls if the voter is a resident of a coastal island ward or precinct.

**Sec. 24. 21-A MRSA §753-B, sub-§8,** as amended by PL 2009, c. 253, §48, is further amended to read:

**8. Absentee voting in presence of clerk.** A person who wishes to vote by absentee ballot may, without completing an application, vote by absentee ballot in the presence of the clerk, except as provided in subsection 2. The method of voting is otherwise as prescribed in this article. After the person has voted, the clerk shall sign the affidavit on the return envelope as a witness, indicate on the envelope that the voter voted in the presence of a clerk and ensure that the affidavit on the return envelope is properly completed by the voter. For the 45 days preceding an election, during the hours when the clerk's office is open and may be conducting absentee voting, the display or distribution of any advertising material intended to influence a voter's decision regarding a candidate or question on the ballot for that election is prohibited within the clerk's office and on public property within 250 feet of the entrance to the building in which the clerk's office is located.

This subsection does not apply to the display or distribution of any campaign advertising material on private property that is within 250 feet of the entrance to the building in which the clerk's office is located. For purposes of this section, "private property" includes privately owned property subject to a public right-of-way that is an easement right-of-way.

This subsection does not apply to campaign advertising material on automobiles traveling to and from the municipal office or parked on municipal property while the occupants are visiting the municipal office to conduct municipal business. It does not prohibit a person who is at the municipal office for the purpose of conducting municipal business or for absentee voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches.

**Sec. 25. 21-A MRSA §777-A,** as amended by PL 2009, c. 563, §3, is further amended to read:

**§777-A. Registration and enrollment**

~~Uniformed~~ Notwithstanding the registration deadline in section 122, subsection 4-A, uniformed service voters or overseas voters may register or enroll at any time by completing a federal or state voter registration application form and filing it with the registrar or the Secretary of State in person, by mail or by electronic means authorized by the Secretary of State.

See title page for effective date.

## CHAPTER 400

## H.P. 436 - L.D. 553

## An Act To Improve Maine's Energy Security

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

**Sec. 1. 2 MRSA §9, sub-§3, ¶C,** as amended by PL 2011, c. 55, §1, is further amended to read:

C. In consultation with the Efficiency Maine Trust Board, established in Title 5, section 12004-G, subsection 10-C, prepare and submit a comprehensive state energy plan to the Governor and the Legislature by January 15, 2009 and submit an updated plan every 2 years thereafter. Within the comprehensive state energy plan, the director shall identify opportunities to lower the total cost of energy to consumers in this State and transmission capacity and infrastructure needs and recommend appropriate actions to lower the total cost of energy to consumers in this State and facilitate the development and integration of new renewable energy generation within the State and support the State's renewable resource portfolio requirements specified in Title 35-A, section 3210 and wind energy development goals specified in Title 35-A, section 3404. The comprehensive state energy plan must include a section that specifies the State's progress in meeting the oil dependence reduction targets in subsection 5. The office shall make recommendations, if needed, for additional legislative and administrative actions to ensure that the State can meet the reduction targets in subsection 5. The recommendations must include a cost and resource estimate for technology development needed to meet the reduction targets;

**Sec. 2. 2 MRSA §9, sub-§5** is enacted to read:

**5. Oil dependence reduction plan.** The office, with input from stakeholders and in consultation with the Efficiency Maine Trust, shall develop a plan to reduce the use of oil in all sectors of the economy in this State. The plan must:

A. Be designed to achieve the targets of reducing the State's consumption of oil by at least 30% from 2007 levels by 2030 and by at least 50% from 2007 levels by 2050;

B. Focus on near-term policies and infrastructure changes that set the State on a reasonable trajectory to meet the 2030 and 2050 targets in paragraph A;

C. Prioritize the improvement of energy efficiency and the transition to the use of alternative energy sources for heating and transportation; and

D. Draw on existing state data and studies rather than new analyses, including, but not limited to, analyses and data from the State's climate action plan pursuant to Title 38, section 577 and the progress updates to the climate action plan under Title 38, section 578, the comprehensive state energy plan pursuant to subsection 3, paragraph C, the Efficiency Maine Trust's triennial plan pursuant to Title 35-A, section 10104, subsection 4 and analyses completed by the Federal Government, nonprofit organizations and other stakeholders.

**Sec. 3. Report.** The Director of the Governor's Office of Energy Independence and Security shall submit the report required under the Maine Revised Statutes, Title 2, section 9, subsection 5 to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters by December 1, 2012 with any suggested legislation. The report must include a cost and resource estimate for technology development needed to meet the oil dependence reduction targets.

See title page for effective date.

## CHAPTER 401

## H.P. 54 - L.D. 66

### An Act To Amend the Laws Governing the Capital Reserve Funds of the Maine Educational Loan Authority

**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 Maine Educational Loan Authority will not be able to create or establish any capital reserve funds after June 30, 2011; and

**Whereas,** immediate enactment of this legislation is necessary to ensure that the Maine Educational Loan Authority's authority to create or establish capital reserve funds does not lapse; 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 §11424, sub-§1,** as amended by PL 2009, c. 40, §1, is further amended to read:

**1. Capital reserve fund.** The authority may create and establish one or more capital reserve funds and may pay into any such capital reserve fund any money appropriated and made available by the State for the purposes of any such fund, any proceeds of the sale by the authority of bonds to the extent determined by the authority and any other money available to the authority. The authority may not create or establish any capital reserve fund under this section after June 30, ~~2011~~ 2017.

**Sec. 2. 20-A MRSA §11424, sub-§6,** as amended by PL 2009, c. 40, §3, is further amended to read:

**6. Bonds outstanding.** The authority may not have at any one time outstanding bonds to which subsection 5 is stated in the trust agreement or other document to apply in principal amount exceeding ~~$300,000,000~~ $225,000,000. The amount of bonds issued to refund bonds previously issued may not be taken into account in determining the principal amount of the bonds outstanding, as long as the proceeds of the refunding bonds are applied as promptly as possible to the refunding of the previously issued bonds. In computing the total amount of bonds of the authority that may at any time be outstanding for any purpose, the amount of the outstanding bonds that have been issued as capital appreciation bonds or as similar instruments must be valued as of any date of calculation at their current accreted value rather than their face value.

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

Effective June 22, 2011.

## CHAPTER 402

## S.P. 352 - L.D. 1152

### An Act To Amend the Child and Family Services and Child Protection Act

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

**Sec. 1. 22 MRSA §4002, sub-§9-D** is enacted to read:

**9-D. Resource family.** "Resource family" means a person or persons who provide care to a child in the child welfare system and who are foster parents, permanency guardians, adoptive parents or members of the child's extended birth family.

**Sec. 2. 22 MRSA §4012, sub-§1,** as enacted by PL 1979, c. 733, §18, is amended to read:

**1. Immediate report.** Reports regarding abuse or neglect ~~shall~~ must be made immediately by telephone to the department and ~~shall~~ must be followed by a written report within 48 hours if requested by the department.

Hospitals, medical personnel and law enforcement personnel may submit emergency reports through password-protected e-mail submissions. A faxed report may also be accepted when preceded by a telephone call informing the department of the incoming fax transmission.

**Sec. 3. 22 MRSA §4031, sub-§1,** as amended by PL 1995, c. 694, Pt. D, §40 and affected by Pt. E, §2, is further amended to read:

**1. Jurisdiction.** The following provisions ~~shall~~ govern jurisdiction.

A. The District Court ~~shall have~~ has jurisdiction over child protection proceedings and jurisdiction over petitions for adoption from permanency guardianship filed by the department.

B. The Probate Court and the Superior Court ~~shall~~ have concurrent jurisdiction to act on requests for preliminary child protection orders under section 4034. As soon as the action is taken by the Probate Court or the Superior Court, the matter ~~shall~~ must be transferred to the District Court.

D. The District Court has jurisdiction over judicial reviews transferred to the District Court pursuant to Title 18-A, section 9-205.

**Sec. 4. 22 MRSA §4036-B, sub-§3-A** is enacted to read:

**3-A. Notification to relatives.** Except as required by family or domestic violence safety precautions, the department shall exercise due diligence to identify and provide notice to all known grandparents and other adult relatives within 30 days after the removal of a child from the custody of a parent or custodian. Failure to comply with this provision does not affect service on a parent or custodian.

**Sec. 5. 22 MRSA §4037-A** is enacted to read:

**§4037-A. Extended care**

**1. Extended care requirements.** A person who is 18, 19 or 20 years of age and who attained 18 years of age while in the care and custody of the State may continue to receive care and support if the person:

A. Is enrolled in secondary school or its equivalent or is enrolled in postsecondary or career and technical school;

B. Is participating in a program or activity that promotes employment or removes barriers to employment;

C. Is employed for at least 80 hours per month; or

D. Is found to be in special circumstances, including but not limited to being incapable of qualifying under paragraphs A to C due to a documented medical or behavioral health condition.

**2. Placement.** A person who qualifies for care and support under this section may be placed in a supervised setting in which the person lives independently, in a foster home or in a group home.

**3. Judicial review.** The District Court shall hold a judicial review for each person who qualifies for care and support under this section at least once every 12 months. The court shall hear evidence and shall consider the original reason for the extended care and support of the person and the agreement of extended care and support between the department and the person. The court shall, after hearing or by agreement, make written findings, based on a preponderance of the evidence, that determine:

A. The safety of the person in the person's placement;

B. The services needed to transition the person from extended care and support to independent living; and

C. The compliance of the parties to the agreement of extended care and support.

In a judicial review order, the court may order either the department or the person or both to comply with the agreement of extended care and support but may not order the department to pay for a specific placement.

**4. Termination; notice.** A person receiving care and support under this section or the department may terminate the agreement of extended care and support without approval by the court. The department shall notify the court of the termination of extended care and support within 30 days of the termination.

**5. Guardian ad litem; attorney.** The appointments of the guardian ad litem and attorneys for the parents are terminated when a person receiving care and support under this section attains 18 years of age, and a new guardian ad litem or attorney may not be appointed for or on behalf of the person or the parents.

**Sec. 6. 22 MRSA §4038-C, sub-§1, ¶C,** as enacted by PL 2005, c. 372, §6, is amended to read:

C. Is willing and able to make an informed, long-term commitment to the child; ~~and~~

**Sec. 7. 22 MRSA §4038-C, sub-§1, ¶D,** as enacted by PL 2005, c. 372, §6, is amended to read:

D. Has the skills to care for the child ~~and to obtain needed information about and assistance with any special needs of the child.~~; and

**Sec. 8. 22 MRSA §4038-C, sub-§1, ¶E** is enacted to read:

E. Has submitted to having fingerprints taken for the purposes of a national criminal history record check.

**Sec. 9. 22 MRSA §4038-C, sub-§13** is enacted to read:

**13. Resource family license.** The department shall issue a resource family license in accordance with standards adopted by the department to a resource family that meets the requirements and standards for permanency guardianship of children in foster care under subsection 1 and for a license fee established by the department.

**Sec. 10. 22 MRSA §4038-D, sub-§2,** as enacted by PL 2005, c. 372, §6, is amended to read:

**2. Eligibility for guardianship subsidy payments.** Subject to rules adopted to implement this section, the department may provide subsidies for a ~~special needs~~ child who is placed in a permanency guardianship or in a similar status by a Native American tribe, when reasonable but unsuccessful efforts have been made to place the child without guardianship subsidies and if the child would not be placed in a permanency guardianship without the assistance of the program.

**Sec. 11. 22 MRSA §4038-D, sub-§3,** as enacted by PL 2005, c. 372, §6, is repealed.

**Sec. 12. 22 MRSA §4038-D, sub-§4,** as enacted by PL 2005, c. 372, §6, is amended to read:

**4. Amount of guardianship subsidy.** The amount of a guardianship subsidy is determined according to this subsection.

A. The amount may vary depending upon the resources of the permanency guardian, the ~~special~~ needs of the child and the availability of other resources.

B. The amount may not exceed the total cost of caring for the child if the child were to remain in the care or custody of the department, without regard to the source of the funds.

~~C. Except as provided in paragraph D, assistance may be provided only for special needs.~~

D. Subject to rules adopted by the department, ~~the amount may include up to $400 for~~ expenses of up to $2,000 per child may be reimbursed. This reimbursement is for legal expenses required to complete the permanency guardianship, including attorney's fees~~, incurred by the permanency guardian to complete the permanency guardianship in Indian tribal court cases~~ and travel expenses.

**Sec. 13. 22 MRSA §4038-D, sub-§5,** as enacted by PL 2005, c. 372, §6, is amended to read:

**5. Duration of guardianship subsidy.** A guardianship subsidy may be provided for a period of time based on the ~~special~~ needs of a child. The subsidy may continue until the termination of the permanency guardianship or until the permanency guardian is no longer caring for the child, at which time the guardianship subsidy ceases. If the child has need of educational benefits or has a physical, mental or emotional handicap, the guardianship subsidy may continue until the child has attained 21 years of age if the child, the parents and the department agree that the need for care and support exists.

**Sec. 14. 22 MRSA §4038-D, sub-§8,** as enacted by PL 2005, c. 372, §6, is repealed.

**Sec. 15. 22 MRSA §4038-E** is enacted to read:

**§4038-E. Adoption from permanency guardianship**

The department may petition the District Court to have a permanency guardian adopt the child in the permancy guardian's care and to change the child's name.

**1. Contents of petition for adoption from permanency guardianship.** The petition for adoption from permanency guardianship must be sworn and must include at least the following:

A. The name, date and place of birth, if known, of the child and the child's current residence;

B. The child's proposed new name, if any;

C. The name and residence of the permanency guardian and the relationship to the child;

D. The name and residence, if known, of each of the child's parents;

E. The name and residence of the former guardian ad litem of the child in the related child protection proceeding;

F. The names and residences of all persons known to the department that affect custody, visitation or access to the child;

G. A summary statement of the facts that the petitioner believes constitute the basis for the request for the adoption from permanency guardianship, including a statement that the permanency guardian intends to establish a parent and child relationship and that the permanency guardian is a fit and proper person able to care and provide for the child's welfare;

H. A statement of the intent of the biological parents to consent to the adoption;

I. A statement of the effects of a consent and adoption order; and

J. A statement that the biological parents are entitled to legal counsel in the adoption from permanency guardianship proceeding and that, if they want an attorney and are unable to afford one, they should contact the court as soon as possible to request appointed counsel.

**2. Accompanying documents and information.** The sworn petition must be accompanied by:

A. The birth certificate of the child;

B. A background check for each prospective adoptive parent, which must include:

(1) A screening of the permanency guardian for child abuse cases in the records of the department;

(2) The national criminal history record check for noncriminal justice purposes for each permanency guardian under subsection 7, paragraph A or updated check if the original was completed more than 2 years prior to the filing of the petition; and

(3) The state criminal history record check for noncriminal justice purposes for each permanency guardian under subsection 7, paragraph A or updated check if the original was completed more than 2 years prior to the filing of the petition;

C. The home study of the permanency guardian under subsection 7, paragraph B or an updated home study if the original was completed more than 2 years prior to the filing of the petition; and

D. The child's background information collected pursuant to subsection 7, paragraph B.

**3. Scheduling of case management conference.** On the filing of the petition, the court shall set a time and date for a case management conference.

**4. Venue.** A petition for adoption from permanency guardianship must be brought in the court that issued the final permanency guardianship appointment. The court, for the convenience of the parties or other good cause, may transfer the petition to another district or division.

**5. Guardian ad litem; attorneys.** The court shall appoint a guardian ad litem and attorneys for indigent parents and custodians, including the permanency guardians, in the same manner as guardians ad litem and attorneys are appointed under section 4005.

**6. Service.** The petition and the notice of the case management conference must be served on the parent whose rights were terminated and the guardian ad litem for the child at least 10 days prior to the scheduled case management conference date. Service must be in accordance with the Maine Rules of Civil Procedure or in any other manner ordered by the court.

**7. Background checks for each permanency guardian seeking to adopt the child.** The department may, pursuant to rules adopted by the department, at any time before the filing of the petition for adoption from permanency guardianship, conduct background checks of each permanency guardian of the child and a home study.

A. The department may, pursuant to rules adopted pursuant to Title 18-A, section 9-304, subsection (a-2), request a background check for each permanency guardian. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

(1) The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of Maine conviction data.

(2) The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

(3) Each permanency guardian of the child shall submit to having fingerprints taken. The State Police, upon receipt of the fingerprint card, may charge the department for the expenses incurred in processing state and national criminal history record checks. The State Police shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

(4) The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 620.

(5) State and federal criminal history record information may be used by the department for the purpose of screening each permanency guardian in determining whether the adoption is in the best interests of the child.

(6) Information obtained pursuant to this paragraph is confidential. The results of background checks received by the department are for official use only and may not be disseminated outside the department except to a court considering an adoption petition under this section.

B. The home study must include an investigation of the conditions and antecedents of the child to determine whether the child is a proper subject for adoption and whether the proposed home is suitable for the child.

**8. Consent.** Before an adoption is granted, written consent to the adoption must be given by:

A. The child, if the child is 12 years of age or older;

B. The child's biological parents, if parental rights have not been terminated; and

C. The permanency guardian who has legal custody of the child.

The consents to adoption must be written and voluntarily and knowingly executed before a judge. The judge shall explain the effects of the consent to adoption. Before the adoption is granted, the court shall ensure that each permanency guardian is informed of the existence of the adoption registry and the services available under Title 22, section 2706-A.

**9. Dismissal.** If the parents do not consent, the court shall dismiss the adoption petition and conduct a judicial review hearing consistent with section 4038-C, subsection 12.

**10. Hearing on petition for adoption from permanency guardianship.** The court shall hold a hearing prior to granting the petition for adoption from permanency guardianship. The department, as the petitioner, has the burden of proof.

A. The judge may interview the child. If the judge chooses to interview the child and the child is 12 years of age or older, the judge shall interview the child outside of the presence of a permanency guardian in order to determine the child's perspective about the adoption and other relevant issues.

B. The court shall grant an order of adoption if:

(1) All necessary consents have been duly executed;

(2) The permanency guardian is a suitable adopting parent and desires to establish a parent and child relationship with the child; and

(3) The adoption is in the best interest of the child.

C. If the judge is satisfied by a preponderance of the evidence with the identity and relations of the parties, the ability of the permanency guardian to bring up and educate the child properly and the fitness and propriety of the adoption and that the adoption is in the best interest of the child, the judge shall grant the adoption setting forth the facts and ordering that from that date the child is the child of the permanency guardian and must be accorded that status set forth in subsection 12 and that the child's name is changed, without requiring public notice of that change.

After the adoption has been granted, the department shall file a certificate of adoption with the State Registrar of Vital Statistics on a form prescribed and furnished by the state registrar.

The department shall notify the biological parents whose parental rights have been terminated and grandparents who were granted reasonable rights of visitation or access pursuant to section 4005-E or Title 19-A, section 1803.

**11. Effect of consent to adoption by the biological parent.** An order granting the adoption has the following effect.

A. An order granting the adoption of the child by the permanency guardian divests the consenting parent and child of all legal rights, powers, privileges, immunities, duties and obligations to each other as parent and child, except the inheritance rights between the child and the biological parent.

B. An adoption order may not disentitle a child to benefits due the child from any 3rd person, agency, state or the United States and may not affect the rights and benefits that a Native American derives from descent from a member of a federally recognized Indian tribe.

**12. Rights of adopted persons.** Except as otherwise provided by law, an adopted person has all the same rights, including inheritance rights, that a child born to the adoptive parent would have. An adoptee also retains the right to inherit from the adoptee's biological parents if the adoption order so provides.

**Sec. 16. 22 MRSA §4059** is enacted to read:

**§4059. Reinstatement of parental rights**

The department may petition the District Court to reinstate the parental rights of a parent whose parental rights have been previously terminated by an order of the District Court.

**1. Contents of petition for reinstatement of parental rights.** The petition for reinstatement of parental rights must be sworn and must include at least the following:

A. The name, date and place of birth, if known, of the child and the child's current residence;

B. The name and residence of the parent whose rights were terminated;

C. The name and residence of the former guardian ad litem of the child in the related child protection proceeding;

D. The names and residences of all persons known to the department that affect custody, visitation or access to the child;

E. A summary of the reasons for the termination of parental rights;

F. A summary statement of the facts that the petitioner believes constitute a substantial change in circumstances of the parent that demonstrate the parent has the capacity and willingness to provide for the health and safety of the child;

G. A statement of the intent of the parent whose rights were terminated to consent to the reinstatement of parental rights; and

H. A statement of the intent or willingness of the child as to the reinstatement of parental rights.

**2. Permanency plan.** The sworn petition must be accompanied by the permanency plan that provides for the health and safety of the child, outlines the transition services to the family and outlines the conditions and supervision required by the department for placing the child in the home on a trial basis.

**3. Scheduling of case management conference.** On the filing of the petition, the court shall set a time and date for a case management conference under subsection 7.

**4. Withdrawal of petition.** The department may withdraw the petition without leave of the court at any time prior to the final hearing.

**5. Guardian ad litem.** The court shall appoint a guardian ad litem for the child.

**6. Service.** The petition and the notice of the case management conference under subsection 7 must be served on the parent whose rights were terminated and the guardian ad litem for the child at least 10 days prior to the scheduled case management conference date. Service must be in accordance with the Maine Rules of Civil Procedure or in any other manner ordered by the court.

**7. Case management conference.** Upon the filing of a petition for reinstatement of parental rights, the court shall hold a case management conference to review the permanency plan filed by the department to provide for transition services to the family. The permanency plan must outline the conditions and supervision required by the department for placing the child in the home on a trial basis.

**8. Reinstatement of parental rights.** Parental rights may be reinstated as follows.

A. The court shall hold a hearing prior to the reinstatement of parental rights.

B. The department has the burden of proof.

C. The court may order reinstatement of parental rights if the court finds, by clear and convincing evidence, that:

(1) The child has been in the custody of the department for at least 12 months after the issuance of the order terminating parental rights;

(2) The child has lived for at least 3 months in the home of the parent after the petition for reinstatement has been filed;

(3) The parent consents to the reinstatement of parental rights. Consent must be written and voluntarily and knowingly executed in court before a judge. The judge shall explain the effects of reinstatement of parental rights;

(4) If the child is 12 years of age or older, the child consents to the reinstatement of parental rights; and

(5) Reinstatement of parental rights is in the best interest of the child.

D. In determining whether to reinstate parental rights, the court shall consider the age and maturity of the child, the child's ability to express a preference, the child's ability to integrate back into the home of the parent whose rights were terminated, the ability of the parent whose rights were terminated to meet the child's physical and emotional needs, the extent that the parent whose rights were terminated has remedied the circumstances that resulted in the termination of parental rights and the likelihood of future risk to the child.

E. The court shall enter its findings in a written order that further states that from the date of the order of reinstatement of parental rights, the child is the child of the parent whose rights were terminated and must be accorded all the same rights as existed prior to the order terminating parental rights, including inheritance rights. The order must further state that all legal rights, powers, privileges, immunities, duties and obligations to each other as parent and child are reinstated.

F. The reinstatement of one parent's rights does not affect the rights of the other parent.

**Sec. 17. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 22, chapter 1071, subchapter 4, in the subchapter headnote, the words "protection orders" are amended to read "protection orders; permanency guardianship" and the Revisor of Statutes shall imple-

ment this revision when updating, publishing or republishing the statutes.

See title page for effective date.

## CHAPTER 403

## S.P. 477 - L.D. 1515

### An Act To Clarify the Workers' Compensation Insurance Notification Process for Public Construction Projects

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

**Sec. 1. 26 MRSA §1302-A,** as enacted by PL 2009, c. 452, §1, is repealed.

**Sec. 2. 26 MRSA §1312, sub-§1,** as amended by PL 2009, c. 452, §2, is further amended to read:

**1. Violation by contractor or subcontractor.** Except as provided in section 1308, subsection 1-A, any contractor or subcontractor who willfully and knowingly violates ~~section 1302-A or~~ sections 1304 to 1313 is subject to a forfeiture of not less than $250.

**Sec. 3. 39-A MRSA §105-A, sub-§6** is enacted to read:

**6. Insurance coverage information for public construction projects.** Insurance coverage information regarding construction subcontractors and independent contractors is controlled by this subsection.

A. At the onset of work on any construction project undertaken by the State, the University of Maine System or the Maine Community College System, the general contractor or designated project construction manager, if any, shall provide to the board a list of all construction subcontractors and independent contractors on the job site and a record of the entity to whom that construction subcontractor or independent contractor is directly contracted and by whom that construction subcontractor or independent contractor is insured for workers' compensation purposes. The list must be posted on the board's publicly accessible website and updated as needed.

B. The board and the Department of Administrative and Financial Services, Bureau of General Services shall cooperate and provide notice to each other regarding the letting of state-funded construction projects and any stop-work order, debarment or other action as either may take or issue.

C. This subsection provides minimum disclosure standards regarding construction subcontractors and independent contractors and does not preclude the contracting agency from setting more rigorous standards for construction work under its jurisdiction.

D. If the general contractor or designated project construction manager fails to provide the board with the information required by paragraph A, that person is subject to a fine of not less than $250.

See title page for effective date.

## CHAPTER 404

## H.P. 400 - L.D. 507

### An Act To More Closely Coordinate the Classification of Forested Farmland under the Farm and Open Space Tax Laws with the Maine Tree Growth Tax Law

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

**Sec. 1. 36 MRSA §578, sub-§1,** as amended by PL 2009, c. 213, Pt. O, §1, is further amended to read:

**1. Organized areas.** The municipal assessors or chief assessor of a primary assessing area shall adjust the State Tax Assessor's 100% valuation per acre for each forest type of their county by whatever ratio, or percentage of current just value, is applied to other property within the municipality to obtain the assessed values. Forest land in the organized areas, subject to taxation under this subchapter, must be taxed at the property tax rate applicable to other property in the municipality.

The State Tax Assessor shall determine annually the amount of acreage in each municipality that is classified and taxed in accordance with this subchapter. Each municipality is entitled to annual payments distributed in accordance with this section from money appropriated by the Legislature if it submits an annual return in accordance with section 383 and if it achieves the minimum assessment ratio established in section 327. The State Tax Assessor shall pay any municipal claim found to be in satisfactory form by August 1st of the year following the submission of the annual return. The municipal reimbursement appropriation is calculated on the basis of 90% of the per acre tax revenue lost as a result of this subchapter. For property tax years based on the status of property on April 1, 2008 and April 1, 2009, municipal reimbursement under this section is further limited to the amount appropriated by the Legislature and distributed on a pro rata basis by the State Tax Assessor for all

timely filed claims. For purposes of this section, "classified forest lands" means forest lands classified pursuant to this subchapter as well as all areas identified as forested land within farmland parcels that are transferred from tree growth classification pursuant to section 1112 on or after October 1, 2011. For the purposes of this section, the tax lost is the tax that would have been assessed, but for this subchapter, on the classified forest lands if they were assessed according to the undeveloped acreage valuations used in the state valuation then in effect, or according to the current local valuation on undeveloped acreage, whichever is less, minus the tax that was actually assessed on the same lands in accordance with this subchapter, and adjusted for the aggregate municipal savings in required educational costs attributable to reduced state valuation. A municipality that fails to achieve the minimum assessment ratio established in section 327 loses 10% of the reimbursement provided by this section for each one percentage point the minimum assessment ratio falls below the ratio established in section 327.

The State Tax Assessor shall adopt rules necessary to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules for the purposes of Title 5, chapter 375, subchapter 2-A.

C. The State Tax Assessor shall distribute reimbursement under this section to each municipality in proportion to the product of the reduced tree growth valuation of the municipality multiplied by the property tax burden of the municipality. For purposes of this paragraph, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Property tax burden" means the total real and personal property taxes assessed in the most recently completed municipal fiscal year, except the taxes assessed on captured value within a tax increment financing district, divided by the latest state valuation certified to the Secretary of State.

(2) "Undeveloped land" means rear acreage and unimproved nonwaterfront acreage that is not:

(a) Classified under the laws governing current use valuation set forth in chapter 105, subchapter 2-A, 10 or 10-A;

(b) A base lot; or

(c) Waste land.

(3) "Average value of undeveloped land" means the per acre undeveloped land valuations used in the state valuation then in effect, or according to the current local valuation on undeveloped land as determined for state valuation purposes, whichever is less.

(4) "Reduced tree growth valuation" means the difference between the average value of undeveloped land and the average value of tree growth land times the total number of acres classified as forest land under this subchapter plus the total number of acres of forest land that is transferred from tree growth classification to farmland classification pursuant to section 1112 on or after October 1, 2011.

**Sec. 2. 36 MRSA §1112, 3rd ¶,** as amended by PL 1989, c. 555, §19 and c. 748, §6, is further amended to read:

A penalty may not be assessed at the time of a change of use from the farmland classification of land subject to taxation under this subchapter to the open space classification of land subject to taxation under this subchapter. A penalty may not be assessed upon the withdrawal of open space land from taxation under this subchapter if the owner applies for the land to be classified as and the land is accepted for classification as timberland under subchapter ~~II-A~~ 2-A. There also is no penalty imposed when land classified as timberland is accepted for classification as open space land. A penalty may not be assessed upon withdrawal of open space land from taxation under this subchapter~~, or from timberland taxation under subchapter II-A,~~ if the owner applies for the land to be classified as and the land is accepted for classification as farmland under this subchapter. A penalty may not be assessed upon withdrawal of land enrolled under the Maine Tree Growth Tax Law if the owner applies for the land to be classified as and the land is accepted for classification as farmland under this chapter. The recapture penalty for withdrawal from farmland classification within 10 years of a transfer from either open space tax classification or timberland tax classification is the same imposed on withdrawal from the prior tax classification, open space or tree growth. The recapture penalty for withdrawal from farmland classification more than 10 years after such a transfer will be the regular farmland recapture penalty provided for in this section. In the event a penalty is later assessed under subchapter ~~II-A~~ 2-A, the period of time that the land was taxed as farmland or as open space land under this subchapter must be included for purposes of establishing the amount of the penalty.

See title page for effective date.

## CHAPTER 405

## H.P. 889 - L.D. 1198

### An Act To Reduce Regulations for Residential Rental Property Owners

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

**Sec. 1. 14 MRSA §6001, sub-§3,** as amended by PL 2009, c. 566, §2, is further amended to read:

**3. Presumption of retaliation.** In any action of forcible entry and detainer there is a rebuttable presumption that the action was commenced in retaliation against the tenant if, within 6 months prior to the commencement of the action, the tenant has:

A. Asserted the tenant's rights pursuant to section 6021;

B. Complained as an individual, or if a complaint has been made in that individual's behalf, in good faith, of conditions affecting that individual's dwelling unit that may constitute a violation of a building, housing, sanitary or other code, ordinance, regulation or statute, presently or hereafter adopted, to a body charged with enforcement of that code, ordinance, regulation or statute, or such a body has filed a notice or complaint of such a violation;

C. Complained in writing or made a written request, in good faith, to the landlord or the landlord's agent to make repairs on the premises as required by any applicable building, housing or sanitary code, or by section 6021, or as required by the rental agreement between the parties; or

E. ~~Filed~~ Prior to being served with an eviction notice, filed, in good faith, a fair housing complaint for which there is a reasonable basis with the Maine Human Rights Commission or filed, in good faith, a fair housing complaint for which there is a reasonable basis with the United States Department of Housing and Urban Development concerning acts affecting that individual's tenancy.

If an action of forcible entry and detainer is brought for failure to pay rent or for causing substantial damage to the premises, the presumption of retaliation does not apply, unless the tenant has asserted a right pursuant to section 6026.

No writ of possession may issue in the absence of rebuttal of the presumption of retaliation.

**Sec. 2. 14 MRSA §6001, sub-§5,** as enacted by PL 2009, c. 566, §3, is repealed and the following enacted in its place:

**5. Affirmative defense.** A tenant may raise the affirmative defense of failure of the landlord to provide the tenant with a reasonable accommodation pursuant to Title 5, chapter 337 or the federal Fair Housing Act, 42 United States Code, Section 3604(f)(3)(B). The court shall deny the forcible entry and detainer and not grant possession to the landlord if the court determines that the landlord has a duty to offer a reasonable accommodation and has failed to do so and there is a causal link between the accommodation requested and the conduct that is the subject of the forcible entry and detainer action.

The court shall grant the forcible entry and detainer if the court determines that the landlord is otherwise entitled to possession and:

A. The landlord does not have a duty to offer a reasonable accommodation;

B. The landlord has, in fact, offered a reasonable accommodation; or

C. There is no causal link between the accommodation requested and the conduct that is the subject of the forcible entry and detainer action.

For purposes of this subsection, "reasonable accommodation" means a change, exception or adjustment to a rule, policy, practice or service that is necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common access spaces for that dwelling.

**Sec. 3. 14 MRSA §6008, sub-§6** is enacted to read:

**6. Affidavit required.** A notice of appeal filed by the defendant must be accompanied by an affidavit stating the defendant has complied with the requirements of subsection 2 regarding the payment of rent.

**Sec. 4. 14 MRSA §6013, first ¶,** as repealed and replaced by PL 2009, c. 566, §7, is amended to read:

Any personal property that remains in a rental unit after ~~the issuance of a writ of possession~~ entry of judgment in favor of the landlord or that is abandoned or unclaimed by a tenant following the tenant's vacating the rental unit must be disposed of as follows.

**Sec. 5. 14 MRSA §6013, sub-§2,** as enacted by PL 2009, c. 566, §7, is repealed and the following enacted in its place:

**2. Notice to tenant.** Notice to the tenant by the landlord is governed by this subsection. Notice may be sent at any time after entry of judgment in favor of the landlord or after the tenant has vacated the rental unit.

A. If the tenant is still in possession of the rental unit, the landlord shall send written notice by first-class mail with proof of mailing to the tenant

at the address of the rental unit of the landlord's intent to dispose of, in accordance with subsection 5, any property remaining in the rental unit following the tenant's vacating the rental unit. Notwithstanding subsections 3 and 5, the notice provided pursuant to this paragraph may not limit the the time in which the tenant may claim the property to less than 7 days following the mailing of the notice or 48 hours after service of the writ of possession, whichever period is longer.

B. If the tenant has vacated the rental unit, the landlord shall send written notice by first-class mail with proof of mailing to the last known address of the tenant concerning the landlord's intent to dispose of the property stored pursuant to subsection 1. The notice must include an itemized list of the items and containers of items of the property and advise the tenant that if the tenant does not respond to the notice within 7 days the landlord may dispose of the property as set forth in subsection 5.

**Sec. 6. 14 MRSA §6013, sub-§§3 to 5,** as enacted by PL 2009, c. 566, §7, are amended to read:

**3. Release of property claimed.** If the tenant claims the property within ~~14~~ 7 days after the notice under subsection 2 is sent, the landlord shall release the property to the tenant and may not condition release of the property to the tenant upon payment of any fee or any other amount that may be owed to the landlord by the tenant.

**4. Continuation of storage for claimed property.** If the tenant responds to the notice sent pursuant to subsection 2, the landlord shall continue to store the property for at least ~~24~~ 14 days after the landlord sent the notice.

**5. Conditional release; sale or disposal.** A landlord shall comply with the following.

A. If the tenant makes an oral or written claim for the property within ~~14~~ 7 days after the date the notice described in subsection 2 is sent, the landlord may not condition the release of the property to the tenant upon the tenant's payment of any rental arrearages, damages and costs of storage as long as the tenant makes arrangements to retrieve the property by the ~~24th~~ 14th day after the notice described in subsection 2 is sent.

B. If the tenant makes the claim as set forth in paragraph A but fails to retrieve the property by the ~~24th~~ 14th day, the landlord may employ one or more of the remedies described in paragraph D.

C. If the tenant does not make an oral or written claim for the property within ~~14~~ 7 days after the notice described in subsection 2 is sent, the landlord may employ one or more of the remedies described in paragraph D.

D. With regard to any property that remains unclaimed by the tenant in accordance with this subsection, the landlord may take one or more of the following actions:

(1) Condition the release of the property to the tenant upon the tenant's payment of all rental arrearages, damages and costs of storage;

(2) Sell any property for a reasonable fair market price and apply all proceeds to rental arrearages, damages and costs of storage and sale. All remaining balances must be forwarded to the Treasurer of State; or

(3) Dispose of any property that has no reasonable fair market value.

**Sec. 7. 14 MRSA §6013, sub-§6** is enacted to read:

**6. Waiver.** After or upon vacating the rental unit, a tenant may waive the tenant's rights pursuant to this section. If this waiver is oral, the landlord shall confirm this waiver in writing.

**Sec. 8. 14 MRSA §6013,** as repealed and replaced by PL 2009, c. 566, §7, is amended by adding at the end a new paragraph to read:

A lease or tenancy at will agreement may permit a landlord to dispose of property abandoned by a tenant without liability as long as the landlord complies with the notice provisions of this section.

**Sec. 9. 14 MRSA §6021-A, sub-§2, ¶F,** as enacted by PL 2009, c. 566, §8, is amended to read:

F. A landlord shall offer to make reasonable assistance~~, including financial assistance,~~ available to a tenant who is not able to comply with requested bedbug inspection or control measures under subsection 3, paragraph C. The landlord shall disclose to the tenant what the cost may be for the tenant's compliance with the requested bedbug inspection or control measure. After ~~first disclosing what the cost of the tenant's compliance with requested bedbug inspection or control measures may be, a~~ making this disclosure, the landlord may provide financial assistance to the tenant to prepare the unit for bedbug treatment. A landlord may charge the tenant a reasonable amount for any such assistance, subject to a reasonable repayment schedule, not to exceed 6 months, unless an extension is otherwise agreed to by the landlord and the tenant. This paragraph may not be construed to require the landlord to provide the tenant with alternate lodging or to pay to replace the tenant's personal property.

**Sec. 10. 14 MRSA §6021-A, sub-§4, ¶D,** as enacted by PL 2009, c. 566, §8, is amended to read:

D. In any action of forcible entry and detainer under section 6001, there is a rebuttable presumption that the action was commenced in retaliation against the tenant if, within 6 months before the commencement of the action, the tenant has asserted the tenant's rights pursuant to this section. The rebuttable presumption of retaliation does not apply unless the tenant asserted that tenant's rights pursuant to this section prior to being served with the eviction notice. There is no presumption of retaliation if the action for forcible entry and detainer is brought for failure to pay rent or for causing substantial damage to the premises.

**Sec. 11. 14 MRSA §6030-C,** as amended by PL 2009, c. 652, Pt. B, §2 and affected by §3, is further amended to read:

**§6030-C. Residential energy efficiency disclosure statement**

**1. Energy efficiency disclosure.** A prospective tenant who will be paying utility costs has the right to obtain from an energy supplier for the unit offered for rental the amount of consumption and the cost of that consumption for the prior 12-month period. A landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement for residential property that will be used by a tenant or lessee as a primary residence shall provide to potential tenants or lessees who pay for an energy supply for the unit, or upon request by a tenant or lessee a residential energy efficiency disclosure statement in accordance with Title 35-A, section 10117, subsection 1 that includes, but is not limited to, information about the energy efficiency of the property. Alternatively, the landlord may include in the application for the residential property the name of each supplier of energy that previously supplied the unit, if known, and the following statement: "You have the right to obtain a 12-month history of energy consumption and the cost of that consumption from the energy supplier."

**2. Provision of statement.** A landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement shall provide the residential energy efficiency disclosure statement required under subsection 1 in accordance with this subsection. The landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement shall provide the statement to any person who requests the statement in person ~~and shall post the statement in a prominent location in a property that is being offered for rent or lease~~. Before a tenant or lessee enters into a contract or pays a deposit to rent or lease a property, the landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement shall provide the statement to the tenant or lessee, obtain the tenant's or lessee's signature on the statement and sign the statement. The landlord or other person who on behalf of a landlord enters into a lease or tenancy at will agreement shall retain the signed statement for a minimum of ~~7~~ 3 years.

See title page for effective date.

## CHAPTER 406

## H.P. 688 - L.D. 928

### An Act To Repeal the Requirement That Electrical Companies Be Licensed

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

**Sec. 1. 32 MRSA §1101, sub-§1-A,** as enacted by PL 1995, c. 325, §1, is amended to read:

**1-A. Electrical company.** "Electrical company" means a person, firm, corporation or partnership employing licensees engaged in the business of doing electrical installations. ~~A company license must be validated by an employee or officer of the company holding a current master or limited electrical license. A limited licensee may validate only a company license making installations specific to the limited license. The company license becomes void upon the death of or the severance from the company of the validating licensee.~~

**Sec. 2. 32 MRSA §1202, sub-§5,** as enacted by PL 1995, c. 325, §15, is repealed.

See title page for effective date.

## CHAPTER 407

## H.P. 951 - L.D. 1296

### An Act To Amend the Maine Medical Use of Marijuana Act To Protect Patient Privacy

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

### PART A

**Sec. A-1. 7 MRSA §483, first ¶,** as amended by PL 2009, c. 631, §1 and affected by §51, is further amended to read:

For the purpose of this chapter and chapter 103, unless the term is more specifically defined, "adulterated" means made impure or inferior by adding extraneous ingredients. Goods that are prepared in food establishments that are licensed facilities under Title 22, section 2167 and that contain marijuana for medical use by a ~~registered~~ qualifying patient, pursuant to Title 22, chapter 558-C, are not considered to be adulterated under this subchapter.

**Sec. A-2. 22 MRSA §2152, sub-§4-A,** as amended by PL 2009, c. 631, §4 and affected by §51, is further amended to read:

**4-A. Food establishment.** "Food establishment" means a factory, plant, warehouse or store in which food and food products are manufactured, processed, packed, held for introduction into commerce or sold. "Food establishment" includes a ~~registered~~ primary caregiver, as defined in section 2422, subsection ~~11~~ 8-A, and a registered dispensary, as defined in section 2422, subsection 6, that prepare food containing marijuana for medical use by a ~~registered~~ qualifying patient pursuant to chapter 558-C. The following establishments are not considered food establishments required to be licensed under section 2167:

A. Eating establishments, as defined in section 2491, subsection 7;

B. Fish and shellfish processing establishments inspected under Title 12, section 6101, 6102 or 6856;

C. Storage facilities for native produce;

D. Establishments such as farm stands and farmers' markets primarily selling fresh produce not including dairy and meat products;

E. Establishments engaged in the washing, cleaning or sorting of whole produce, provided the produce remains in essentially the same condition as when harvested. The whole produce may be packaged for sale, provided that packaging is not by a vacuum packaging process or a modified atmosphere packaging process; ~~and~~

F. Establishments that are engaged in the drying of single herbs that are generally recognized as safe under 21 Code of Federal Regulations, Sections 182 to 189. The single herbs may be packaged for sale, provided that packaging is not by a vacuum packaging process or a modified atmosphere packaging process~~.~~; and

G. A primary caregiver, as defined in section 2422, subsection 8-A, conducting an activity allowed in section 2423-A for a qualifying patient who is a member of the family, as defined in section 2422, subsection 5-A, or member of the household, as defined in section 2422, subsection 5-B, of the primary caregiver.

**Sec. A-3. 22 MRSA §2158,** as amended by PL 2009, c. 631, §5 and affected by §51, is further amended to read:

**§2158. Addition of certain substances limited**

Any poisonous or deleterious substance added to any food, except where such substance is required in the production thereof or cannot be avoided by good manufacturing practice, must be deemed to be unsafe for purposes of the application of section 2156, subsection 1, paragraph B; but when such substance is so required or cannot be avoided, the Commissioner of Agriculture, Food and Rural Resources shall adopt rules limiting the quantity therein or thereon to such extent as the commissioner finds necessary for the protection of public health, and any quantity exceeding the limits so fixed must be deemed to be unsafe for purposes of the application of section 2156, subsection 1, paragraph B. While such a rule is in effect limiting the quantity of any such substance in the case of any food, such food may not, by reason of bearing or containing any added amount of such substance, be considered to be adulterated within the meaning of section 2156, subsection 1, paragraph A. In determining the quantity of such added substance to be tolerated in or on different articles of food, the commissioner shall take into account the extent to which the use of such substance is required or cannot be avoided in the production of each such article and the other ways in which the consumer may be affected by the same or other poisonous or deleterious substances. Goods that are prepared by a primary caregiver under section 2152, subsection 4-A, paragraph G or in a food establishment that is a licensed facility under section 2167 and that contain marijuana for medical use by a ~~registered~~ qualifying patient, pursuant to chapter 558-C, are not considered to be adulterated under this subchapter.

## PART B

**Sec. B-1. 22 MRSA §2422, sub-§1-A** is enacted to read:

**1-A. Collective.** "Collective" means an association, cooperative, affiliation or group of primary caregivers who physically assist each other in the act of cultivation, processing or distribution of marijuana for medical use for the benefit of the members of the collective.

**Sec. B-2. 22 MRSA §2422, sub-§2, ¶D,** as amended by PL 2009, c. 631, §9 and affected by §51, is further amended to read:

D. Any other medical condition or its treatment ~~approved by the commissioner~~ as provided for in section 2424, subsection 2.

**Sec. B-3. 22 MRSA §2422, sub-§3,** as enacted by IB 2009, c. 1, §5, is amended to read:

**3. Enclosed, locked facility.** "Enclosed, locked facility" means a closet, room, building, greenhouse or other enclosed area that is equipped with locks or other security devices that permit access only by ~~a cardholder~~ the individual authorized to cultivate the marijuana.

**Sec. B-4. 22 MRSA §2422, sub-§§4-A and 4-B** are enacted to read:

**4-A. Incidental amount of marijuana.** "Incidental amount of marijuana" means an amount of non-

flowering marijuana plants and marijuana seeds, stalks and roots defined by rules adopted by the department.

**4-B. Mature marijuana plant.** "Mature marijuana plant" means a harvestable female marijuana plant that is flowering.

**Sec. B-5. 22 MRSA §2422, sub-§5,** as amended by PL 2009, c. 631, §11 and affected by §51, is further amended to read:

**5. Medical use.** "Medical use" means the acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a ~~registered~~ qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

**Sec. B-6. 22 MRSA §2422, sub-§§5-A and 5-B** are enacted to read:

**5-A. Member of the family.** "Member of the family" means a person who is a spouse, domestic partner, child, sibling, aunt, uncle, niece, nephew, parent, stepparent, grandparent or grandchild of another person. "Member of the family" includes a person living with a person as a spouse and a natural parent of a child of a person.

**5-B. Members of the same household.** "Members of the same household" means 2 or more people who share a dwelling unit.

**Sec. B-7. 22 MRSA §2422, sub-§6,** as amended by PL 2009, c. 631, §12 and affected by §51, is further amended to read:

**6. Registered dispensary.** "Registered dispensary" or "dispensary" means a not-for-profit entity registered under section 2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to ~~registered~~ qualifying patients ~~who have designated the dispensary to cultivate marijuana for their medical use~~ and the ~~registered~~ primary caregivers of those patients.

**Sec. B-8. 22 MRSA §2422, sub-§6-A,** as enacted by PL 2009, c. 631, §13 and affected by §51, is repealed.

**Sec. B-9. 22 MRSA §2422, sub-§8-A** is enacted to read:

**8-A. Primary caregiver.** "Primary caregiver" means a person, a hospice provider licensed under chapter 1681 or a nursing facility licensed under chapter 405 that provides care for a qualifying patient in accordance with section 2423-A, subsection 2. A person who is a primary caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense.

**Sec. B-10. 22 MRSA §2422, sub-§9,** as enacted by IB 2009, c. 1, §5, is amended to read:

**9. Qualifying patient.** "Qualifying patient" or "patient" means a person who has been diagnosed by a physician as having a debilitating medical condition and who possesses a valid written certification regarding medical use of marijuana in accordance with section 2423-B.

**Sec. B-11. 22 MRSA §2422, sub-§11,** as repealed and replaced by PL 2009, c. 631, §16 and affected by §51, is amended to read:

**11. Registered primary caregiver.** "Registered primary caregiver" ~~or "primary caregiver"~~ means a ~~person, a hospice provider licensed under chapter 1681 or a nursing facility licensed under chapter 405 that provides care for a registered patient and that has been named by the patient as a primary caregiver to assist with a registered patient's medical use of marijuana. A person who is a primary caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense~~ primary caregiver who is registered by the department pursuant to section 2425, subsection 4.

**Sec. B-12. 22 MRSA §2422, sub-§12,** as amended by PL 2009, c. 631, §17 and affected by §51, is further amended to read:

**12. Registered patient.** "Registered patient" ~~or "patient"~~ means a qualifying patient who is registered by the department pursuant to section 2425, subsection 1.

**Sec. B-13. 22 MRSA §2422, sub-§13-A** is enacted to read:

**13-A. Tamper-resistant paper.** "Tamper-resistant paper" means paper that possesses an industry-recognized feature that prevents copying of the paper, erasure or modification of information on the paper and the use of counterfeit documentation.

**Sec. B-14. 22 MRSA §2422, sub-§14,** as repealed and replaced by PL 2009, c. 631, §19 and affected by §51, is amended to read:

**14. Prepared marijuana.** "Prepared marijuana" means the dried leaves and flowers of the marijuana plant that require no further processing and any mixture or preparation of those dried leaves and flowers, including but not limited to tinctures, ointments and other preparations, but does not include the seeds, stalks, leaves that are disposed of and not dried for use and roots of the plant and does not include the ingredients, other than marijuana, in tinctures, ointments or other preparations that include marijuana as an ingredient or food or drink prepared with marijuana as an ingredient for human consumption.

**Sec. B-15. 22 MRSA §2422, sub-§16,** as enacted by IB 2009, c. 1, §5, is amended to read:

**16. Written certification.** "Written certification" means a document on tamper-resistant paper signed by a physician ~~and stating that~~, that expires in one year and that states that in the physician's professional opinion a patient is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition. A written certification may be made only in the course of a bona fide physician-patient relationship after the physician has completed a full assessment of the qualifying patient's medical history. ~~The written certification must specify the qualifying patient's debilitating medical condition.~~

**Sec. B-16. 22 MRSA §2423-A,** as enacted by PL 2009, c. 631, §21 and affected by §51, is amended to read:

**§2423-A. Authorized conduct for the medical use of marijuana**

**1. Qualifying patient.** Except as provided in section 2426, a ~~registered~~ qualifying patient may:

A. Possess up to 2 1/2 ounces of prepared marijuana and an incidental amount of marijuana as provided in subsection 5;

B. Cultivate, or designate a primary caregiver to cultivate under paragraph F, up to a total of 6 mature marijuana plants ~~if the patient elects to cultivate and the patient has not designated a registered primary caregiver or registered dispensary to cultivate marijuana on the patient's behalf~~ for that qualifying patient. The total number of mature marijuana plants per qualifying patient, whether cultivated by the patient or by a primary caregiver, may not exceed 6. In addition to the 6 mature marijuana plants, the patient who is cultivating the patient's own marijuana may have harvested marijuana in varying stages of processing in order to ensure the patient is able to maintain supply and meet personal needs. Two or more qualifying patients who are members of the same household and cultivating their own marijuana may share one enclosed, locked facility for cultivation;

C. Possess marijuana paraphernalia;

D. Furnish or offer to furnish to another ~~registered~~ qualifying patient for that ~~person's~~ patient's medical use of marijuana up to 2 1/2 ounces of prepared marijuana if nothing of value is offered or transferred in return;

E. ~~Name~~ Designate one person, hospice provider or nursing facility as a primary caregiver to assist with the qualifying patient's medical use of marijuana in a standardized written document, developed by the department, signed and dated by the qualifying patient, including a one-year expiration and the signed acknowledgment of the primary caregiver that the primary caregiver may be contacted to confirm the designation of the primary caregiver. A 2nd person or hospice provider or nursing facility may be ~~named~~ designated as a 2nd primary caregiver if the patient is under 18 years of age. The primary caregivers for a patient are determined solely by the patient's preference ~~as named on the application under section 2425, subsection 1~~ except that a parent, guardian or person having legal custody shall serve as a primary caregiver for a minor child ~~pursuant to section 2425, subsection 2, paragraph B, subparagraph (2)~~;

F. Designate one primary caregiver or a registered dispensary to cultivate marijuana for the medical use of the patient, except that a hospice provider or a nursing facility that is ~~named~~ designated as a primary caregiver by a ~~registered~~ patient and the staff of the provider or facility may not be designated to cultivate marijuana for the patient. ~~The primary caregiver or dispensary that may cultivate marijuana for a patient is determined solely by the patient's designation on the application under section 2425, subsection 1~~ The qualifying patient must designate the primary caregiver or registered dispensary to cultivate for the patient in a standardized written document, developed by the department, signed and dated by the qualifying patient, which must include a one-year expiration, the total number of mature plants the primary caregiver is designated to cultivate and the signed acknowledgment of the primary caregiver that the primary caregiver may be contacted to confirm the designation of the primary caregiver to cultivate for the patient and the number of mature plants to be cultivated and being cultivated for the patient or the signed acknowledgment of a person on behalf of the registered dispensary that the registered dispensary may be contacted to confirm the designation of the dispensary to cultivate for the patient and the number of mature plants to be cultivated and being cultivated for the patient; and

G. Be in the presence or vicinity of the medical use of marijuana and assist any ~~registered~~ qualifying patient with using or administering marijuana.

**2. Primary caregiver.** Except as provided in section 2426, a ~~registered~~ primary caregiver, for the purpose of assisting a ~~registered~~ qualifying patient who has ~~named~~ designated the primary caregiver as provided in ~~section 2425,~~ subsection 1, may:

A. Possess up to 2 1/2 ounces of prepared marijuana and an incidental amount of marijuana as provided in subsection 5 for each qualifying patient who has ~~named~~ designated the person as a primary caregiver;

B. Cultivate up to 6 mature marijuana plants for each qualifying patient who has designated the primary caregiver to cultivate marijuana on the patient's behalf, subject to the limitation in subsection 1, paragraph B on the total number of plants authorized per qualifying patient. A primary caregiver may not cultivate marijuana for a patient unless the patient has designated the primary caregiver for that purpose and the patient has not designated a registered dispensary to cultivate marijuana for the patient's medical use. In addition to the marijuana plants otherwise authorized under this paragraph, a primary caregiver may have harvested marijuana plants in varying stages of processing in order to ensure the primary caregiver is able to meet the needs of the primary caregiver's qualifying patients;

C. Assist no more than 5 patients at any one time with their medical use of marijuana;

D. Receive reasonable monetary compensation for costs associated with assisting a qualifying patient who ~~named~~ designated the primary caregiver ~~through the department's registration process~~;

E. Receive reasonable monetary compensation for costs associated with cultivating marijuana for a patient who designated the primary caregiver to cultivate marijuana ~~through the department's registration process~~;

F. Be in the presence or vicinity of the medical use of marijuana and assist any patient with the medical use ~~or~~, administration or preparation of marijuana; ~~and~~

G. Prepare food as defined in section 2152, subsection 4 containing marijuana for medical use by a ~~registered~~ qualifying patient ~~if the primary caregiver preparing the food has obtained a license~~ pursuant to section 2152, subsection 4-A and section 2167~~-~~; and

H. For the purpose of disposing of excess prepared marijuana, transfer marijuana to a registered dispensary or another primary caregiver if nothing of value is received. A primary caregiver who transfers prepared marijuana pursuant to this paragraph does not by virtue of only that transfer qualify as a member of a collective.

**3. Cultivation of marijuana.** The following provisions apply to the cultivation of marijuana by a ~~registered~~ qualifying patient under subsection 1 ~~or~~ and a ~~registered~~ primary caregiver under subsection 2.

A. A patient who elects to cultivate marijuana plants must keep the plants in an enclosed, locked facility unless the plants are being transported because the patient is moving or taking the plants to the patient's own property in order to cultivate them.

B. A primary caregiver who has been designated by a patient to cultivate marijuana for the patient's medical use must keep all plants in an enclosed, locked facility unless the plants are being transported because the primary caregiver is moving or taking the plants to the primary caregiver's own property in order to cultivate them.

C. A primary caregiver designated to cultivate marijuana for a qualifying patient is required to register with the department, except that the following primary caregivers are not required to register:

(1) A primary caregiver designated to cultivate for a qualifying patient if that qualifying patient is a member of the household of that primary caregiver;

(2) Two primary caregivers who are qualifying patients, if those primary caregivers are members of the same household and assist one another with cultivation; and

(3) A primary caregiver who cultivates for a qualifying patient if that qualifying patient is a member of the family of that primary caregiver.

D. Two primary caregivers who are members of the same family or household may share the same enclosed, locked facility.

**4. Hospice provider or nursing facility.** A registered patient may name a hospice provider licensed under chapter 1681 or a nursing facility licensed under chapter 405 to serve as a registered primary caregiver. If a hospice provider or nursing facility is named as a primary caregiver, the provider or facility shall complete the registration process with the department and obtain a primary caregiver registration card and the staff of the provider or facility shall obtain registry identification cards. To be issued a registry identification card, a staff person of a hospice provider or nursing facility that has been named as a primary caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense. The hospice provider or nursing facility and the staff of the provider or facility may not cultivate marijuana for the patient.

**5. Incidental amount of marijuana.** For purposes of this section, any incidental amount of marijuana ~~plants, seeds, stalks and roots, as defined by rule adopted by the department,~~ is lawful for a ~~registered~~ qualifying patient or a ~~registered~~ primary caregiver to possess and is not included in the amounts of prepared marijuana specified in this section.

~~**6. Onsite assessments by the department.** Prior to making an onsite assessment of a registered primary caregiver who is designated to cultivate marijuana by 3 or more patients at any one time, the department~~

~~shall provide 24 hours' notice to the registered primary caregiver.~~

**7. Collectives prohibited.** Collectives are prohibited under this chapter. A person may not form or participate in a collective.

**Sec. B-17. 22 MRSA §2423-B,** as enacted by PL 2009, c. 631, §22 and affected by §51, is repealed and the following enacted in its place:

**§2423-B. Authorized conduct by a physician**

A physician may provide a written certification for the medical use of marijuana under this chapter and, after having done so, may otherwise state that in the physician's professional opinion a qualifying patient is likely to receive therapeutic benefit from the medical use of marijuana to treat or alleviate the patient's debilitating medical condition.

**1. Adult qualifying patient.** Prior to providing written certification for the medical use of marijuana under this section, a physician shall inform an adult qualifying patient of the risks and benefits of the medical use of marijuana and that the patient may benefit from the medical use of marijuana.

**2. Minor qualifying patient.** Prior to providing written certification for the medical use of marijuana by a minor qualifying patient under this section, a physician, referred to in this subsection as "the treating physician," shall inform the minor qualifying patient and the parent or legal guardian of the patient of the risks and benefits of the medical use of marijuana and that the patient may benefit from the medical use of marijuana. Except with regard to a minor qualifying patient who is eligible for hospice care, prior to providing a written certification under this section, the treating physician shall consult with a qualified physician, referred to in this paragraph as "the consulting physician," from a list of physicians who may be willing to act as consulting physicians maintained by the department that is compiled by the department after consultation with statewide associations representing licensed medical professionals. The consultation between the treating physician and the consulting physician may consist of examination of the patient or review of the patient's medical file. The consulting physician shall provide an advisory opinion to the treating physician and the parent or legal guardian of the minor qualifying patient concerning whether the patient is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the patient's debilitating medical condition. If the department or the consulting physician does not respond to a request by a treating physician within 10 days of receipt of the request, the treating physician may provide written certification for treatment without consultation with another physician.

**3. Expiration.** A written certification form for the medical use of marijuana under this section expires one year after issuance by the qualifying patient's physician.

**4. Form; content.** A written certification under this section must be in the form required by rule adopted by the department and may not require a qualifying patient's physician to state the patient's specific medical condition.

**5. Possible sanctions.** Nothing in this chapter prevents a professional licensing board from sanctioning a physician for failing to properly evaluate or treat a patient's medical condition or otherwise violating the applicable standard of care for evaluating or treating medical conditions.

**Sec. B-18. 22 MRSA §2423-C,** as enacted by PL 2009, c. 631, §23 and affected by §51, is amended to read:

**§2423-C. Authorized conduct**

A person may provide a ~~registered~~ qualifying patient or a ~~registered~~ primary caregiver with marijuana paraphernalia for purposes of the ~~registered~~ qualifying patient's medical use of marijuana in accordance with this chapter and be in the presence or vicinity of the medical use of marijuana as allowed under this chapter.

**Sec. B-19. 22 MRSA §2423-D,** as enacted by PL 2009, c. 631, §24 and affected by §51, is amended to read:

**§2423-D. Authorized conduct by a visiting qualifying patient**

A ~~visiting~~ qualifying patient who is visiting the State from another jurisdiction that authorizes the medical use of marijuana pursuant to a law recognized by the department who possesses a valid ~~registry identification card or its equivalent~~ written certification as described in section 2423-B from the patient's treating physician and a valid medical marijuana certification from that other jurisdiction and photographic identification or a driver's license from that jurisdiction may ~~for 30 days after entering the State~~ engage in conduct authorized for a ~~registered~~ qualifying patient ~~without having to obtain a registry identification card issued by the department except that the visiting qualifying patient may not obtain in Maine marijuana for medical use based on a registry identification card from another jurisdiction~~ under this chapter.

**Sec. B-20. 22 MRSA §2423-E,** as enacted by PL 2009, c. 631, §25 and affected by §51, is amended to read:

**§2423-E. Requirements**

**1. Rights of persons or entities acting pursuant to this chapter.** A person whose conduct is authorized under this chapter may not be denied any right or privilege or be subjected to ~~any~~ arrest, prosecution, penalty or disciplinary action, including but not lim-

ited to a civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, for lawfully engaging in conduct involving the medical use of marijuana authorized under this chapter.

**2. School, employer or landlord may not discriminate.** A school, employer or landlord may not refuse to enroll or employ or lease to or otherwise penalize a person solely for that person's status as a ~~registered~~ qualifying patient or a ~~registered~~ primary caregiver unless failing to do so would put the school, employer or landlord in violation of federal law or cause it to lose a federal contract or funding. This subsection does not prohibit a restriction on the administration or cultivation of marijuana on premises when that administration or cultivation would be inconsistent with the general use of the premises. A landlord or business owner may prohibit the smoking of marijuana for medical purposes on the premises of the landlord or business if the landlord or business owner prohibits all smoking on the premises and posts notice to that effect on the premises.

**3. Person may not be denied parental rights and responsibilities or contact with a minor child.** A person may not be denied parental rights and responsibilities with respect to or contact with a minor child as a result of acting in accordance with this chapter, unless the person's conduct is contrary to the best interests of the minor child as set out in Title 19-A, section 1653, subsection 3.

**4. Prohibition on seizure and retention.** Except when necessary for an ongoing criminal or civil investigation, a law enforcement officer may not seize marijuana that is in the possession of a qualifying patient, primary caregiver or registered dispensary as authorized by this chapter. A law enforcement officer in possession of marijuana in violation of this subsection must return the marijuana within 7 days after receiving a written request for return by the owner of the marijuana. Notwithstanding the provisions of Title 14, chapter 741, if the law enforcement officer fails to return marijuana possessed in violation of this subsection within 7 days of receiving a written request for return of the marijuana under this subsection, the owner of the marijuana may file a claim in the District Court in the district where the owner lives or where the law enforcement officer is employed.

**5. Requirements for protection.** To receive protection under this section for conduct authorized under this chapter, a person must:

A. If the person is a qualifying patient, present upon request of a law enforcement officer the original written certification for the patient and the patient's driver's license as described under Title 29-A, section 1401 or a nondriver identification card as described under Title 29-A, section 1410 or, if the person is a visiting patient under section 2423-D, the equivalent proof of identity from the visiting patient's state of residence; and

B. If the person is a primary caregiver, present upon request of a law enforcement officer the original written document designating the person as a primary caregiver by the qualifying patient under section 2423-A, subsection 1, paragraph E or F and the primary caregiver's driver's license described under Title 29-A, section 1401 or a nondriver identification card as described under Title 29-A, section 1410.

**6. Excess marijuana; forfeiture.** A person who possesses marijuana in excess of the limits provided in section 2423-A and rules adopted under that section must forfeit the excess amounts to a law enforcement officer. The law enforcement officer is authorized to remove all excess marijuana seedlings, marijuana plants and prepared marijuana in order to catalog the amount of excess marijuana. Possession of marijuana in excess of the limits provided in section 2423-A and rules adopted under that section is a violation as follows:

A. Possession of prepared marijuana in an excess amount up to 2 1/2 ounces is a violation of section 2383; and

B. Possession of marijuana in an excess amount over 2 1/2 ounces is a violation of Title 17-A, chapter 45.

**7. Repeat forfeiture.** If a cardholder has previously forfeited excess marijuana pursuant to subsection 6 and a subsequent forfeiture occurs, the department shall revoke the registry identification card of the cardholder and the entire amount of marijuana seedlings, marijuana plants and prepared marijuana must be forfeited to a law enforcement officer. The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**8. Defense for possession of excess marijuana.** Except as provided in section 2426, a qualifying patient may assert the medical purpose for using marijuana as a defense to any prosecution involving marijuana possession and may present evidence in court that the patient's necessary medical use or cultivation circumstances warranted exceeding the amount of marijuana allowed under section 2423-A and was reasonably necessary to ensure the uninterrupted availability of marijuana for the purpose of treating or alleviating the patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

**Sec. B-21. 22 MRSA §2424, sub-§2,** as repealed and replaced by PL 2009, c. 631, §26 and affected by §51, is repealed and the following enacted in its place:

**2. Adding debilitating medical conditions.** The department in accordance with section 2422, subsection 2, paragraph D shall adopt rules regarding the consideration of petitions from the public to add medical conditions or treatments to the list of debilitating medical conditions set forth in section 2422, subsection 2. In considering those petitions, the department shall provide an opportunity for public hearing of, and an opportunity to comment on those petitions. After the hearing, the commissioner shall approve or deny a petition within 180 days of its submission. The approval or denial of such a petition constitutes final agency action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Superior Court.

**Sec. B-22. 22 MRSA §2424, sub-§3,** as amended by PL 2009, c. 631, §27 and affected by §51, is further amended to read:

**3. Registry identification cards.** ~~Not later than July 1, 2010, the~~ The department shall adopt rules governing the manner in which it considers applications for and renewals of registry identification cards for registered patients, registered caregivers, principal officers, board members and employees of dispensaries and staff of hospice providers and nursing facilities ~~named~~ designated as primary caregivers. The department's rules must establish application and renewal fees that generate revenues sufficient to offset all expenses of implementing and administering this chapter. The department may establish a sliding scale of application and renewal fees based upon a registered patient's family income and status as a veteran of the Armed Forces of the United States. The department may accept donations from private sources in order to reduce the application and renewal fees.

**Sec. B-23. 22 MRSA §2425, sub-§2,** as amended by PL 2009, c. 631, §29 and affected by §51, is further amended to read:

**2. Issuing patient registry identification card to minor child.** The department may not register and issue a registry identification card to a qualifying patient who is under 18 years of age unless:

A. The qualifying patient's physician has explained the potential risks and benefits of the medical use of marijuana to the qualifying patient and to a parent, guardian or person having legal custody of the qualifying patient;

B. The parent, guardian or person having legal custody consents in writing to:

(1) ~~Allow the~~ The qualifying patient's medical use of marijuana;

(2) ~~Serve~~ Serving as one of the qualifying patient's ~~registered~~ primary caregivers; and

(3) ~~Control~~ Controlling the acquisition of the marijuana~~,~~ and the dosage and the frequency of the medical use of marijuana by the qualifying patient; and

~~C. Except with regard to a qualifying patient who is eligible for hospice care, the commissioner or the commissioner's designee has approved an application for the medical use of marijuana by the qualifying patient. Prior to approving an application under this paragraph, the commissioner or the commissioner's designee must have received confirmation from a pediatrician and a psychiatrist chosen from a list maintained by the advisory board established under section 2424, subsection 2 that the pediatrician and psychiatrist have reviewed the medical file of or examined the qualifying patient and that in their professional opinions the qualifying patient is likely to receive therapeutic or palliative benefit from the medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition. If the commissioner or commissioner's designee fails to approve or disapprove a recommendation under this paragraph within 10 days of receipt of the statements of the pediatrician and psychiatrist under this paragraph, the application is deemed approved.~~

D. The requirements of section 2423-B, subsection 2 have been met.

**Sec. B-24. 22 MRSA §2425, sub-§5,** as amended by PL 2009, c. 631, §32 and affected by §51, is further amended to read:

**5. Registry identification card issuance.** The department shall issue registry identification cards to registered patients, to registered primary caregivers and to staff of hospice providers and nursing facilities ~~named~~ designated by registered patients as primary caregivers within 5 days of approving an application or renewal under this section. Registry identification cards expire one year after the date of issuance. Registry identification cards must contain:

A. The name~~, address and date of birth~~ of the ~~patient~~ cardholder;

~~B. The name, address and date of birth of each registered primary caregiver, if any, of the patient;~~

C. The date of issuance and expiration date of the registry identification card;

D. A random identification number that is unique to the cardholder; and

~~E. A photograph, if required by the department; and~~

F. ~~For a registered primary caregiver, a~~ A clear designation showing whether the cardholder is allowed under this chapter to cultivate marijuana ~~plants for the patient's medical use~~.

**Sec. B-25. 22 MRSA §2425, sub-§7,** as repealed and replaced by PL 2009, c. 631, §33 and affected by §51, is repealed and the following enacted in its place:

**7. Possession of certain documents; application for registry identification card.** Possession of a registry identification card by a cardholder, the act of applying for such a registry identification card, possession of a written certification issued under section 2423-B or possession of a designation form executed under section 2423-A, subsection 1, paragraph E or F is not evidence of unlawful conduct and may not be used to support the search of that person or that person's property. The possession of or application for a registry identification card or possession of a written certification does not prevent the issuance of a warrant if probable cause exists on other grounds.

**Sec. B-26. 22 MRSA §2425, sub-§8, ¶A,** as amended by PL 2009, c. 631, §34 and affected by §51, is further amended to read:

A. Applications and supporting information submitted by qualifying patients and registered patients under this chapter, including information regarding their primary caregivers and physicians, are confidential.

**Sec. B-27. 22 MRSA §2425, sub-§8, ¶¶F, G, H and J,** as enacted by PL 2009, c. 631, §34 and affected by §51, are amended to read:

F. Applications, supporting information and other information regarding a registered dispensary are not confidential except that information that is contained within dispensary information that identifies a qualifying patient, a registered patient, the registered patient's physician and the ~~patient's registered~~ primary ~~caregivers~~ caregiver of the qualifying patient or registered patient is confidential.

G. Records maintained by the department pursuant to this chapter that identify applicants for a registry identification card, registered patients, registered primary caregivers and registered patients' physicians are confidential and may not be disclosed except as provided in this subsection and as follows:

(1) To department employees who are responsible for carrying out this chapter;

(2) Pursuant to court order;

(3) With written permission of the patient or the registered patient's guardian, if the patient is under guardianship, or a parent, if the patient has not attained 18 years of age;

(4) As permitted or required for the disclosure of health care information pursuant to section 1711-C;

(5) To a law enforcement official for ~~law enforcement~~ verification purposes. The records may not be disclosed further than necessary to achieve the limited goals of a specific investigation; and

(6) To a registered patient's treating physician and to a registered patient's primary caregiver for the purpose of carrying out this chapter.

H. This subsection does not prohibit a physician from notifying the department if the physician acquires information indicating that a registered patient or qualifying patient is no longer eligible to use marijuana for medical purposes or that a registered patient or qualifying patient falsified information that was the basis of the physician's certification of eligibility for use.

J. A hearing concerning the revocation of a registry identification card under subsection 3-A is confidential. ~~If a registry identification card is revoked, the findings of the hearing and the revocation are public information.~~

**Sec. B-28. 22 MRSA §2425, sub-§9-A** is enacted to read:

**9-A. Registration requirement.** Registration under this section is voluntary for a qualifying patient and for a primary caregiver who is exempt under section 2423-A, subsection 3, paragraph C. Failure to register under this section does not affect authorized conduct for a qualifying patient or for a primary caregiver who is exempt under section 2423-A, subsection 3, paragraph C.

**Sec. B-29. 22 MRSA §2425, sub-§10, ¶C,** as enacted by IB 2009, c. 1, §5, is repealed.

**Sec. B-30. 22 MRSA §2426, sub-§1, ¶E,** as enacted by IB 2009, c. 1, §5, is amended to read:

E. Use or possess marijuana if that person ~~does~~ is not ~~have~~ a ~~debilitating medical condition~~ qualifying patient, primary caregiver, registered dispensary or other person authorized to use or possess marijuana under this chapter.

**Sec. B-31. 22 MRSA §2426, sub-§3-A** is enacted to read:

**3-A. Penalty for fraud.** Fraudulent misrepresentation regarding lawful possession or medical use of marijuana and fraudulent procurement under this chapter are governed by this subsection.

A. A person who misrepresents to a law enforcement official any fact or circumstance relating to the possession or medical use of marijuana under this chapter to avoid arrest or prosecution commits a civil violation for which a fine of $200 must be adjudged.

B. A qualifying patient who obtains marijuana from more than one source with the result that the person receives more than 2 1/2 ounces of prepared marijuana in a 15-day period commits a civil violation for which a fine of $200 must be adjudged.

**Sec. B-32. 22 MRSA §2428,** as amended by PL 2009, c. 631, §42 and affected by §51, is further amended to read:

**§2428. Registered dispensaries**

**1-A. Provisions pertaining to registered dispensary.** For the purpose of assisting a ~~registered~~ qualifying patient who has designated a registered dispensary to cultivate marijuana for the patient's medical use, a registered dispensary may in accordance with rules adopted by the department:

A. Possess and dispense up to 2 1/2 ounces of prepared marijuana and possess an incidental amount of marijuana for each qualifying patient who has designated the dispensary. For the purposes of this chapter, any incidental amount of marijuana ~~plants, seeds, stalks and roots, as defined by rule adopted by the department,~~ is lawful for a registered dispensary to possess and is not included in the amounts of prepared marijuana specified in this paragraph;

B. Cultivate up to 6 mature marijuana plants for each patient who has designated the dispensary to cultivate the plants on the patient's behalf subject to the limit of 6 mature plants total for a patient who also cultivates marijuana;

C. Receive reasonable monetary compensation for costs associated with assisting or for cultivating marijuana for a patient who designated the dispensary ~~through the department's registration process~~; ~~and~~

D. Assist any patient who designated the dispensary ~~through the department's registration process~~ to cultivate marijuana with the medical use or administration of marijuana~~.~~; and

E. Obtain prepared marijuana from a primary caregiver under section 2423-A, subsection 2, paragraph H.

**2. Registration requirements.** Subject to limitations on the number and location of dispensaries in subsection 11 and rules adopted pursuant to this section, this subsection governs the registration of a dispensary.

A. The department shall register a dispensary and issue a registration certificate within 30 days to any person or entity that provides:

(1) An annual fee paid to the department as set by rule, in an amount not less than $5,000 and not more than $15,000;

(2) The legal name of the dispensary, evidence of incorporation under Title 13-B and evidence that the corporation is in good standing with the Secretary of State;

(3) The physical address of the dispensary and the physical address of a maximum of one additional location, if any, where marijuana will be cultivated for patients who have designated the dispensary to cultivate for them;

(4) The name, address and date of birth of each principal officer and board member of the dispensary; and

(5) The name, address and date of birth of any person who is employed by the dispensary.

B. The department shall track the number of registered patients who designate a dispensary to cultivate marijuana for them and issue to each dispensary a written statement of the number of patients who have designated the dispensary to cultivate marijuana for them. This statement must be updated each time a new registered patient designates the dispensary or ceases to designate the dispensary. The statement may be transmitted electronically if the department's rules so provide. The department may provide by rule that the updated written statements may not be issued more frequently than once each week.

C. The department shall issue each principal officer, board member and employee of a dispensary a registry identification card within 10 days of receipt of the person's name, address and date of birth under paragraph A and a fee in an amount established by the department. Each card must specify that the cardholder is a principal officer, board member or employee of a dispensary and must contain:

(1) The name, address and date of birth of the principal officer, board member or employee;

(2) The legal name of the dispensary with which the principal officer, board member or employee is affiliated;

(3) A random identification number that is unique to the cardholder;

(4) The date of issuance and expiration date of the registry identification card; and

(5) A photograph if required by the department.

D. The department may not issue a registry identification card to any principal officer, board member or employee of a dispensary who has

been convicted of a disqualifying drug offense. The department may conduct a background check of each principal officer, board member or employee in order to carry out this provision. The department shall notify the dispensary in writing of the reason for denying the registry identification card.

**3. Rules.** ~~By July 1, 2010, the~~ The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A governing the manner in which it considers applications for and renewals of registration certificates for dispensaries, including rules governing:

A. The form and content of registration and renewal applications;

B. Minimum oversight requirements for dispensaries and the one permitted additional location at which the dispensary cultivates marijuana for medical use by ~~registered~~ qualifying patients who have designated the dispensary to cultivate for them;

C. Minimum record-keeping requirements for dispensaries, including recording the disposal of marijuana that is not distributed by the dispensary to ~~registered~~ qualifying patients who have designated the dispensary to cultivate for them;

D. Minimum security requirements for dispensaries and any additional location at which the dispensary cultivates marijuana for medical use by ~~registered~~ qualifying patients who have designated the dispensary to cultivate for them; and

E. Procedures for suspending or terminating the registration of dispensaries that violate the provisions of this section or the rules adopted pursuant to this subsection.

**4. Expiration.** A dispensary registration certificate and the registry identification card for each principal officer, board member or employee expire one year after the date of issuance. The department shall issue a renewal dispensary registration certificate and renewal registry identification cards within 10 days to any person who complies with the requirements contained in subsection 2. A registry identification card of a principal officer, board member or employee expires 10 days after notification by a dispensary that such person ceases to work at the dispensary.

**5. Inspection.** A dispensary and any additional location at which the dispensary cultivates marijuana for medical use by ~~registered patients~~ a qualifying patient who ~~have~~ has designated the dispensary to cultivate for ~~them is~~ the patient are subject to reasonable inspection by the department. The department may enter the dispensary and the one permitted additional location at which the dispensary cultivates marijuana at any time, without notice, to carry out an inspection under this subsection.

**6. Registered dispensary requirements.** This subsection governs the operations of registered dispensaries.

A. A dispensary must be operated on a not-for-profit basis for the mutual benefit of ~~registered~~ qualifying patients who have designated the dispensary to cultivate marijuana. The bylaws of a dispensary and its contracts with ~~registered~~ qualifying patients must contain such provisions relative to the disposition of revenues and receipts as may be necessary and appropriate to establish and maintain its not-for-profit status. A dispensary need not be recognized as a tax-exempt organization under 26 United States Code, Section 501(c)(3) but is required to incorporate pursuant to Title 13-B and to maintain the corporation in good standing with the Secretary of State.

B. A dispensary may not be located within 500 feet of the property line of a preexisting public or private school.

C. A dispensary shall notify the department within 10 days of when a principal officer, board member or employee ceases to work at the dispensary.

D. A dispensary shall notify the department in writing of the name, address and date of birth of any new principal officer, board member or employee and shall submit a fee in an amount established by the department for a new registry identification card before the new principal officer, board member or employee begins working at the dispensary.

E. A dispensary shall implement appropriate security measures to deter and prevent unauthorized entrance into areas containing marijuana and the theft of marijuana at the dispensary and the one permitted additional location at which the dispensary cultivates marijuana for medical use by ~~registered~~ qualifying patients who have designated the dispensary to cultivate for them.

F. The operating documents of a dispensary must include procedures for the oversight of the dispensary and procedures to ensure accurate record keeping.

G. A dispensary is prohibited from acquiring, possessing, cultivating, manufacturing, delivering, transferring, transporting, supplying or dispensing marijuana for any purpose except to assist ~~registered~~ qualifying patients who have designated the dispensary to cultivate marijuana for them ~~with~~ for the medical use of marijuana directly or through the ~~registered~~ qualifying patients' ~~other~~ primary caregivers.

H. All principal officers and board members of a dispensary must be residents of this State.

I. All cultivation of marijuana must take place in an enclosed, locked facility unless the marijuana plants are being transported between the dispensary and a location at which the dispensary cultivates ~~them~~ the marijuana plants, as disclosed to the department in subsection 2, paragraph A, subparagraph (3).

J. A dispensary that is required to obtain a license for the preparation of food pursuant to section 2167 shall obtain the license prior to preparing goods containing marijuana for medical use by a ~~registered~~ qualifying patient.

K. A dispensary shall display the dispensary's registration certificate issued under subsection 2, paragraph A in a publicly visible location in the dispensary.

**7. Maximum amount of marijuana to be dispensed.** A dispensary or a principal officer, board member or employee of a dispensary may not dispense more than 2 1/2 ounces of prepared marijuana to a ~~registered~~ qualifying patient who has designated the dispensary or to a primary caregiver on behalf of a ~~registered~~ qualifying patient who has designated the dispensary during a 15-day period.

**8-A. Immunity.** The immunity provisions in this subsection apply to a registered dispensary and officers, board members, agents and employees of the dispensary.

A. A registered dispensary is not subject to prosecution, search, seizure or penalty in any manner, including but not limited to a civil penalty or disciplinary action by a business or an occupational or professional licensing board or entity, and may not be denied any right or privilege solely for acting in accordance with this section to assist qualifying patients with the medical use of marijuana in accordance with this chapter.

B. A principal officer, board member, agent or employee of a registered dispensary is not subject to arrest, prosecution, search, seizure or penalty in any manner, including but not limited to a civil penalty or disciplinary action by a business or an occupational or professional licensing board or entity, and may not be denied any right or privilege solely for working for or with a registered dispensary to provide prepared marijuana to qualifying patients or to otherwise assist qualifying patients with the medical use of marijuana in accordance with this chapter.

**9. Prohibitions.** The prohibitions in this subsection apply to a registered dispensary.

A. A dispensary may not possess more than 6 ~~live~~ mature marijuana plants~~, as defined in rules adopted by the department,~~ for each ~~registered~~ qualifying patient who has designated the dispensary to cultivate marijuana for the ~~registered~~ qualifying patient's medical use subject to a limit of 6 mature plants total for a patient who also cultivates marijuana.

B. A dispensary may not dispense, deliver or otherwise transfer marijuana to a person other than a ~~registered~~ qualifying patient who has designated the dispensary to cultivate marijuana for the patient or to the patient's ~~other registered~~ primary caregiver.

C. The department shall immediately revoke the registry identification card of a principal officer, board member or employee of a dispensary who is found to have violated paragraph B, and such a person is disqualified from serving as a principal officer, board member or employee of a dispensary.

D. A person who has been convicted of a disqualifying drug offense may not be a principal officer, board member or employee of a dispensary.

(1) A person who is employed by or is a principal officer or board member of a dispensary in violation of this paragraph commits a civil violation for which a fine of not more than $1,000 may be adjudged.

(2) A person who is employed by or is a principal officer or board member of a dispensary in violation of this paragraph and who at the time of the violation has been previously found to have violated this paragraph commits a Class D crime.

E. A dispensary may ~~not~~ only acquire prepared marijuana or marijuana plants ~~except~~ from a primary caregiver in accordance with section 2423-A, subsection 2, paragraph H or through the cultivation of marijuana by that dispensary either at the location of the dispensary or at the one permitted additional location at which the dispensary cultivates marijuana for medical use by ~~registered~~ qualifying patients who have designated the dispensary to cultivate for them.

F. A dispensary may not contract for the cultivation of seeds, seedlings or small plants or the cultivation, production or preparation of marijuana or food containing marijuana for medical use.

**10. Local regulation.** This chapter does not prohibit a political subdivision of this State from limiting the number of dispensaries that may operate in the political subdivision or from enacting reasonable regulations applicable to dispensaries. A local government may not adopt an ordinance that is duplicative of or more restrictive than the provisions of this Act. An

ordinance that violates this subsection is void and of no effect.

**11. Limitation on number of dispensaries.** The department shall adopt rules limiting the number and location of registered dispensaries. During the first year of operation of dispensaries the department may not issue more than one registration certificate for a dispensary in each of the 8 public health districts of the department, as defined in section 411. After review of the first full year of operation of dispensaries and periodically thereafter, the department may amend the rules on the number and location of dispensaries; however, the number of dispensaries may not be less than 8.

**Sec. B-33. 22 MRSA §2429, sub-§1,** as amended by PL 2009, c. 631, §43 and affected by §51, is repealed.

**Sec. B-34. 22 MRSA §2429, sub-§3,** as amended by PL 2009, c. 631, §44 and affected by §51, is repealed.

**Sec. B-35. 22 MRSA §2430-B** is enacted to read:

**§2430-B. Admissibility of records**

A certificate, signed by the commissioner or the commissioner's designee, stating what the records of the department show on any given matter related to this chapter is admissible in evidence in all courts of this State to prove what the records of the department are on that matter. Upon testimony of a law enforcement officer that the certificate and records were obtained by that law enforcement officer from the department, the court shall admit that certificate and those records as evidence without any further foundation or testimony. If the department stores records in a computer or similar device, a printout or other output readable by sight of information stored in the department's computer or similar device, certified by the commissioner or the commissioner's designee as an accurate reflection of the stored information, is admissible in evidence to prove the content of the records.

## PART C

**Sec. C-1. Department of Health and Human Services to expunge information.** Within 60 days following the effective date of this Act, the Department of Health and Human Services shall expunge all information in the records of the State's medical use of marijuana program indicating a patient's specific medical condition. For 6 months following the effective date of this Act, cardholders under the Maine Revised Statutes, Title 22, section 2425 may request to be removed from the registry and have all of their information expunged by the State. Expungement must be completed within 60 days of receipt of a request. Beyond the allotted 6-month time for expungement requests, all new and remaining information required for a person to register as a patient or primary caregiver must be retained by the State for 6 years. The expungement requirements of this section do not apply to a record with respect to which there is a pending law enforcement investigation.

See title page for effective date.

---

## CHAPTER 408

## H.P. 1042 - L.D. 1416

### An Act To Provide Options to Municipalities Concerning the Maine Uniform Building and Energy Code

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

**Sec. 1. 10 MRSA §9721, sub-§§3 and 4** are enacted to read:

**3. Maine Uniform Building Code.** "Maine Uniform Building Code" means that portion of the Maine Uniform Building and Energy Code that does not contain energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.

**4. Maine Uniform Energy Code.** "Maine Uniform Energy Code" means that portion of the Maine Uniform Building and Energy Code that contains only energy code requirements as determined by the board pursuant to section 9722, subsection 6, paragraph L.

**Sec. 2. 10 MRSA §9722, sub-§6, ¶¶J and K,** as enacted by PL 2007, c. 699, §6, are amended to read:

J. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that nontraditional or experimental construction, including but not limited to straw bale and earth berm construction, is permissible under the code; ~~and~~

K. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that building materials from local sawmills, including but not limited to nongraded lumber, are permissible under the code~~.~~; and

**Sec. 3. 10 MRSA §9722, sub-§6, ¶L** is enacted to read:

L. Adopt, amend and maintain the Maine Uniform Building Code and the Maine Uniform Energy Code.

**Sec. 4. 10 MRSA §9724, sub-§1,** as amended by PL 2009, c. 261, Pt. A, §7, is further amended to read:

**1. Limitations on home rule authority.** This chapter provides express limitations on municipal home rule authority. ~~Beginning December 1, 2010, the~~ The Maine Uniform Building and Energy Code must be enforced in a municipality that has more than ~~2,000~~ 4,000 residents and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than ~~2,000~~ 4,000 residents and that has not adopted any building code by August 1, 2008. The Maine Uniform Building and Energy Code must be enforced through inspections that comply with Title 25, section 2373.

**Sec. 5. 10 MRSA §9724, sub-§1-A** is enacted to read:

**1-A. Municipalities up to 4,000 residents.** A municipality of up to 4,000 residents may not adopt or enforce a building code other than the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code. Notwithstanding any other provision of this chapter or Title 25, chapter 314, the provisions of the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code do not apply in a municipality that has 4,000 or fewer residents except to the extent the municipality has adopted that code pursuant to this subsection.

**Sec. 6. 25 MRSA §2373, first ¶,** as amended by PL 2009, c. 261, Pt. A, §12, is further amended to read:

~~Beginning December 1, 2010, the~~ The code must be enforced in a municipality that has more than ~~2,000~~ 4,000 residents and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the code must be enforced in a municipality that has more than ~~2,000~~ 4,000 residents and that has not adopted any building code by August 1, 2008. The code must be enforced through inspections that comply with the code through any of the following means:

See title page for effective date.

## CHAPTER 409

## H.P. 1087 - L.D. 1478

### An Act To Fully Enfranchise Voters

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

**Sec. 1. 21-A MRSA §363, sub-§5** is enacted to read:

**5. Caucus.** Following the proclamation of the Governor pursuant to section 382, a municipality that has not held a biennial caucus has 15 days to hold a caucus to nominate or elect a person to fill a vacancy under section 382.

**Sec. 2. 21-A MRSA §382, sub-§1,** as amended by PL 1997, c. 436, §57, is further amended to read:

**1. Nominees chosen.** The Governor shall order the appropriate political committees to meet and shall set the deadline for choosing nominees, which may not be less than 15 days following the Governor's proclamation declaring a vacancy. The committees shall follow the procedure outlined in section 363.

See title page for effective date.

## CHAPTER 410

## H.P. 418 - L.D. 535

### An Act To Amend the Laws Pertaining to High-stakes Beano

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

**Sec. 1. 17 MRSA §314-A, sub-§3-B** is enacted to read:

**3-B. Thirty events per year.** An organization licensed under this section other than the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs may operate high-stakes beano games up to 100 days per year. A high-stakes beano game licensed under this section and canceled for any reason may be rescheduled at any time, as long as 5 days' prior notice of the new date is given to the Chief of the State Police.

**Sec. 2. 17 MRSA §314-A, sub-§4,** as amended by PL 2009, c. 534, §1, is further amended to read:

**4. Term of license; fees.** A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is $50,000, except that the annual license fee due in 2008~~, 2009, 2010 and 2011~~ to 2013 is $25,000. License fees may be paid in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

**Sec. 3. 17 MRSA §314-A, sub-§5, ¶C,** as amended by PL 2009, c. 347, §1, is further amended to read:

C. Conduct a game outside the Indian Territory of the licensed organization or for the Houlton Band of Maliseet Indians outside of the parcel of land listed in the Aroostook County Registry of Deeds Book ~~3621~~ 4302, page ~~239~~ 168 except that the Passamaquoddy Tribe may conduct a game in

the City of Calais as approved by the municipality.

See title page for effective date.

## CHAPTER 411

## H.P. 752 - L.D. 1016

### An Act To Restore the Health Care Provider Tax to 6 Percent

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

**Sec. 1. 36 MRSA §2872, sub-§1, ¶C,** as amended by PL 2007, c. 539, Pt. X, §1, is further amended to read:

C. For whole or partial facility fiscal years beginning on or after July 1, 2003 and before January 1, 2008, the tax imposed against each residential treatment facility is equal to 6% of its annual gross patient services revenue for the corresponding whole or partial facility fiscal year; ~~and~~

**Sec. 2. 36 MRSA §2872, sub-§1, ¶D,** as enacted by PL 2007, c. 539, Pt. X, §1, is amended to read:

D. ~~Beginning~~ For whole or partial facility fiscal years beginning on or after January 1, 2008 ~~for any partial facility fiscal year and for whole facility fiscal years beginning on or after January 1, 2008~~ and before October 1, 2011, the tax imposed against each residential treatment facility is equal to 5.5% of its annual gross patient services revenue for the corresponding whole or partial facility fiscal year~~.~~; and

**Sec. 3. 36 MRSA §2872, sub-§1, ¶E** is enacted to read:

E. Beginning October 1, 2011 for any partial facility fiscal year and for whole facility fiscal years beginning on or after October 1, 2011, the tax imposed against each residential treatment facility is equal to 6% of its annual gross patient services revenue for the corresponding whole or partial facility fiscal year.

**Sec. 4. 36 MRSA §2872, sub-§2, ¶C,** as amended by PL 2007, c. 539, Pt. X, §2, is further amended to read:

C. For whole or partial facility fiscal years beginning on or after July 1, 2003 and before January 1, 2008, the tax imposed against each nursing home is equal to 6% of its annual net operating revenue for the corresponding whole or partial facility fiscal year; ~~and~~

**Sec. 5. 36 MRSA §2872, sub-§2, ¶D,** as enacted by PL 2007, c. 539, Pt. X, §2, is amended to read:

D. ~~Beginning~~ For whole or partial facility fiscal years beginning on or after January 1, 2008 ~~for any partial facility fiscal year and for whole facility fiscal years beginning on or after January 1, 2008~~ and before October 1, 2011, the tax imposed against each nursing home is equal to 5.5% of its annual net operating revenue for the corresponding whole or partial facility fiscal year~~.~~; and

**Sec. 6. 36 MRSA §2872, sub-§2, ¶E** is enacted to read:

E. Beginning October 1, 2011 for any partial facility fiscal year and for whole facility fiscal years beginning on or after October 1, 2011, the tax imposed against each nursing home is equal to 6% of its annual net operating revenue for the corresponding whole or partial facility fiscal year.

**Sec. 7. 36 MRSA §2873, sub-§4,** as enacted by PL 2001, c. 714, Pt. CC, §3 and affected by §8 and amended by PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

**4. Application of revenues.** Revenues derived by the tax imposed by this chapter must be credited to a General Fund suspense account. On the last day of each month, the State Controller shall make the following transfers:

A. All revenues received by the assessor during the month pursuant to this chapter from nursing homes net of refunds must be credited to the Nursing Facilities Other Special Revenue funds account in the Department of Health and Human Services. ~~The Commissioner of Health and Human Services is authorized to make revenue transfers from the Nursing Facilities Other Special Revenue funds account to the Medical Care - Payments to Providers Other Special Revenue funds account and the Long-Term Care - Human Services Other Special Revenue funds account in amounts not to exceed legislative allocations in any fiscal year~~ Beginning October 1, 2011, the revenues received in each fiscal year that result from the increase in the tax rate from 5.5% to 6% pursuant to section 2872, subsection 1, paragraph E must be applied first to reimburse nursing homes for the MaineCare portion of the increased tax expense, and all remaining revenue resulting from the increase must be applied to provide cost-of-living increases to MaineCare reimbursement to nursing homes and to medical and remedial private nonmedical institutions that are reimbursed room and board costs and certain other allowable costs under rules adopted by the Department of Health and Human Services. These rules must use a methodology that provides a cost-of-

living increase that ensures that such nursing facilities and medical and remedial private nonmedical institutions receive a share of the revenues through MaineCare reimbursement of allowable costs; and

B. All revenues received by the assessor during the month pursuant to this chapter from residential treatment facilities net of refunds must be credited to the Residential Treatment Facilities Assessment Other Special Revenue funds account in the Department of Health and Human Services. Beginning October 1, 2011, a percentage equal to the State's annual Federal Medical Assistance percentage of the revenues generated by the increase in the tax rate from 5.5% to 6% received by the assessor during the month must be credited to an Other Special Revenue Funds account in the Department of Health and Human Services, Developmental Services Waiver - Supports program and all revenues credited to that account must be applied to providing services to individuals on the waiting list for the community support benefit provided under a federal 1915(c) waiver under the MaineCare Benefits Manual, Chapter II, Section 29. The balance must be credited to an Other Special Revenue Funds account in the Department of Health and Human Services, Medicaid Services - Developmental Services program.

Notwithstanding the provisions of Public Law 2007, chapter 240, Part X, section 2, Public Law 2009, chapter 213, Part SSSS, section 1 or any other provision of law, any available balances in the accounts under this subsection may not be transferred between accounts by financial order or otherwise.

**Sec. 8. Appropriations and allocations.** The following appropriations and allocations are made.

## HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

### Developmental Services Waiver - Supports Z006

Initiative: Allocates funds from the increase in the residential treatment facilities assessment to be used for services to individuals on the waiting list for the waiver.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $139,230 | $184,225 |
| FEDERAL EXPENDITURES FUND TOTAL | $139,230 | $184,225 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $80,376 | $106,948 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $80,376 | $106,948 |

### Medicaid Services - Developmental Services 0705

Initiative: Allocates funds for increased costs resulting from the increase in the residential treatment facilities assessment.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $80,376 | $106,948 |
| FEDERAL EXPENDITURES FUND TOTAL | $80,376 | $106,948 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $46,400 | $62,086 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $46,400 | $62,086 |

### Nursing Facilities 0148

Initiative: Allocates funds for increased nursing facility costs resulting from the increase in the nursing facility tax.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $1,400,717 | $1,863,793 |
| FEDERAL EXPENDITURES FUND TOTAL | $1,400,717 | $1,863,793 |

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $517,514 | $692,470 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $517,514 | $692,470 |

### Nursing Facilities 0148

Initiative: Allocates funds for cost-of-living increases to MaineCare reimbursement to nursing facilities and to medical and remedial private nonmedical institutions that are reimbursed room and board costs.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,930,636 | $3,881,479 |

| | | |
|---|---|---|
| FEDERAL EXPENDITURES FUND TOTAL | $2,930,636 | $3,881,479 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| All Other | $1,691,818 | $2,253,307 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $1,691,818 | $2,253,307 |
| **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)** | | |
| **DEPARTMENT TOTALS** | **2011-12** | **2012-13** |
| **FEDERAL EXPENDITURES FUND** | **$4,550,959** | **$6,036,445** |
| **OTHER SPECIAL REVENUE FUNDS** | **$2,336,108** | **$3,114,811** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **$6,887,067** | **$9,151,256** |

See title page for effective date.

## CHAPTER 412

## S.P. 436 - L.D. 1407

### An Act To Establish the Maine Wild Mushroom Harvesting Certification Program

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

**Sec. 1. 5 MRSA §12004-I, sub-§47-H** is enacted to read:

**47-H.**

| | | | |
|---|---|---|---|
| Human Services: Public Health | Maine Wild Mushroom Harvesting Advisory Committee | Expenses Only | 22 MRSA §2175 |

**Sec. 2. 22 MRSA §2175** is enacted to read:

**§2175. Maine Wild Mushroom Harvesting Certification Program**

**1. Program established.** The Maine Wild Mushroom Harvesting Certification Program is established to ensure that properly trained persons harvest, broker and sell wild mushrooms in order to protect public health and the safety of the food supply. The program is administered by the Department of Health and Human Services for the purpose of establishing educational, training and certification requirements for persons who commercially harvest, broker and sell wild mushrooms in this State. The Commissioner of Health and Human Services shall certify persons duly qualified in the field of wild mushroom harvesting, brokering and selling in accordance with the recommendations of the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5.

**2. Certification of wild mushroom harvesters.** The Commissioner of Health and Human Services, upon consultation with the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5, shall certify persons, in accordance with the certification requirements developed by the committee pursuant to subsection 5, paragraph B, with appropriate mushroom harvesting, brokering and selling experience to sell, transfer or otherwise deliver wild mushrooms within the State. Certification is valid for a period not to exceed 5 years, unless the Department of Health and Human Services, by rule, establishes another certification period.

**3. Refusal to certify; revocation of certification.** The Department of Health and Human Services may decline to certify any person determined to lack appropriate experience or ability to safely harvest, broker or sell wild mushrooms, in accordance with recommendations of the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5 and rules adopted by the Department of Health and Human Services pursuant to this section. The Department of Health and Human Services may revoke, in accordance with the Maine Administrative Procedure Act, the certification of any person in accordance with recommendations of the Maine Wild Mushroom Harvesting Advisory Committee and rules adopted by the Department of Health and Human Services pursuant to this section.

**4. Registry.** The Department of Health and Human Services shall maintain a registry of all applicants for certification and of all certificates issued by the Department of Health and Human Services under this section.

**5. Maine Wild Mushroom Harvesting Advisory Committee.** The Maine Wild Mushroom Harvesting Advisory Committee, as established in Title 5, section 12004-I, subsection 47-H, and referred to in this subsection as "the committee," is governed by the following provisions:

A. The committee consists of the following 12 members:

(1) The director of the division of environmental health within the Department of Health and Human Services, or the director's designee, who shall serve as a cochair of the committee;

(2) The director of the division of quality assurance and regulation within the Department of Agriculture, Food and Rural Resources, or the director's designee, who shall serve as a cochair of the committee;

(3) The president of a statewide mycological association, or the president's designee, appointed by the Governor;

(4) A representative of a statewide mycological association, appointed by the Governor;

(5) The Dean of the College of Natural Sciences, Forestry, and Agriculture at the University of Maine, or the dean's designee;

(6) The director of a northern New England poison control center, or the director's designee, appointed by the Governor;

(7) A health inspector from the Department of Health and Human Services appointed by the Commissioner of Health and Human Services;

(8) A representative of a statewide restaurant association, appointed by the Governor;

(9) One representative of the wild mushroom foragers community, appointed by the Governor;

(10) One representative of the wild mushroom brokers community, appointed by the Governor;

(11) A chef or other individual with experience in the commercial preparation of food, appointed by the Governor; and

(12) A person experienced in the wholesale sale and distribution of food products, appointed by the Governor;

B. The committee has the following duties:

(1) To advise the Commissioner of Health and Human Services with respect to the certification of individuals duly qualified by reason of training and experience to engage in the harvesting, brokering and selling of wild mushrooms in this State;

(2) To identify persons to serve as technical and educational advisors in the development and implementation of training programs for individuals seeking certification as wild mushroom harvesters;

(3) To design and establish wild mushroom harvesting training programs for certification pursuant to subsection 2 for the review and approval of the Commissioner of Health and Human Services;

(4) To advise the Commissioner of Health and Human Services with respect to wild mushroom harvesting training programs conducted at least annually; and

(5) To advise the Commissioner of Health and Human Services with respect to examinations conducted at least annually for those individuals seeking certification pursuant to subsection 2;

C. Each member of the committee serves for a period of 3 years or until the member's successor is appointed. If a member is unable to complete the term, the respective appointing authority shall appoint a person to serve out the remaining portion of the unexpired term;

D. The committee shall meet at least annually and more frequently if needed to carry out its duties. Meetings may be called by the committee's cochairs or any other 2 members as is necessary to carry out the committee's duties;

E. A quorum is a majority of the members of the committee. An affirmative vote of a majority of the members present for a meeting is required for any action;

F. The Department of Health and Human Services shall provide staff assistance to the committee; and

G. The Department of Health and Human Services shall reimburse travel expenses of committee members from the Wild Mushroom Harvesting Fund established in subsection 6, if funds are available.

**6. Wild Mushroom Harvesting Fund.** The Wild Mushroom Harvesting Fund, referred to in this subsection as "the fund," is established within the Department of Health and Human Services as a separate nonlapsing account. The Commissioner of Health and Human Services shall administer the fund on behalf of the Maine Wild Mushroom Harvesting Advisory Committee under subsection 5.

A. All fees assessed pursuant to subsection 7 by the Department of Health and Human Services for training courses, materials and examinations must be deposited into the fund.

B. The Department of Health and Human Services may seek and accept gifts, donations and grants from public or private sources for deposit into the fund to carry out the purposes of this section.

C. The Department of Health and Human Services may use the fund to defray the reasonable costs incurred by the Maine Wild Mushroom Harvesting Advisory Committee in carrying out its duties.

D. The Department of Health and Human Services may use the fund to compensate trainers for providing education and outreach associated with the Maine Wild Mushroom Harvesting Certification Program established in subsection 1.

**7. Fees.** The training, examination and certification fees may not exceed $20, may be imposed no more than once every 5 years and must be established by the Department of Health and Human Services by rule. Revenues from applicants for certification pursuant to subsection 2 failing the examination must be retained in the Wild Mushroom Harvesting Fund established in subsection 6.

**8. Rules.** The Department of Health and Human Services may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Wild Mushroom Harvesting Fund N121**

Initiative: Provides a base allocation in the event that fee revenue and other revenues are received from public and private sources.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

See title page for effective date.

## CHAPTER 413

## S.P. 501 - L.D. 1570

### An Act To Reduce Energy Prices for Maine Consumers

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

**Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-4,** as enacted by PL 2009, c. 542, §4, is amended to read:

B-4. "New" as applied to any renewable capacity resource means a renewable capacity resource that:

(1) Has an in-service date after September 1, 2005;

(2) Was added to an existing facility after September 1, 2005;

(3) For at least 2 years was not operated or was not recognized by the New England independent system operator as a capacity resource and, after September 1, 2005, resumed operation or was recognized by the New England independent system operator as a capacity resource; or

(4) Was refurbished after September 1, 2005 and is operating beyond its previous useful life or is employing an alternate technology that significantly increases the efficiency of the generation process.

For the purposes of this paragraph, "capacity resource" has the same meaning as in section 3210-C, subsection 1, paragraph A. For the purposes of this paragraph, "to refurbish" means to make an investment in equipment or facilities, other than for routine maintenance and repair, to renovate, reequip or restore the renewable capacity resource.

**Sec. 2. 35-A MRSA §3210-C, sub-§3,** as amended by PL 2009, c. 518, §3, is further amended to read:

**3. Commission authority.** The commission may direct investor-owned transmission and distribution utilities to enter into long-term contracts for:

A. Capacity resources;

B. Any available energy associated with capacity resources contracted under paragraph A:

(1) To the extent necessary to fulfill the policy of subsection 2, paragraph A; or

(2) If the commission determines appropriate for purposes of supplying or lowering the cost of standard-offer service or otherwise lowering the cost of electricity for the ratepayers in the State. Available energy contracted pursuant to this subparagraph may be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids; and

C. Any available renewable energy credits associated with capacity resources contracted under paragraph A ~~to the extent the cost of the renewable energy credits is below market value or the purchase of renewable energy credits adds value to the transaction~~. The price paid by the investor-

owned transmission and distribution utility for the renewable energy credits must be lower than the price received for those renewable energy credits at the time they are sold by the investor-owned transmission and distribution utility.

~~If at any time after July 1, 2011 the commission determines that the assessments on transmission and distribution utilities under section 10110, subsections 4 and 5 will not provide sufficient funds to meet the energy efficiency program budget allocations articulated in the triennial plan approved by the commission pursuant to section 10104, subsection 4 or any annual update plan approved by the commission pursuant to section 10104, subsection 6, the commission may, after providing notification to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters, direct investor-owned transmission and distribution utilities to enter into long-term contracts for energy efficiency capacity resources and any available energy associated with such resources to the extent necessary to meet the energy efficiency program budget allocations articulated in the triennial plan or annual update plan.~~

~~The commission may direct investor-owned transmission and distribution utilities to enter into contracts under this subsection only as agents for their customers, only when such contracts are in the best interest of customers and only in accordance with this section.~~ The commission may permit, but may not require, investor-owned transmission and distribution utilities to enter into contracts for differences that are designed and intended to buffer ratepayers in the State from potential negative impacts from transmission development. To the greatest extent possible, the commission shall develop procedures for long-term contracts for investor-owned transmission and distribution utilities under this subsection having the same legal and financial effect as the procedures used for standard-offer service pursuant to section 3212 for investor-owned transmission and distribution utilities.

The commission may enter into contracts for interruptible, demand response or energy efficiency capacity resources. These contracts are not subject to the rules of the State Purchasing Agent. In a competitive solicitation conducted pursuant to subsection 6, the commission shall allow transmission and distribution utilities to submit bids for interruptible or demand response capacity resources.

Capacity resources contracted under this subsection may not exceed the amount necessary to ensure the reliability of the electric grid of this State, to meet the energy efficiency program budget allocations articulated in the triennial plan as approved by the commission pursuant to section 10104, subsection 4 or any annual update plan approved by the commission pursuant to section 10104, subsection 6 or to lower customer costs as determined by the commission pursuant to rules adopted under subsection 10.

Unless the commission determines the public interest requires otherwise, a capacity resource may not be contracted under this subsection unless the commission determines that the capacity resource is recognized as a capacity resource for purposes of any regional or federal capacity requirements.

The commission shall ensure that any long-term contract authorized under this subsection is consistent with the State's goals for greenhouse gas reduction under Title 38, section 576 and the regional greenhouse gas initiative as described in the state climate action plan required in Title 38, section 577.

**Sec. 3. 35-A MRSA §3210-C, sub-§§11 and 12** are enacted to read:

**11. Customer benefits.** The commission may direct investor-owned transmission and distribution utilities to enter into contracts under this section only as agents for their customers and only when such contracts are in the best interest of customers and in accordance with this subsection. The commission shall adopt rules to ensure that:

A. To the extent the benefits to ratepayers of a long-term contract are projected to occur in the later years of the contract term, the commission shall ensure that adequate financial security is in place so that it is reasonably likely ratepayers will obtain the projected benefits of the long-term contract; and

B. To the extent practicable, ratepayers obtain the benefit of lower cost capacity resources of energy associated with those resources or of any renewable energy credits that may exist after the term of primary financing or subsequent replacement financing necessary for the development and construction of a generation project is completed.

**12. Triennial plan energy efficiency contracts.** The commission, in accordance with this subsection, may direct transmission and distribution utilities to enter into long-term contracts with the trust to meet the energy efficiency program budget allocations articulated in the triennial plan approved by the commission pursuant to section 10104, subsection 4.

A. If the commission determines that the assessments on transmission and distribution utilities under section 10110, subsections 4 and 5 will not provide sufficient funds to meet the energy efficiency program budget allocations articulated in the triennial plan or any annual update plan approved by the commission pursuant to section 10104, subsection 6, the commission may direct investor-owned transmission and distribution utilities to enter into long-term contracts for energy efficiency capacity resources and any avail-

able energy associated with those resources to the extent necessary to meet the energy efficiency program budget allocations articulated in the triennial plan or annual update plan. If those contracts result in a fee or assessment on ratepayers, the commission may only direct an investor-owned transmission and distribution utility to enter into those contracts if:

(1) The commission provides notification to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters of the proposed contract or contracts; and

(2) The Legislature:

(a) Specifically authorizes the contract or contracts; or

(b) Allocates an amount of funds from the account established under paragraph B that is no less than the total funds that will be deposited in the account under all proposed contracts over the full terms of those contracts.

B. The Energy Efficiency Capacity Contract Account, referred to in this paragraph as "the account," is established in the Efficiency Maine Trust. The account is a nonlapsing account. Except as otherwise expressly directed by legislation approving the contract or contracts pursuant to paragraph A, subparagraph (2), division (a), all payments from contracts entered into pursuant to this subsection must be deposited in the account. Notwithstanding Title 5, section 1667-B, the State Budget Officer may not allot an amount in any fiscal year that is greater than the allocation pursuant to paragraph A, subparagraph (2), division (b).

**Sec. 4. 35-A MRSA §3210-E, sub-§5,** as enacted by PL 2009, c. 627, §5 and affected by §12, is amended to read:

**5. Electricity sales.** Notwithstanding section 3210, the sale of electricity by a competitive electricity provider to a qualified Pine Tree Development Zone business established under Title 30-A is exempt from the requirements of that section ~~and, at the request of the competitive electricity provider, sales to~~ unless the qualified Pine Tree Development Zone ~~businesses must be excluded from any calculation by~~ business requests the commission to ~~determine compliance with that section~~ waive the exemption for the sale of electricity to that Pine Tree Development Zone business.

The commission may adopt routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, to implement this subsection.

**Sec. 5. Prohibition.** Except for long-term contracts entered into pursuant to Public Law 2009, chapter 615, Part A, section 6, the Public Utilities Commission may not direct transmission and distribution utilities to enter into long-term contracts pursuant to the Maine Revised Statutes, Title 35-A, section 3210-C after the effective date of this Act until the major substantive rules required under Title 35-A, section 3210-C, subsection 11 are finally adopted.

**Sec. 6. Report.** The Public Utilities Commission shall study the portfolio requirements established under the Maine Revised Statutes, Title 35-A, section 3210, subsection 3-A. The study must include an analysis of:

1. The source and cost of renewable energy credits used to satisfy the portfolio requirements;

2. The impact of renewable energy credits generated in this State on the regional renewable energy credit market;

3. The impact of the portfolio requirements on the viability of electricity generating facilities in this State that are eligible to meet the portfolio requirements;

4. The impact of the portfolio requirements on electricity costs;

5. If the portfolio requirements result in an increase in electricity costs, to the extent possible, the impact of that increase on economic development in this State;

6. The cost of the use of the alternative compliance payment mechanism under Title 35-A, section 3210, subsection 9 for electricity consumers in this State and, to the extent information is available, the reasons competitive electricity providers use the alternative compliance payment mechanism;

7. The best practices for setting the alternative compliance payment rate; and

8. To the extent possible, the benefits resulting from the portfolio requirements, including, but not limited to, tangible benefits and community benefits pursuant to Title 35-A, section 3454, economic benefits due to the creation of jobs or investments in this State including multiplier effects, research and development investment in this State, the impact on electricity rates and benefits due to diversifying this State's energy generation portfolio.

The commission may consult with the Department of Economic and Community Development and the Department of Environmental Protection to complete this report. The commission may contract with one or more qualified entities to complete the report in whole or in part.

To the extent possible, the commission shall complete the study within existing resources. If additional resources are needed, the commission may confer with the Office of the Public Advocate to identify the nec-

essary funding and may accept funds from the Office of the Public Advocate for the purposes of this section.

The commission shall submit a report of its findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology by January 31, 2012. After reviewing the report, the committee may submit a bill related to the findings in the report to the Second Regular Session of the 125th Legislature.

**Sec. 7. Application to long-term contracts for offshore wind and tidal energy.** Notwithstanding Public Law 2009, chapter 615, Part A, section 6, the portions of this Act that amend the Maine Revised Statutes, Title 35-A, section 3210-C do not apply to contracts entered into pursuant to Public Law 2009, chapter 615, Part A, section 6.

See title page for effective date.

## CHAPTER 414

## S.P. 496 - L.D. 1553

### An Act To Create a Public Charter School Program in Maine

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

**Sec. 1. 5 MRSA §12004-G, sub-§10-D** is enacted to read:

**10-D.**

| | | | |
|---|---|---|---|
| Education | State Charter School Commission | Travel Expenses Only | 20-A MRSA §2405, sub-§8 |

**Sec. 2. 20-A MRSA §1, sub-§26, ¶F,** as enacted by PL 2007, c. 668, §1, is amended to read:

F. A municipal or quasi-municipal district responsible for operating public schools that has not reorganized as a regional school unit pursuant to chapter 103-A; ~~and~~

**Sec. 3. 20-A MRSA §1, sub-§26, ¶G,** as amended by PL 2009, c. 580, §2, is further amended to read:

G. A municipal school unit, school administrative district, community school district, regional school unit or any other quasi-municipal district responsible for operating public schools that forms a part of an alternative organizational structure approved by the commissioner~~.~~; and

**Sec. 4. 20-A MRSA §1, sub-§26, ¶H** is enacted to read:

H. A public charter school authorized under chapter 112 by an entity other than a local school board.

**Sec. 5. 20-A MRSA c. 112** is enacted to read:

## CHAPTER 112

## PUBLIC CHARTER SCHOOLS

**§2401. Definitions**

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

**1. At-risk pupil.** "At-risk pupil" means a pupil who has an economic or academic disadvantage that requires special services and assistance to enable the student to succeed in educational programs. "At-risk pupil" includes, but is not limited to, pupils who are members of economically disadvantaged families, pupils who are identified as having special educational needs, pupils who are limited in English proficiency, pupils who are at risk of dropping out of high school and pupils who do not meet minimum standards of academic proficiency.

**2. Authorizer.** "Authorizer" means an entity empowered under this chapter to review applications, decide whether to approve or reject applications, enter into charter contracts with applicants, oversee and monitor public charter schools and decide whether to renew, not renew or revoke charter contracts.

**3. Charter contract.** "Charter contract" means a performance-based contract for a fixed term between a public charter school and an authorizer that describes performance expectations, defines operational responsibilities and outlines the autonomy and accountability for each party to the contract.

**4. Conversion public charter school.** "Conversion public charter school" means a public charter school that existed as a noncharter public school before becoming a public charter school.

**5. Education service provider.** "Education service provider" means an education management organization, charter management organization, school design provider or any other partner entity with whom a public charter school intends to contract for a limited scope of education services and resources, including education design, implementation or management.

**6. Governing board.** "Governing board" means the independent board of a public charter school that is party to the charter contract with the authorizer and whose members have been elected or selected pursuant to the school's application.

**7. Local school board.** "Local school board" means a school board exercising management and control of a school administrative unit other than a public charter school formed under this chapter.

**8. Noncharter public school.** "Noncharter public school" means a public school other than a school formed pursuant to this chapter.

**9. Public charter school.** "Public charter school" means a public school formed pursuant to this chapter that:

A. Has autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum and instruction;

B. Is governed by a board that is independent of a school administrative unit;

C. Is established and operated under the terms of a charter contract between the governing board and its authorizer in accordance with this chapter;

D. Is a school to which parents choose to send their children;

E. Provides a program of education that:

(1) Includes one or more of the following: preschool, prekindergarten and any grade or grades from kindergarten to grade 12;

(2) May include a focus on students with special needs, such as at-risk pupils, English language learners or students involved with the juvenile justice system;

(3) May include a specific academic approach or theme, such as:

(a) Vocational and technical training;

(b) Natural resources and the environment;

(c) Farming, fishing and forestry;

(d) Foreign language and culture;

(e) Visual and performing arts;

(f) Science, mathematics and technology; and

(g) Project-based learning, experiential learning or online instruction;

F. Operates in pursuit of a specific set of educational objectives as defined in its charter contract; and

G. Operates under the oversight of the authorizer from which its charter contract is granted and in accordance with its charter contract.

**10. Start-up public charter school.** "Start-up public charter school" means a public charter school that did not exist as a noncharter public school prior to becoming a public charter school.

**11. Virtual public charter school.** "Virtual public charter school" means a public charter school that offers education services predominantly through an online program.

**§2402. Public charter schools authorized**

Charter schools may be established as public schools pursuant to this chapter to improve pupil learning by creating more high-quality schools with high standards for pupil performance; to close achievement gaps between high-performing and low-performing groups of public school students; to increase high-quality educational opportunities within the public education system; to provide alternative learning environments for students who are not thriving in traditional school settings; to create new professional opportunities for teachers and other school personnel; to encourage the use of different, high-quality models of teaching and other aspects of schooling; and to provide students, parents, community members and local entities with expanded opportunities for involvement in the public education system.

**§2403. Role of the department; commissioner; rules**

**1. Information and technical assistance.** The department shall disseminate information on how to form and operate a public charter school and on how to enroll in a public charter school once the school is created. The department may provide assistance and guidance to authorizers in developing effective authorization and oversight procedures.

**2. Applications for federal funds.** The department may apply for assistance from the federal charter school grant program on behalf of potential and actual public charter schools in the State.

**3. Use of federal funds.** If the department receives a grant from the federal charter school grant program on behalf of potential and actual public charter schools, the grant must be used according to the applicable federal law and primarily for planning and start-up grants to public charter school organizers and for such activities as:

A. Providing information and technical assistance to potential and actual public charter school organizers and authorizers; and

B. Allocating funds to support the work of potential and actual authorizers.

**4. Principles and professional standards.** The department shall establish policies and practices consistent with nationally recognized principles and professional standards for authorizers of public charter schools, including standards relating to:

A. Organizational capacity and infrastructure;

B. Soliciting and evaluating applications;

C. Performance contracting;

D. Ongoing public charter school oversight and evaluation; and

E. Charter renewal decision making.

**5. Investigation and sanction of authorizers.** Consistent with the policies and practices established in subsection 4, the department may investigate and, as appropriate, institute sanctions in response to deficiencies in authorizer performance or legal compliance.

**6. Rules.** The department shall adopt major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A to implement this chapter.

**7. Reports.** Four years after public charter schools have been in operation, the commissioner shall issue to the Governor, the Legislature and the public a report on the State's public charter school program, drawing from the annual reports submitted by every authorizer pursuant to section 2405, subsection 4, as well as any additional relevant data compiled by the commissioner up to the school year ending in the preceding calendar year. The report must include an assessment of the public charter school program's successes, challenges and areas for improvement in meeting the purposes of this chapter and any suggested changes in state law or policy necessary to strengthen the public charter school program. The commissioner shall issue a similar report after 8 years of operation of public charter schools.

**§2404. Public charter school eligibility; enrollment**

**1. Eligibility.** Any student residing in the State is eligible to apply to a public charter school.

**2. Enrollment.** A public charter school shall enroll students in accordance with this subsection.

A. Public charter school organizers shall include all segments of the populations served by the existing noncharter public schools in their area in their recruitment efforts.

B. A public charter school shall enroll all students who wish to attend the school, unless the number of students exceeds the enrollment capacity of a program, class, grade level or building.

C. Except as provided in paragraphs H and I, if capacity is insufficient to enroll all students who wish to attend the school, the public charter school shall select students through a random selection process. A list maintained to fill potential vacancies may be carried over to the succeeding year.

D. For a school administrative unit with an enrollment of 500 or fewer students, a public charter school, unless authorized by a school administrative unit, may not enroll more than 5% of a school administrative unit's noncharter public school students per grade level in each of the first 3 years of the public charter school's operation.

E. For a school administrative unit with an enrollment of more than 500 students, a public charter school, unless authorized by a school administrative unit, may not enroll more than 10% of a school administrative unit's noncharter public school students per grade level in each of the first 3 years of the public charter school's operation.

F. A public charter school may limit enrollment to pupils within a given age group or grade level and may be organized around a special emphasis, theme or concept as stated in the school's application for a charter contract pursuant to section 2407.

G. Any noncharter public school converting partially or entirely to a public charter school shall adopt and maintain a policy that gives enrollment preference to pupils who reside within the former attendance area of that noncharter public school.

H. A public charter school shall give enrollment preference to pupils enrolled in the public charter school the previous school year and to siblings of pupils already enrolled in the public charter school.

I. A public charter school may give enrollment preference to children of a public charter school's founders, governing board members and full-time employees, as long as they constitute no more than 10% of the school's total student population.

J. A public charter school may enroll students from outside the State if space is available.

**3. Discrimination prohibited.** A public charter school may not discriminate on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, income level, disabling condition, proficiency in the English language or academic or athletic ability, except that nothing in this subsection may be construed to limit the formation of a public charter school that is dedicated to focusing education services on at-risk pupils, students with disabilities and students who pose such severe disciplinary problems that they warrant a specific education program.

**§2405. Authorizers**

**1. Eligible authorizers.** The following groups may become authorizers of public charter schools:

A. A local school board with regard to creating a public charter school within the boundaries of the school administrative unit governed by that local school board;

B. The commission under subsection 8; and

C. A collaborative among authorizing entities that forms to set up a regional public charter school.

**2. Powers and duties.** An authorizer may:

A. Solicit, invite and evaluate applications from organizers of proposed public charter schools;

B. Approve applications that meet identified educational needs;

C. Deny applications that do not meet identified educational needs;

D. Create a framework to guide the development of charter contracts;

E. Negotiate and execute sound charter contracts with each approved public charter school;

F. Monitor the performance and compliance of public charter schools; and

G. Determine whether each charter contract merits renewal or revocation.

**3. Principles and professional standards.** An authorizer shall develop and maintain policies and practices consistent with nationally recognized principles and professional standards for authorizing public charter schools, including standards relating to:

A. Organizational capacity and infrastructure;

B. Soliciting and evaluating applications;

C. Performance contracting;

D. Ongoing public charter school oversight and evaluation; and

E. Charter renewal decision making.

**4. Reporting and evaluation.** An authorizer shall submit to the commissioner an annual report within 60 days of the end of each school fiscal year summarizing:

A. The authorizer's strategic vision for chartering and progress toward achieving that vision;

B. The performance of all operating public charter schools overseen by the authorizer, according to the performance measures and expectations specified in the charter contracts;

C. The status of the authorizer's public charter school portfolio of approved charter applications, identifying all public charter schools within that portfolio as:

(1) Approved, but not yet open;

(2) Operating;

(3) Renewed;

(4) Transferred;

(5) Terminated;

(6) Closed; or

(7) Never opened; and

D. The oversight and services provided by the authorizer to the public charter schools under the authorizer's purview.

**5. Funding of authorizers.** To cover costs for overseeing public charter schools in accordance with this chapter, an authorizer may:

A. Expend its own resources, seek grant funds and establish partnerships to support its public charter school office and activities; and

B. Charge up to 3% of annual per-pupil allocations received by each public charter school it authorizes. These funds must be used to cover the costs for an authorizer to oversee its public charter schools.

**6. Conflicts of interest.** An employee, trustee, agent or representative of an authorizer may not simultaneously serve as an employee, trustee, agent, representative, vendor or contractor of a public charter school of that authorizer.

**7. Services purchased from authorizer.** A public charter school may not be required to purchase services from its authorizer as a condition of charter approval or of executing a charter contract, nor may any such condition be implied.

A. A public charter school may, at its discretion, choose to purchase services from its authorizer. In such event, the public charter school and authorizer shall execute an annual service contract, separate from the charter contract, stating the parties' mutual agreement concerning any services to be provided by the authorizer and any service fees to be charged to the public charter school.

**8. State Charter School Commission.** The State Charter School Commission, established under Title 5, section 12004-G, subsection 10-D, is referred to in this chapter as "the commission."

A. The commission consists of 7 members appointed by the state board for 3-year terms.

(1) Three members must be members of the state board, and those 3 members shall nominate the other 4 members who must be approved by a majority vote of the state board.

(2) Members appointed to the commission must have diverse professional experience in education, social services, youth training, business startup and administration, accounting and finance, strategic planning and nonprofit governance. The following provisions apply to the appointment of the 4 other members nominated and appointed by state board members pursuant to subparagraph (1):

(a) In appointing members to the commission, the state board shall give proper consideration to candidates with experi-

ence in a noncharter public school in the State in one of the following positions: school board member, superintendent, teacher and special education director;

(b) The state board shall ensure that the joint standing committee of the Legislature having jurisdiction over education matters has an opportunity to meet and interview the candidate or candidates nominated for the commission;

(c) Within 10 days of meeting with the candidate or candidates, the joint standing committee of the Legislature having jurisdiction over education matters shall deliver to the state board its written appraisal of the strengths and weaknesses of the candidate or candidates; and

(d) The state board shall consider the appraisal of the joint standing committee of the Legislature having jurisdiction over education matters prior to appointing a candidate or candidates to the commission.

(3) A commission member may not serve more than 3 consecutive terms, but may serve again after not serving on the commission for at least one term.

(4) A commission member may not receive compensation, but may be reimbursed for travel expenses.

B. The commission shall adopt rules to develop, implement and refine its procedures for authorizing public charter schools in this State. Rules adopted by the commission pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

C. The commission shall, in keeping with its authorizing responsibilities:

(1) Engage professional and administrative staff, separate from the department;

(2) Convene stakeholder groups and engage experts; and

(3) Seek and receive state, federal and private funds.

D. The commission is the sole authorizer in this State for virtual public charter schools, except that a local school board may authorize a public charter school within its jurisdiction that integrates online and on-site instruction.

**9. Transition period.** The public charter school program set out in this chapter must begin with a 10-year transition period, beginning on the effective date of this chapter. During the transition period, the commissioner shall register the charters approved by all authorizers in chronological order by date of approval under this chapter. During the transition period, only 10 public charter schools may be approved by authorizers other than local school boards. Once the cap is reached, the commissioner may not accept further registrations from authorizers other than local school boards and only local school boards may approve charters until the end of the transition period.

This subsection is repealed July 1, 2022.

**§2406. Request for proposals**

**1. Issuance.** To invite, solicit, encourage and guide the development of high-quality public charter school applications, an authorizer shall issue and broadly publicize requests for proposals. The content and dissemination of the requests for proposals must be consistent with the purposes and requirements of this chapter.

**2. Content.** An authorizer's request for proposals must contain information outlined in this subsection.

A. A request for proposals must present the authorizer's strategic vision for and interests in chartering.

B. Authorizers may give priority to proposals that expand opportunities for children who are not realizing their full potential, who may be disaffected or disengaged in their current education situations and who may be at risk of failure academically, socially, economically or personally. Authorizers may encourage proposals that include a specific academic approach or theme to address the diverse educational needs of communities in the State. A request for proposals must include a clear statement of any priority or preference the authorizer wishes to grant to particular types of applications. Notwithstanding an authorizer's statement of any priority or preference, an authorizer shall consider each application submitted to it based on the merits of that particular application.

C. A request for proposals must include or otherwise direct applicants to the performance framework that the authorizer has developed for public charter school oversight and evaluation in accordance with section 2409.

D. A request for proposals must include the criteria and standards that will guide the authorizer's decision to approve or deny an application.

E. A request for proposals must state clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful public charter school.

F. A request for proposals must require applications to provide or describe thoroughly, at a minimum, all of the following essential elements of the proposed public charter school plan:

(1) The proposed public charter school's vision, including:

(a) An executive summary;

(b) The mission and vision of the proposed public charter school, including identification of the targeted student population and the community the school hopes to serve; and

(c) Evidence of need and community support for the proposed public charter school, including information on discussions with the school administrative unit where the public charter school will be located concerning recruitment and operations of the public charter school and possible collaboration with nearby school administrative units;

(2) The proposed public charter school's governance plan, including:

(a) Background information on proposed board members and any assurances or certifications required by the authorizer;

(b) Proposed governing bylaws;

(c) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff and any related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school;

(d) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team and any other entities shown on the organization chart;

(e) Identification of the proposed founding governing board members and, if identified, the proposed school leader or leaders; and

(f) Background information on the school's leadership and management team, if identified;

(3) The proposed public charter school's plan of organization, including:

(a) The location or geographic area of the school;

(b) The grades to be served each year for the full term of the charter;

(c) Minimum, planned and maximum enrollment per grade per year for the term of the charter;

(d) The school's proposed calendar and sample daily schedule;

(e) Plans and timelines for student recruitment and enrollment, including lottery procedures;

(f) Explanations of any partnerships or contractual relationships central to the school's operations or mission;

(g) The school's proposals for providing transportation, food service and other significant operational or ancillary services;

(h) A facilities plan, including backup or contingency plans if appropriate;

(i) A detailed school start-up plan, identifying tasks, timelines and responsible individuals; and

(j) A closure protocol, outlining orderly plans and timelines for transitioning students and student records to new schools and for appropriately disposing of school funds, property and assets in the event of school closure;

(4) The proposed public charter school's finances, including:

(a) A description of the school's financial plan and policies, including financial controls and audit requirements;

(b) Start-up and 3-year budgets with clearly stated assumptions;

(c) Start-up and first-year cash-flow projections with clearly stated assumptions;

(d) Evidence of anticipated fund-raising contributions, if claimed in the application; and

(e) A description of the insurance coverage the school proposes to obtain;

(5) The proposed public charter school's student policy, including:

(a) The school's plans for identifying and successfully serving students with the wide range of learning needs and styles typically found in noncharter public schools of the sending area;

(b) The school's plans for compliance with applicable laws, rules and regulations; and

(c) The school's student discipline plans and policies, including those for special education students;

(6) The proposed public charter school's academic program, including:

(a) A description of the academic program aligned with the statewide system of learning results under section 6209;

(b) A description of the school's instructional design, including the type of learning environment, such as classroom-based or independent study, class size and structure, curriculum overview, teaching methods and research basis;

(c) The school's plan for using internal and external assessments to measure and report student progress on the measures and metrics of the performance framework developed by the authorizer in accordance with section 2409; and

(d) A description of cocurricular or extracurricular programs and how they will be funded and delivered; and

(7) The proposed public charter school's staff policy, including:

(a) A staffing chart for the school's first year and a staffing plan for the term of the charter;

(b) Plans for recruiting and developing school leadership and staff;

(c) The school's leadership and teacher employment policies, including performance evaluation plans; and

(d) Opportunities and expectations for parent involvement.

G. With respect to the conversion of an existing noncharter public school to public charter school status, in addition to the other requirements of this subsection, the request for proposals must require applicants to demonstrate support for the proposed conversion public charter school by submitting 2 petitions, one signed by a majority of teachers in the existing noncharter public school and the other signed by a majority of parents of students in the existing noncharter public school.

If the school to be converted is the only public school option for students in the school administrative unit, the request for proposals must additionally require that the conversion be approved by voters in that school administrative unit.

H. With respect to a proposed public charter school that intends to contract with an education service provider for a limited scope of education or management services, in addition to the other requirements of this subsection, the request for proposals must require applicants to:

(1) Explain how and why the education service provider was selected;

(2) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;

(3) Provide information on the proposed duration of the service contract; roles and responsibilities; scope of services and resources to be provided by the education service provider; performance evaluation measures and timelines; compensation structure, including clear identification of all fees to be paid to the education service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(4) Provide a draft of the proposed service contract;

(5) Explain the relationship between the governing board, the school's leadership and management team and the education service provider, specifying how the governing board and the school's leadership and management team will monitor and evaluate the performance of the education service provider, the internal controls that will guide the relationship and how the governing board and the school's leadership and management team will ensure fulfillment of performance expectations;

(6) Provide a statement of assurance that the governing board and the school's leadership and management team is legally and operationally independent from the education service provider; and

(7) Disclose and explain any existing or potential conflicts of interest between the governing board, the school's leadership and management team and the education service provider or any affiliated business entities.

Nothing in this paragraph prohibits a virtual public charter school from entering into a contract with an education service provider for education design, implementation or comprehensive management of the virtual public charter school program.

**§2407. Charter applications**

**1. Application.** An applicant for approval as a public charter school must submit an application as set out in this section. An applicant may submit an application only to an authorizer that has issued a request for proposals in accordance with section 2406. An applicant may submit a proposal for a particular public charter school to no more than one authorizer at a time. The purposes of the application are to present the proposed public charter school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans and provide the authorizer a clear basis for assessing the applicant's plans and capacities.

**2. Conversion of existing noncharter public schools.** A noncharter public school or public school program may apply to its local school board to become a conversion public charter school.

**3. Start-up schools.** An application for a start-up public charter school may be submitted by a nonprofit, nonreligious organization. If the organizers of a start-up public charter school have been affiliated with a previous school or education program, they must form a separate nonprofit organization in this State to be eligible for state and federal grants.

**4. Application review process.** In reviewing and evaluating applications, authorizers shall employ procedures, practices, criteria and standards consistent with nationally recognized principles and standards for authorizing high-quality public charter schools.

A. The application review process must include, at a minimum, substantive participation by a team of reviewers who collectively possess appropriate academic expertise and operational experience with public charter schools.

B. The application review process must include a thorough evaluation of each application, an in-person interview with the applicant and a public hearing.

C. In deciding whether to approve applications, authorizers shall:

(1) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school;

(2) Base decisions on documented evidence collected through the application review process; and

(3) Follow charter-granting policies and practices that are transparent, based on merit and avoid conflicts of interest or any appearance of a conflict of interest.

**5. Approval; denial.** No later than 90 days after the filing of an application, an authorizer shall decide to approve or deny the application. The authorizer shall make and announce all charter approval or denial decisions in a meeting open to the public.

A. An approval decision may include, if appropriate, reasonable conditions that the applicant must meet before a charter contract may be executed.

B. If the authorizer denies an application, the authorizer shall clearly state, for public record, its reasons for denial. An applicant may subsequently reapply to that authorizer or apply to any other authorizer in the State.

C. Within 10 days of taking action to approve or deny an application, the authorizer shall report to the commissioner the action it has taken. The authorizer shall provide a copy of the report to the applicant at the same time that the report is submitted to the commissioner.

D. The commissioner shall register the charters approved by all chartering authorities in chronological order by date of approval.

E. An approved application may not serve as a school's charter contract nor may it be incorporated by reference into the charter contract.

F. A decision on an application must be conveyed in writing to the applicant. A decision may grant approval or conditional approval, request resubmission or reject the application and must include written reasons for the decisions.

**§2408. Charter contracts**

**1. Charter contracts.** When an application is approved, a charter contract must be executed in accordance with this section.

A. After approval of an application and no later than 60 days prior to the opening date of the public charter school, the authorizer and the governing board shall execute a charter contract that sets forth:

(1) Performance provisions describing the academic and operational performance expectations and measures by which the public charter school will be judged; and

(2) Administrative provisions articulating the administrative relationship between the authorizer and the public charter school, including each party's rights and duties.

B. The performance provisions set forth in a charter contract under paragraph A must include but need not be limited to applicable federal and state accountability requirements.

C. The performance provisions set forth in a charter contract under paragraph A may be refined or amended by mutual agreement of the parties to the charter contract after the public charter school is operating and has collected baseline achievement data for its enrolled students.

D. A charter contract must be signed by a designated representative of the authorizer and of the public charter school's governing board.

E. A public charter school may not commence operations without a charter contract executed in accordance with this section and approved in a meeting open to the public.

**2. Virtual public charter schools.** The charter contract of a virtual public charter school must require the governing board to:

A. Provide each student enrolled in the virtual public charter school with online courses that meet or exceed state standards and all instructional materials required for the student's participation in the school;

B. Ensure that the persons who operate the virtual public charter school on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the school;

C. Ensure that a parent of each student verifies the number of hours of educational activities completed by the student each school year; and

D. Adopt a plan by which the governing board provides:

(1) Frequent, ongoing monitoring to ensure and verify that each student is participating in the virtual public charter school, including synchronous contact between teachers and students and between teachers and parents to ensure and verify student participation and learning;

(2) Regular instructional opportunities in real time that are directly related to the virtual public charter school's curricular objectives, including, but not limited to, meetings with teachers and educational field trips and outings;

(3) Verification of ongoing student attendance in the virtual public charter school;

(4) Verification of ongoing student progress and performance in each course as documented by ongoing assessments and examples of student course work; and

(5) Administration to all students in a proctored setting of all applicable assessments as required by the State.

Nothing in this subsection prohibits a virtual public charter school from reimbursing families of enrolled students for costs associated with their Internet connection for use in the program.

Only students enrolled in a virtual public charter school as full-time students may be reported in the virtual public charter school's average pupil count to the department for the purposes of receiving local, state and federal funds.

**§2409. Public charter school performance framework**

**1. Performance framework.** The performance provisions of a charter contract must be based on a performance framework developed by the authorizer that sets forth the academic and operational performance indicators that will guide the authorizer's evaluations of each public charter school.

**2. Data elements.** The performance framework developed under subsection 1 must include, at a minimum, indicators for:

A. Student academic proficiency;

B. Student academic growth;

C. Achievement gaps in both proficiency and growth between major student subgroups;

D. Attendance;

E. Recurrent enrollment from year to year;

F. With respect to high school, postsecondary readiness;

G. Financial performance and sustainability;

H. Governing board performance and stewardship; and

I. Parent and community engagement.

**3. Annual performance targets.** Annual performance targets must be set by a public charter school in conjunction with its authorizer and must be designed to help each school meet applicable federal and state requirements and authorizer expectations.

**4. Data disaggregation.** The performance framework developed under subsection 1 must require the disaggregation of all student performance data by major student subgroups.

**5. Reports for multiple campuses.** With respect to a public charter school that contains multiple campuses operating under a single charter contract or overseen by a single governing board, the performance framework developed under subsection 1 must require the performance of each campus to be reported separately and must hold each campus independently accountable for its performance.

**§2410. Oversight**

**1. Data collection; monitoring.** For each public charter school it oversees, the authorizer is responsible for collecting, analyzing and reporting all data from state assessments in accordance with the performance framework developed under section 2409, subsection 1. An authorizer shall monitor the performance and legal compliance of the public charter schools it oversees, including collecting and analyzing all data to support ongoing evaluation according to the charter contract.

**2. Notification of unsatisfactory performance or compliance.** In the event that a public charter school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the public charter school of perceived problems and provide reasonable opportunity for the school to remedy the problems.

**§2411. Charter term and renewal**

**1. Initial charter term.** The term for an initial charter may not commence before July 1, 2012. An initial charter must be granted for a term of 5 operating years. The charter term commences on the public charter school's first day of operation. An approved public charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the public charter school requires an opening delay of more than one school year, the public charter school must request an extension from its authorizer. The authorizer may grant or deny the extension depending on the particular public charter school's circumstances.

**2. Charter renewal term.** A charter may be renewed for successive terms of 5 years, although an authorizer may grant a renewal for a term not to exceed 15 years based on the performance, demonstrated capacities and particular circumstances of each public charter school. If a charter is renewed for more than 5 years, the authorizer shall still issue a public charter school performance report every 5 years as called for by subsection 3. An authorizer may grant renewal with specific conditions for necessary improvements to a public charter school.

**3. Authorizer renewal responsibilities.** No later than June 30th of a public charter school's 4th year of operation under each 5-year term of a charter contract, the authorizer shall issue a public charter school performance report. If the charter of the public charter school is expiring, the authorizer shall offer charter renewal application guidance to the school.

A. The performance report required in this subsection must summarize the public charter school's performance record to date, based on the data required by this chapter and the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the school that may jeopardize its position in seeking renewal if not timely rectified. The school must be given the opportunity to respond to the performance report and submit any corrections or clarifications for the report.

B. The renewal application guidance required by this subsection must include or refer explicitly to the criteria and standards that will guide the authorizer's renewal decisions, which must be based on the performance framework under section 2409 set forth in the charter contract and consistent with this chapter. The renewal application guidance must, at a minimum, require and provide an opportunity for the public charter school to:

(1) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;

(2) Describe improvements undertaken or planned for the school; and

(3) Detail the school's plans for the next charter term.

**4. Renewal application.** No later than September 30th of a public charter school's 5th year of operation under a term of a charter contract or September 30th of a public charter school's final authorized year of operation under a term of a charter contract, the governing board of a public charter school seeking renewal shall submit a renewal application to the authorizer pursuant to any renewal application guidance offered by the authorizer under subsection 3.

**5. Renewal decision.** An authorizer shall rule by resolution on a renewal application under this section no later than 45 days after the filing of the renewal application. In making charter renewal decisions, every authorizer shall:

A. Ground its decisions in evidence of the public charter school's performance over the term of the charter in accordance with the performance framework under section 2409 set forth in the charter contract;

B. Ensure that data used in making renewal decisions are available to the public charter school and the public; and

C. Provide a public report summarizing the evidence basis for each decision.

**6. Charter revocation and nonrenewal.** A decision by an authorizer to revoke or not to renew the charter of a public charter school must be made in accordance with this subsection.

A. A charter may be revoked at any time or not renewed if the authorizer determines that the public charter school failed to comply with the provisions of this chapter or:

(1) Committed a material violation of any of the terms, conditions, standards or procedures required under this chapter or the charter contract;

(2) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(3) Failed to meet generally accepted standards of fiscal management; or

(4) Violated any provision of law from which the school was not exempted.

B. If an authorizer revokes or does not renew a charter, the authorizer shall clearly state, in a resolution of its governing entity, the reasons for the revocation or nonrenewal.

**7. Notification to commissioner.** Within 10 days of taking action to renew, not renew or revoke a charter under this section, the authorizer shall report to the commissioner the action taken and shall provide a copy of the report to the public charter school at the same time that the report is submitted to the commissioner. The report must include a copy of the governing entity of the authorizer's resolution setting forth the action taken and reasons for the decision.

**8. School closure and dissolution.** If a public charter school closes for any reason:

A. The authorizer shall oversee and work with the closing public charter school to ensure timely notification to parents, orderly transition of students and student records to new schools and proper disposition of school funds, property and assets in accordance with the requirements of this chapter; and

B. The assets of the public charter school must be distributed first to satisfy outstanding payroll obligations for employees of the public charter school and then to creditors of the public charter school. Any remaining funds must be paid to the Treasurer of State to the credit of the General Fund. If the assets of the public charter school are insufficient to pay all parties to whom the public charter school owes compensation, the prioritization of the distribution of assets may be determined by decree of a court of law.

**9. Charter transfers.** A charter contract and its oversight may not be transferred from one authorizer to another before the expiration of the charter contract term except by mutual agreement of all parties.

**§2412. Operations**

**1. Legal status.** Notwithstanding any provision of law to the contrary, to the extent that any provision of this chapter is inconsistent with any other state or local law, rule or regulation, the provisions of this chapter govern and are controlling.

A. A public charter school is subject to all federal laws and authorities, to local law not inconsistent with this chapter and to the charter contract.

B. A charter contract may include one or more schools, to the extent approved by the authorizer and consistent with applicable law. Each public charter school that is part of a charter contract must be separate and distinct from any others.

C. A single governing board may be issued one or more charter contracts. Each public charter school operating under its own contract is a discrete legal entity, separate and distinct from any others.

**2. Local educational agency status.** The following provisions govern the status of public charter schools as local educational agencies.

A. In the case of a public charter school authorized by a local school board:

(1) The school administrative unit in which the public charter school is located remains the local educational agency and the public charter school is a school within that local educational agency;

(2) The public charter school receives services, resources and support in the same manner as other school administrative unit noncharter public schools, except that the public charter school is treated as a local educational agency for purposes of applying for competitive federal grants; and

(3) The school administrative unit retains responsibility for special education and serves students in public charter schools in a manner consistent with local educational agency obligations under applicable federal, state and local law and the charter contract.

B. In the case of a public charter school authorized by the commission:

(1) The public charter school functions for all purposes as a local educational agency and is a school administrative unit independent of the school administrative unit in which the school is located. School administrative unit status does not preclude a public charter school from developing links to local school districts for services, resources and programs, by mutual agreement or by formal contract;

(2) To the extent permitted by federal, state or local laws, the public charter school is responsible for meeting the requirements of local educational agencies under applicable federal, state and local laws, including those relating to special education, receipt of funds

and compliance with funding requirements; and

(3) To the extent permitted by federal, state or local laws, the public charter school has primary responsibility for special education at the school, including identification and provision of service, and is responsible for meeting the needs of enrolled students with disabilities.

**3. Powers of public charter schools.** A public charter school has all the powers necessary for carrying out the terms of its charter contract, including the powers to:

A. Receive and disburse funds for school purposes;

B. Contract or cooperate with noncharter public schools for service for students with special needs, English language learner students and other specialized populations, as well as for mutually agreed administrative services;

C. Secure appropriate insurance and enter into contracts and leases, free from prevailing wage laws;

D. Contract with an education service provider for a limited scope of education services and resources related to the management and operation of the public charter school, as long as the public charter school's governing board retains authority over the oversight and management of the public charter school;

E. Incur debt in reasonable anticipation of the receipt of public or private funds, except that an authorizer is not responsible for any debt incurred by the public charter school;

F. Pledge, assign or encumber its assets to be used as collateral for loans or extensions of credit;

G. Solicit and accept any gifts or grants for public charter school purposes subject to applicable laws and the terms of its charter contract;

H. Acquire real property for use as its facility or facilities from public or private sources; and

I. Sue and be sued in its own name.

**4. General requirements.** A public charter school is subject to the general requirements set out in this subsection.

A. A public charter school may not discriminate against any person on the basis of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin or on any other basis that would be unlawful if done by a noncharter public school.

B. A public charter school may not engage in any religious practices in its educational program, admissions or employment policies or operations.

C. A public charter school may not charge tuition and may only charge such fees as may be imposed by other noncharter public schools in the State. A public charter school may charge tuition to an out-of-state student admitted to the school on a space-available basis.

D. A public charter school must have a plan that describes how the school will meet the transportation needs of its students.

E. The powers, obligations and responsibilities set forth in a charter contract may not be delegated or assigned by either party, except as provided in section 2411, subsection 9.

**5. Applicability of other laws, rules and regulations.** The applicability of other laws, rules and regulations to public charter schools is as set out in this subsection.

A. Public charter schools are subject to the same civil rights and health and safety requirements applicable to other noncharter public schools in the State, except as otherwise specifically provided in this chapter.

B. Public charter schools are subject to the same student assessment and accountability requirements applicable to other noncharter public schools in the State, but nothing in this chapter precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the school's authorizer approves such measures.

C. Governing boards are subject to and must comply with Title 1, chapter 13.

D. Except as provided in this chapter and its charter contract, a public charter school is exempt from all statutes and rules applicable to a noncharter public school, a local school board or a school administrative unit. School administrative units may not interpret this paragraph as reducing their obligation to provide education for their residents.

E. A public charter school is exempt from the restrictions normally associated with any state-funded categorical education funding program.

F. Employees and other public charter school personnel are subject to criminal history record checks and fingerprinting requirements applicable to other noncharter public schools.

**6. Teachers.** This subsection governs teacher employment in a public charter school.

A. A public charter school must comply with applicable federal laws and regulations regarding the

qualification of teachers and other instructional staff.

B. All full-time teachers in a public charter school must either hold an appropriate teaching certificate or become certified within 3 years of the date they are hired, except for those with an advanced degree, professional certification or unique expertise or experience in the curricular area in which they teach.

C. Teachers at a public charter school may choose to bargain collectively or form a professional group in accordance with this paragraph.

(1) Teachers who are employees of the public charter school have the same rights as other teachers in public education to organize and bargain collectively. Bargaining units at the public charter school must be separate from other bargaining units, such as a district bargaining unit. Staff at noncharter public schools converting to public charter schools have a right to employment benefits as stated in applicable collective bargaining agreements or they may vote to be represented in alternative ways.

(2) A teacher who is an employee of the public charter school may choose to be part of a professional group that operates the instructional program under an agreement with the public charter school, forming a partnership or producer cooperative that the teachers collectively own.

(3) Teachers who are employees of the public charter school may not be required to be members of any existing collective bargaining agreement between a school administrative unit and its employees. A public charter school may not interfere with civil service laws or other applicable rules protecting the rights of employees to organize and be free from discrimination.

**7. External audit.** A public charter school shall adhere to generally accepted accounting principles and shall annually engage an external auditor to do an independent audit of the school's finances. The public charter school shall submit the audit to its authorizer and to the department.

**§2413. Funding**

**1. Enrollment count.** Students enrolled in and attending public charter schools must be reported to the department, for attendance and funding purposes, as provided in department rules.

**2. Revenue provisions.** All state and local operating funds follow each student to the public charter school attended by the student, except that the school administrative unit of the student's residence may retain up to 1% of the per-pupil allocation described in this subsection to cover associated administrative costs.

A. For each public charter school student, the school administrative unit in which the student resides must forward the per-pupil allocation to the public charter school attended by the student as follows.

(1) The per-pupil allocation amount is the EPS per-pupil rate for the school administrative unit in which the student resides, as calculated pursuant to section 15676, based on the student's grade level and adjusted as appropriate for economic disadvantage and limited English proficiency pursuant to section 15675, subsections 1 and 2. For transportation expenses, the average per-pupil expense in each school administrative unit of residence must be calculated and a per-pupil allocation of that amount must be forwarded to the public charter school attended on the same basis as the per-pupil allocations for operating funds. Debt service and capital outlays may not be included in the calculation of these per-pupil allocations. The department shall adopt rules governing how to calculate these per-pupil allocations, including those for gifted and talented programs, vocational, technical and career education programs, and targeted funds for assessment technology and kindergarten to grade 2 programs.

(2) For students attending public charter schools, the school administrative unit of residence shall forward the per-pupil allocations described in subparagraph (1) directly to the public charter school attended. These per-pupil allocations must be forwarded to each public charter school on a quarterly basis, as follows. For each fiscal year, allocations must be made in quarterly payments on September 1st, December 1st, March 1st and June 1st. The September payment must be based on the number of students enrolled or anticipated to be enrolled in the public charter school at the opening of school for that school year, which may not exceed the maximum enrollment approved in the charter contract for that year unless a waiver is obtained from the authorizer. In February of the school year, if the number of students is higher or lower than the number of students at the beginning of the school year, adjustments must be made in the June payment, with 50% of the annual per-pupil allocation added for additional students or subtracted if the total number of students is lower.

B. The following provisions govern special education funding.

(1) For each enrolled special education pupil, a public charter school must receive the average additional allocation calculated by the department for each school administrative unit for its special education students. These allocations must be paid on the same basis as the per-pupil allocations for operating funds.

(2) The school administrative unit of residence shall pay directly to the public charter school any federal or state aid attributable to a student with a disability attending the public charter school in proportion to the level of services for the student with a disability that the public charter school provides directly or indirectly.

C. Except as otherwise provided in this chapter, the State shall send applicable federal funds directly to public charter schools attended by eligible students. Public charter schools with students eligible for funds under Title I of the federal Elementary and Secondary Education Act of 1965, 20 United States Code, Section 6301 et seq. must receive and use these funds in accordance with federal and state law. During the first year of operation, a public charter school must receive Title I funds on the basis of an estimated enrollment of eligible students, as agreed with its authorizer.

D. A public charter school may receive gifts and grants from private sources in any manner that is available to a school administrative unit.

E. A public charter school may not levy taxes or issue bonds secured by tax revenues.

F. In the event of the failure of the school administrative unit to make payments required by this section, the Treasurer of State shall deduct from any state funds that become due to the school administrative unit an amount equal to the unpaid obligation. The Treasurer of State shall pay over the amount to the public charter school upon certification by the department. The department shall adopt rules to implement the provisions of this paragraph.

G. Any money received by a public charter school from any source and remaining in the school's accounts at the end of any budget year remains in the school's accounts for use by the school during subsequent budget years and may not revert to the authorizer or to the State.

H. Nothing in this chapter may be construed to prohibit any person or organization from providing funding or other assistance for the establishment or operation of a public charter school. The governing board of a public charter school may accept gifts, donations or grants of any kind made to the school and expend or use such gifts, donations or grants in accordance with the conditions prescribed by the donor except that a gift, donation or grant may not be accepted if subject to a condition that is contrary to any provision of law or term of the charter contract.

I. Public charter schools have the same access as other noncharter public schools to any risk pool for high-cost special education services and to any fund for fiscal emergencies.

J. The department may establish a method of transferring funds to public charter schools that is an alternative to the method provided in this subsection.

**§2414. Facilities**

**1. Facilities; property.** A public charter school may acquire facilities and property in accordance with this subsection.

A. A public charter school has a right of first refusal to purchase or lease at or below fair market value a closed noncharter public school facility or property or unused portions of a noncharter public school facility or property located in a school administrative unit from which it draws its students if the school administrative unit decides to sell or lease the noncharter public school facility or property. The school administrative unit may not require purchase or lease payments that exceed the fair market value of the property.

B. A public charter school may negotiate and contract with a school administrative unit, the governing body of a state college or university or public community college or any other public or for-profit or nonprofit private entity for the use of a school building.

C. Library, community service, museum, performing arts, theater, cinema, church, community college, college and university facilities may provide space to public charter schools within their facilities under their preexisting zoning and land use designations.

D. A public charter school may purchase or lease at or below fair market value part or all of any surplus or unused state-owned facility or property located in the State. The state agency in control of the facility may not require purchase or lease payments that exceed the fair market value of the property.

E. The same zoning rules that apply to other noncharter public schools apply to public charter schools.

**2. Inspection; building code.** The municipality in which a facility of a public charter school is located

is the agency that has jurisdiction for the purposes of inspection of the facility and issuance of a certificate of occupancy for the facility. If the facility is located in an unorganized area of the State, the county has jurisdiction for those purposes. A facility of a public charter school is subject to the same building codes, regulations and fees that apply to other noncharter public schools.

**3. Taxes.** A facility, or portion thereof, used to house a public charter school is exempt from property taxes.

**§2415. Miscellaneous**

**1. Transfer of credits.** If a student who was previously enrolled in a public charter school enrolls in another noncharter public school in this State, the school to which the student transfers must accept credits earned by the student in courses or instructional programs at the public charter school in a uniform and consistent manner and according to the same criteria that are used to accept academic credits from other noncharter public schools.

**2. Access to extracurricular and interscholastic activities.** A public charter school is eligible for state-sponsored or school administrative unit-sponsored interscholastic leagues, competitions, awards, scholarships and recognition programs for students, educators, administrators and schools to the same extent as noncharter public schools. A public charter school student is eligible to participate in extracurricular activities not offered by the student's public charter school at the noncharter public school within the attendance boundaries of which the student's custodial parent or legal guardian resides or the noncharter public school from which the student withdrew for the purpose of attending a public charter school. A public charter school student is eligible for extracurricular activities at a noncharter public school subject to eligibility standards applied to full-time students of the noncharter public school. A school administrative unit or noncharter public school may not impose additional requirements on a public charter school student to participate in extracurricular activities that are not imposed on full-time students of the noncharter public school. Public charter school students shall pay the same fees as other students to participate in extracurricular or cocurricular activities. For each public charter school student who participates in an extracurricular or cocurricular activity at a noncharter public school, the public charter school must pay a reasonable share of the noncharter public school's costs for the activity, as determined through negotiations between the schools involved.

**3. Retirement.** A public charter school may establish a retirement plan or plans for employees. If a public charter school chooses to set up a plan with the Maine Public Employees Retirement System, the public charter school may establish a participating local district plan with the Maine Public Employees Retirement System under Title 5, chapter 425.

**Sec. 6. Review of retirement laws.** The Maine Public Employees Retirement System shall review the laws governing participating local districts' retirement plans and shall submit, by December 1, 2011, a report to the Joint Standing Committee on Appropriations and Financial Affairs that includes any proposed legislation necessary to fully implement this Act.

**Sec. 7. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 20-A, section 2405, subsection 8, of the initial members of the State Charter School Commission, one member who is also a member of the State Board of Education serves a 3-year term, one member who is a member of the state board serves a 2-year term and one member who is a member of the state board serves a one-year term. Two members who are approved by the state board serve 3-year terms, one serves a 2-year term and one serves a one-year term.

**Sec. 8. Public charter school; operational date.** Notwithstanding the Maine Revised Statutes, Title 1, section 302, a public charter school application submitted to an authorizer, as defined in Title 20-A, section 2401, subsection 2, before July 1, 2012 is subject to statutory amendments enacted or rule amendments adopted after the effective date of this Act and before July 1, 2012.

**Sec. 9. Department report.** The Department of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs by November 1, 2011. The report must include the status of the following initiatives:

1. A draft version of the major substantive rules that the department determines are necessary to implement this Act, including but not limited to rules relating to the provision and funding of special education services to public charter school students, the process for transferring funds to public charter schools and standards for department oversight and authority over public charter school authorizers. The provisionally adopted rules must be transmitted to the Legislature on or before January 13, 2012;

2. The department's proposed guidelines and interpretations regarding the procedures necessary to implement the public charter school legislation and the applicability of state laws and rules to public charter schools; and

3. The draft legislation that the department plans to submit to clarify or amend the statutory provisions established by this Act or that the department determines is necessary to implement a public charter school program in the State.

**Sec. 10. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**Charter School Program N083**

Initiative: Provides base allocations beginning in fiscal year 2012-13 for the public charter schools program.

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $500 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $500 |

See title page for effective date.

## CHAPTER 415

## H.P. 1143 - L.D. 1557

### An Act To Raise the Speed Limit on Interstate 95 between the City of Old Town and the Town of Houlton

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

**Sec. 1. 29-A MRSA §2052, sub-§6,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**6. Ways with speed limit of 65 or more miles per hour.** An operator driving on a limited-access way with a speed limit of 65 or more miles per hour is restricted in ordinary operation to the right-hand lane and may use adjacent lanes for overtaking and passing another vehicle, but must return to the right-hand lane at the earliest opportunity. This requirement does not apply to an authorized emergency vehicle, or to a vehicle otherwise directed by posted signs, a law enforcement officer or a highway maintenance crew.

**Sec. 2. 29-A MRSA §2073, sub-§1, ¶C,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. Make an adjustment of maximum rates of speed. An adjustment under this paragraph is exempt from the provisions of the Maine Administrative Procedure Act.

The commissioner may not set maximums that exceed 60 miles per hour or, on the interstate system or other divided controlled-access highways, 65 miles per hour or 75 miles per hour on the Interstate Highway System from the City of Old Town to the Town of Houlton.

The commissioner may not set maximums for the Maine Turnpike.

**Sec. 3. 29-A MRSA §2074, sub-§3-A,** as enacted by PL 1995, c. 584, Pt. B, §9, is amended to read:

**3-A. Minimum fine.** A person who operates a motor vehicle on the Maine Turnpike or the Interstate Highway System at a speed that exceeds the posted speed of 65 miles per hour or of 75 miles per hour on the Interstate Highway System from the City of Old Town to the Town of Houlton by less than 30 miles per hour commits a traffic infraction punishable by a fine of not less than $50.

See title page for effective date.

## CHAPTER 416

## H.P. 71 - L.D. 83

### An Act To Legalize the Sale, Possession and Use of Fireworks

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

**Sec. 1. 8 MRSA §221-A, sub-§1-A** is enacted to read:

**1-A. Consumer fireworks.** "Consumer fireworks" has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer fireworks" does not include the following products:

A. Missile-type rockets, as defined by the State Fire Marshal by rule;

B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and

C. Sky rockets and bottle rockets. For purposes of this paragraph, "sky rockets and bottle rockets" means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.

**Sec. 2. 8 MRSA §221-A, sub-§3-A** is enacted to read:

**3-A. Fire safety official.** "Fire safety official" means a state or municipal official who has authority

to enforce life and fire safety laws, statutes, ordinances, rules or regulations.

**Sec. 3. 8 MRSA §221-A, sub-§4,** as amended by PL 2011, c. 202, §1, is further amended to read:

**4. Fireworks.** "Fireworks" means any:

A. Combustible or explosive composition or substance;

B. Combination of explosive compositions or substances;

C. Other article that was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including blank cartridges or toy cannons in which explosives are used, the type of balloon that requires fire underneath to propel it, firecrackers, torpedoes, skyrockets, roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents and other fireworks of like construction;

D. Fireworks containing any explosive or flammable compound; or

E. Tablets or other device containing any explosive substance or flammable compound.

The term "fireworks" does not include consumer fireworks or toy pistols, toy canes, toy guns or other devices in which paper caps or plastic caps containing 25/100 grains or less of explosive compound are used if they are constructed so that the hand can not come in contact with the cap when in place for the explosion, toy pistol paper caps or plastic caps that contain less than 20/100 grains of explosive mixture, sparklers that do not contain magnesium chlorates or perchlorates or signal, antique or replica cannons if no projectile is fired.

**Sec. 4. 8 MRSA §223, sub-§1,** as amended by PL 2003, c. 452, Pt. C, §3 and affected by Pt. X, §2, is further amended to read:

**1. Sale of fireworks prohibited.** ~~A~~ Except for the sale of consumer fireworks under section 223-A, a person may not sell, possess with the intent to sell or offer for sale fireworks.

**Sec. 5. 8 MRSA §223-A** is enacted to read:

**§223-A. Sale of consumer fireworks**

**1. Sale of consumer fireworks.** A person may not sell consumer fireworks unless that person is 21 years of age or older and possesses:

A. A federal permit to sell fireworks under 18 United States Code, Section 843;

B. A license under subsection 3; and

C. A municipal permit if required under subsection 2.

**2. Municipalities.** The legislative body of a municipality may adopt an ordinance to prohibit or restrict the sale or use of consumer fireworks within the municipality. Municipalities that prohibit or restrict the sale or use of consumer fireworks shall provide to the Office of the State Fire Marshal a copy of the relevant restriction or prohibition within 60 days of adoption. A municipality may require that a person obtain a municipal permit for selling consumer fireworks within the municipality. A municipality that chooses to issue municipal permits under this subsection shall notify the Office of the State Fire Marshal at least 60 days prior to the initiation of its permitting program for the sale of consumer fireworks. A municipal permit may not be issued unless:

A. The applicant is 21 years of age or older;

B. The applicant applies for a permit under this subsection on a form prescribed by the commissioner;

C. The applicant possesses the federal permit required under subsection 1, paragraph A;

D. The applicant complies with the provisions of subsection 4; and

E. The application is approved by the municipality's police chief, fire chief and code enforcement officer if those positions exist.

A municipality may require a reasonable fee for a permit issued under this subsection. A person holding a permit issued by a municipality under this subsection may not sell consumer fireworks unless the person satisfies all the requirements of subsection 1.

**3. State license.** The commissioner may issue a license to sell consumer fireworks to an applicant who:

A. Is 21 years of age or older;

B. Possesses the permits required under subsection 1, paragraphs A and C;

C. Complies with the provisions of subsection 4; and

D. Has not been convicted of an offense or violated a state, federal or municipal law, rule or regulation involving fireworks or explosives within the 2 years prior to the application.

The commissioner shall charge a fee of $5,000 for the initial license issued to an applicant and $1,500 for each annual license renewal. The term of a license is one year. A separate license is required for each location at which an applicant seeks to sell consumer fireworks. Fees collected under this subsection must be deposited in a nonlapsing account of the Office of the State Fire Marshal to be used for the purpose of enforcing this section.

**4. Storage and handling.** A person authorized to sell consumer fireworks under subsection 1 may

store and sell the fireworks only in a permanent, fixed, stand-alone building dedicated solely to the storage and sale of consumer fireworks in accordance with this subsection.

A. The building must be constructed, maintained and operated, and all consumer fireworks must be stored, in compliance with the requirements of National Fire Protection Association Standard 1124, as adopted by the Office of the State Fire Marshal, relevant building codes, zoning ordinances and other municipal ordinances.

B. The building may not be less than 60 feet from another permanent building and may not be less than 300 feet from a structure at which gasoline, propane or other flammable material is sold or dispensed.

C. Cigarettes, tobacco products or lighters or other flame-producing devices may not be permitted in the building.

D. A person under 21 years of age may not be admitted to the building unless accompanied by a parent or guardian.

E. Notwithstanding paragraph D, a person at least 18 years of age may handle and sell consumer fireworks if the person is under the direct supervision of a person 21 years of age or older.

**5. Insurance.** A person authorized to sell consumer fireworks under subsection 1 shall at all times maintain public liability and product liability insurance with minimum coverage limits of $2,000,000 to cover the losses, damages or injuries that might ensue to persons or property as a result of the person selling consumer fireworks.

**6. Advertising.** A person may not advertise the sale of consumer fireworks in a way that is misleading about the conditions under which consumer fireworks may be purchased or used or about the requirements of this section. An advertisement for the sale of consumer fireworks must contain the words "Check with your local fire department to see if consumer fireworks are allowed in your community" in a conspicuous location and in a consistent font as approved by the commissioner.

**7. Civil liability.** A person who violates the provisions of this section is liable in a civil action for damages for bodily injury or property damage resulting from violation, and the defenses under Title 14, section 156 or a defense based on assumption of risk may not be used by the person.

**8. Restrictions on use of consumer fireworks.** The use of consumer fireworks is governed by this subsection.

A. Consumer fireworks may be used between the hours of 9:00 a.m. and 10:00 p.m., except that on the following dates they may be used between the hours of 9:00 a.m. and 12:30 a.m. the following day:

(1) July 4th;

(2) December 31st; and

(3) The weekends immediately before and after July 4th and December 31st.

B. A person may use consumer fireworks only on that person's property or on the property of a person who has consented to the use of consumer fireworks on that property.

A person who violates this subsection commits a civil violation for which a fine of not less than $50 and not more than $500, plus court costs, may be adjudged for any one offense.

**9. Enforcement against licensees.** The commissioner, a state law enforcement officer, a municipal law enforcement officer, a code enforcement officer or a fire safety official may petition the Superior Court or District Court to seize or remove at the expense of a licensee consumer fireworks sold, offered for sale, stored, possessed or used in violation of this section. The commissioner may immediately suspend a license granted under subsection 3 for a violation of this section. A person whose license is suspended under this subsection must receive a hearing within 10 days of the suspension under Title 5, chapter 375, subchapter 4. A person whose license is suspended under this subsection may not receive a license under subsection 3 for a period of at least one year from the date of suspension.

**10. Disclosures to customers.** A person authorized to sell consumer fireworks shall provide to the purchaser at the point of sale written guidelines describing the safe and proper use of consumer fireworks. The guidelines must also include the following statements in a conspicuous location: "MAINE LAW EXPRESSLY PROHIBITS PERSONS UNDER 21 YEARS OF AGE FROM PURCHASING, POSSESSING OR USING CONSUMER FIREWORKS" and "FURNISHING CONSUMER FIREWORKS TO PERSONS UNDER 21 YEARS OF AGE IS A CRIMINAL OFFENSE IN MAINE." Such guidelines must be published or approved by the commissioner prior to distribution.

**11. Prohibited acts.** This subsection governs prohibited acts.

A. A person may not sell consumer fireworks within the State unless that person holds a valid license or is an employee or agent of a person that holds a valid license.

B. A person licensed to sell consumer fireworks under this chapter may not sell consumer fireworks to a person under 21 years of age or who

appears to be under the influence of alcohol or drugs.

C. Except as specifically allowed under subsection 4, paragraph E, a person may not knowingly:

(1) Procure, or in any way aid or assist in procuring, furnish, give, sell or deliver consumer fireworks for or to a person under 21 years of age; or

(2) Allow a person under 21 years of age under that person's control or in a place under that person's control to possess or use consumer fireworks.

D. A person under 21 years of age may not purchase, use or possess consumer fireworks within the State or present to a person licensed to sell consumer fireworks any evidence of age that is false, fraudulent or not actually the person's own for the purpose of purchasing consumer fireworks.

It is an affirmative defense to prosecution for a violation of paragraph B or C that the licensee sold consumer fireworks to a person under 21 years of age in reasonable reliance upon fraudulent proof of age presented by the purchaser.

**12. Violations.** The following penalties apply to violations of subsection 11.

A. A person who violates subsection 11, paragraph A, B or C commits a Class D crime. If the violation involves furnishing consumer fireworks to a minor, a fine of not less than $500 must be imposed in addition to any term of imprisonment the court may impose. If a person violates subsection 11, paragraph A, B or C after having been convicted of violating the same paragraph one or more times within the previous 6-year period, a fine of not less than $1,000 must be imposed in addition to any term of imprisonment the court may impose.

B. A person who violates subsection 11, paragraph D commits a civil violation for which a fine of not less than $200 and not more than $400 must be imposed. If the person has been previously convicted of violating subsection 11, paragraph D one or more times, a fine of not less than $300 and not more than $600 must be imposed.

Fines collected under this subsection must be deposited in a nonlapsing account of the Office of the State Fire Marshal to be used for the purpose of enforcing this section.

**13. Annual report to the Legislature.** Beginning in 2013, the Office of the State Fire Marshal shall submit to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters a written report regarding the sale and use of consumer fireworks in this State. The report must, at a minimum, include information on the issuance and oversight of licenses to sell consumer fireworks, reported consumer fireworks-related injuries, reported consumer fireworks-related fires or other property damage and municipal restrictions or prohibitions on the sale or use of consumer fireworks. The report must be submitted not later than March 1st each year.

**Sec. 6. 8 MRSA §236,** as enacted by PL 1999, c. 671, §12, is repealed and the following enacted in its place:

**§236. Adoption of rules**

**1. Routine technical rules.** The commissioner may adopt rules concerning the sale, use, storage, transportation and display of consumer fireworks, fireworks and special effect pyrotechnics and to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**2. Major substantive rules.** After December 31, 2013, the commissioner may adopt rules governing the reporting of consumer fireworks-related injuries by health care providers. Rules adopted pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

**Sec. 7. Method for reporting data regarding consumer fireworks-related injuries.** The Office of the State Fire Marshal shall work with the statewide associations representing hospitals and physicians to develop a method for health care providers to collect and report voluntarily to the Office of the State Fire Marshal data regarding injuries related to consumer fireworks as defined in the Maine Revised Statutes, Title 8, section 221-A. This data may not include personally identifying information on persons treated, but may include information on the age of the person treated, the type and severity of the injury and, if known, the type of consumer firework involved in the injury.

**Sec. 8. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Fire Marshal - Office of 0327**

Initiative: Provides appropriations and allocations for one Public Safety Inspector II position and one Office Associate II position and related costs to inspect entities licensed to sell consumer fireworks.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $12,708 | $93,361 |
| All Other | $15,100 | $22,700 |
| Capital Expenditures | $25,000 | $0 |

| | | |
|---|---|---|
| GENERAL FUND TOTAL | $52,808 | $116,061 |
| **OTHER SPECIAL REVENUE FUNDS** | **2011-12** | **2012-13** |
| POSITIONS - LEGISLATIVE COUNT | 2.000 | 2.000 |
| Personal Services | $50,000 | $40,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $50,000 | $40,000 |

**Sec. 9. Effective date.** This Act takes effect January 1, 2012.

Effective January 1, 2012.

## CHAPTER 417

## H.P. 1044 - L.D. 1418

### An Act To Allow Table Games at a Facility Licensed To Operate Slot Machines on January 1, 2011

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

**Sec. 1. 8 MRSA §1001, sub-§5-A,** as enacted by IB 2009, c. 2, §2, is amended to read:

**5-A. Casino.** "Casino" means a facility ~~in Oxford County, other than a commercial track~~ licensed in accordance with this chapter, where gambling activities occur, including, but not limited to, the operation of slot machines and table games.

**Sec. 2. 8 MRSA §1011, sub-§2-A,** as enacted by IB 2009, c. 2, §29, is amended to read:

**2-A. Persons eligible for casino operator license.** The board may accept an application for a casino operator license to operate slot machines and table games at a casino from a commercial track licensed to operate a slot machine facility on January 1, 2011 for the same location where slot machines were operated on January 1, 2011 and any person if that person and casino satisfy the following criteria:

A. The casino is located on a parcel of land in Oxford County that is:

(1) No less than 50 acres in size; and

(2) Located not more than:

(a) Thirty miles from a Level I or Level II trauma center verified as such by the American College of Surgeons or successor organization;

(b) Fifteen miles from the main office of a county sheriff;

(c) Twenty-five miles from the main office of a state police field troop;

(d) Thirty miles from an interchange of the interstate highway system;

(e) Ten miles from a fire station;

(f) Ten miles from a facility at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year; and

(g) One-half mile from a state highway as defined in Title 23, section 1903, subsection 15.

For the purposes of this paragraph, distances are determined by measuring along the most commonly used roadway, as determined by the Department of Transportation;

B. The criteria adopted through rulemaking by the board regarding the licensing of the operation of slot machines and table games;

C. The operation of a casino is approved by the voters of the municipality in which the casino to be licensed is located in a referendum election or by a vote of the municipal officers in the municipality in which the casino is to be licensed and located held at any time after October 1, 2009 and on or before December 31, 2011;

D. The person owns a facility that is within 10 miles of the proposed casino at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year; and

E. The slot machines and table games are located and operated in the casino.

**Sec. 3. 8 MRSA §1011, sub-§3,** as amended by IB 2009, c. 2, §29, is further amended to read:

**3. Requirements for license; continued commercial track licensure.** The board may not issue a license to operate a slot machine facility or a casino to any person unless that person demonstrates compliance with the qualifications set forth in sections 1016 and 1019. To maintain eligibility for a slot machine operator license or a casino operator license under subsection 2-A issued to a commercial track with slot machines, a licensed commercial track must at all times maintain a license to operate a commercial track~~,~~ without lapse, suspension or revocation~~, and a licensed commercial track is not eligible for a license to operate table games but may apply for a license to operate slot machines as long as the licensed commercial track satisfies the requirements of this chapter~~.

**Sec. 4. 8 MRSA §1018, sub-§1, ¶C-1,** as enacted by IB 2009, c. 2, §34, is amended to read:

C-1. The initial application fee for a casino operator license is $225,000, except that the initial application fee for an applicant that is a commercial track that was licensed to operate slot machines as of January 1, 2011 is $25,000. The annual renewal fee is $80,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing casino operators and determined by dividing the costs of administering the casino operator licenses by the total number of casino operators licensed by the board. In addition, a casino operator shall pay an initial gaming table fee of $100,000 for the privilege to operate each gaming table for a period of 20 years as long as the casino operator is licensed. Each gaming table is also subject to an annual gaming table renewal fee of $1,000. The gaming table fees authorize the casino operator to conduct any authorized table game at the gaming table during the 20-year period. A casino licensed in accordance with section 1011, subsection 2-A, paragraph A is not required to pay the gaming table fees until after one calendar year of table game operation. Fees collected in accordance with this paragraph must be deposited to the Gambling Control Board administrative expenses Other Special Revenue Funds account, which is a nonlapsing dedicated account.

**Sec. 5. 8 MRSA §1019, sub-§6,** as amended by IB 2009, c. 2, §35, is further amended to read:

**6. Proximity of licensed casinos and slot machine facilities.** A casino operator license or slot machine operator license may not be issued under this chapter to operate any casino or slot machine facility located within 100 miles of a licensed casino or slot machine facility. This subsection does not prohibit a commercial track that was licensed to operate slot machines on January 1, 2011 from obtaining a casino operator license for the same facility where slot machines were operated as of January 1, 2011.

**Sec. 6. 8 MRSA §1019, sub-§7,** as enacted by IB 2009, c. 2, §36, is amended to read:

**7. Statewide and county referendum; municipal vote.** After January 1, 2011, any proposed casino or slot machine facility may not be issued a license unless it has been approved by a statewide referendum vote and a vote of the municipal officers or municipality in which the casino or slot machine facility is to be located, except that a commercial track licensed to operate slot machines on January 1, 2011 is only required, as a condition to obtain a casino license, to receive approval to operate a casino by means of a referendum of the voters of the county in which the commercial track is located.

**Sec. 7. 8 MRSA §1036, sub-§1,** as amended by PL 2005, c. 663, §11, is further amended to read:

**1. Distribution for administrative expenses of board.** A slot machine operator licensed under section 1011, subsection 2 or a casino operator that is a commercial track that was licensed to operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect and distribute 1% of gross slot machine income to the Treasurer of State for deposit in the General Fund for the administrative expenses of the board.

**Sec. 8. 8 MRSA §1036, sub-§2,** as amended by PL 2009, c. 462, Pt. H, §1 and c. 622, §2, is further amended to read:

**2. Distribution of net slot machine income from casino with commercial track.** A slot machine operator licensed under section 1011, subsection 2 or a casino operator that is a commercial track that was licensed to operate slot machines under section 1011, subsection 2 on January 1, 2011 shall collect and distribute 39% of the net slot machine income from slot machines operated by the slot machine operator to the board for distribution by the board as follows:

A. Three percent of the net slot machine income must be deposited to the General Fund for administrative expenses of the board in accordance with rules adopted by the board, except that of the amount calculated pursuant to this paragraph, the following amounts must be transferred annually to the Gambling Addiction Prevention and Treatment Fund established by Title 5, section 20006-B:

(1) For the fiscal year beginning July 1, 2011, $50,000;

(2) For the fiscal year beginning July 1, 2012, $50,000; and

(3) For the fiscal year beginning July 1, 2013 and for each fiscal year thereafter, $100,000;

B. Ten percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the fund established in section 298 to supplement harness racing purses;

C. Three percent of the net slot machine income must be credited by the board to the Sire Stakes Fund created in section 281;

D. Three percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund established in Title 7, section 91;

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;

F. Two percent of the net slot machine income must be forwarded by the board to the University of Maine System Scholarship Fund created in Title 20-A, section 10909;

G. One percent of the net slot machine income must be forwarded by the board to the board of trustees of the Maine Community College System to be applied by the board of trustees to fund its scholarships program under Title 20-A, section 12716, subsection 1;

H. Four percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Fund to Encourage Racing at Maine's Commercial Tracks, established in section 299; however, the payment required by this paragraph is terminated when all commercial tracks have obtained a license to operate slot machines in accordance with this chapter;

I. Two percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Fund to Stabilize Off-track Betting Facilities established by section 300, as long as a facility has conducted off-track wagering operations for a minimum of 250 days during the preceding 12-month period in which the first payment to the fund is required. After 48 months of receiving an allocation of the net slot machine income from a licensed operator, the percent of net slot machine income forwarded to the Fund to Stabilize Off-track Betting Facilities is reduced to 1% with the remaining 1% to be forwarded to the State in accordance with subsection 1; and

J. One percent of the net slot machine income must be forwarded directly to the municipality in which the slot machines are located.

**Sec. 9. 8 MRSA §1036, sub-§2-B,** as enacted by IB 2009, c. 2, §46, is amended to read:

**2-B. Distribution from casino of table game income.** A casino operator licensed in accordance with section 1011, subsection 2-A, paragraph A shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

A. Ten percent of the net table game income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

B. Three percent of the net table game income must be deposited to the ~~General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board~~ Gambling Control Board administrative expenses Other Special Revenue Funds account, which is a nonlapsing dedicated account;

C. Two percent of the net table game income must be forwarded directly to the municipality in which the table games are located; and

D. One percent of the net table game income must be forwarded directly to the county in which the table games are located to pay for mitigation of costs resulting from gaming operations.

**Sec. 10. 8 MRSA §1036, sub-§2-C** is enacted to read:

**2-C. Distribution of table game income from casino with a commercial track.** A casino operator that is a commercial track and was licensed to operate slot machines on January 1, 2011 shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

A. Nine percent of the net table game income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board;

B. Three percent of the net table game income must be deposited to the Gambling Control Board administrative expenses Other Special Revenue Funds account, which is a nonlapsing dedicated account;

C. Two percent of the net table game income must be forwarded directly to the municipality in which the table games are located; and

D. Two percent of net table game income must be deposited into an account held by the board for distribution to charitable nonprofit organizations that were eligible to conduct beano games and games of chance in accordance with Title 17, chapters 13-A and 62. The account is nonlapsing and no distributions may be made from the account before July 1, 2013.

**Sec. 11. Legislation defining eligibility of charitable nonprofit organizations to receive funds.** The Joint Standing Committee on Veterans and Legal Affairs shall report out legislation to the Second Regular Session of the 125th Legislature defining the eligibility of charitable nonprofit organizations to receive funds from the account held by the Department of Public Safety, Gambling Control Board pursuant to the Maine Revised Statutes, Title 8, section 1036, subsection 2-C, paragraph D for the purposes of mitigating the reduction of charitable donations from revenues from gaming conducted in accordance with Title 17, chapters 13-A and 62 due to the expansion of gaming conducted under Title 8, chapter 31.

**Sec. 12. Referendum.** Notwithstanding any law to the contrary, the Secretary of State shall prepare and furnish to each city, town and plantation in Penobscot County for the statewide election held in November 2011 all ballots, returns and copies of this Act necessary to conduct the county referendum required pursuant to the Maine Revised Statutes, Title 8, section 1019, subsection 7. The question that appears on the ballot must be:

> "Do you favor the addition of table games at a commercial track located in this county that was licensed to operate slot machines on January 1, 2011?"

The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature.

Effective pending referendum.

## CHAPTER 418

## H.P. 1191 - L.D. 1588

### An Act To Provide Funding for the Reapportionment Commission

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

**Whereas,** this legislation authorizes the transfer of a portion of the funding for reapportionment from fiscal year 2012-13 to fiscal year 2011-12; and

**Whereas,** it is necessary that these funds be available 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:**

**Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**LEGISLATURE**

**Legislative Apportionment Commission 0722**

Initiative: Moves a portion of the funding for reapportionment from fiscal year 2012-13 to fiscal year 2011-12 to fund the reapportionment of the State's congressional districts, which will occur separately in fiscal year 2011-12 rather than in fiscal year 2012-13, when the reapportionment of the State's House and Senate districts will occur.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $4,000 | ($4,000) |
| All Other | $56,000 | ($56,000) |
| GENERAL FUND TOTAL | $60,000 | ($60,000) |

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

Effective July 1, 2011.

## CHAPTER 419

## S.P. 395 - L.D. 1274

### An Act To Restore Equity in Education Funding

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

**Sec. 1. 20-A MRSA §15679, sub-§2,** as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

**2. Students-to-staff ratios.** In calculating the salary and benefit costs pursuant to this section, the commissioner shall utilize the ~~following~~ student-to-staff ratios specified in paragraphs A and B and adjusted as provided in paragraph C.

A. For the elementary school level and the middle school level:

(1) The student-to-education technician ratio is 100:1;

(2) The student-to-guidance staff ratio is 350:1;

(3) The student-to-librarian ratio is 800:1;

(4) The student-to-media assistant ratio is 500:1;

(5) The student-to-health staff ratio is 800:1;

(6) The student-to-school administrative staff ratio is 305:1; and

(7) The student-to-clerical staff ratio is 200:1.

B. For the high school level:

(1) The student-to-education technician ratio is 250:1;

(2) The student-to-guidance staff ratio is 250:1;

(3) The student-to-librarian ratio is 800:1;

(4) The student-to-media assistant ratio is 500:1;

(5) The student-to-health staff ratio is 800:1;

(6) The student-to-school administrative staff ratio is 315:1; and

(7) The student-to-clerical staff ratio is 200:1.

C. Beginning in fiscal year 2012-13, and for each subsequent fiscal year, if the total attending student population for a school administrative unit is less than 1,200 students, the commissioner shall reduce the ratios set forth in paragraphs A and B by 10%.

**Sec. 2. 20-A MRSA §15682,** as amended by PL 2009, c. 213, Pt. C, §6, is further amended to read:

**§15682. Regional adjustment**

The commissioner shall make a regional adjustment in the total operating allocation for each school administrative unit determined pursuant to section 15683. The regional adjustment must be based on the regional differences in teacher salary costs, for labor market areas in which the school administrative unit is located, as computed by a statewide education policy research institute, and must be applied only to appropriate teacher salary and benefits costs as calculated under section 15678 and salary and benefit costs of other school-level staff who are not teachers as calculated under section 15679. Beginning in fiscal year 2012-13, and for each subsequent fiscal year, the commissioner shall make a regional adjustment in the total operating allocation for each school administrative unit determined pursuant to section 15683. The regional adjustment must be based on the regional differences in teacher salary costs, for labor market areas in which the school administrative unit is located, as computed by a statewide education policy research institute, and must be applied only to appropriate teacher salary costs as calculated under section 15678 and salary costs of other school-level staff who are not teachers as calculated under section 15679.

**Sec. 3. 20-A MRSA §15689, sub-§11** is enacted to read:

**11. Minimum economically disadvantaged student adjustment.** Beginning in fiscal year 2012-13, and for each subsequent fiscal year, each school administrative unit may receive an adjustment for economically disadvantaged students determined as follows.

A. A school administrative unit is eligible for the adjustment for economically disadvantaged students under the following conditions:

(1) The school administrative unit receives an adjustment for the minimum state allocation pursuant to subsection 1;

(2) The school administrative unit's percentage of economically disadvantaged students as determined pursuant to section 15675, subsection 2 is greater than the state average percentage of economically disadvantaged students; and

(3) The school administrative unit operates a school.

B. The amount of the adjustment for economically disadvantaged students is the difference, but not less than zero, between the state share of the total allocation under this chapter and the amount computed as the school administrative unit's total allocation for economically disadvantaged students, multiplied by the relevant percentage in subsection 1, paragraph B.

**Sec. 4. Implementation within existing resources.** Notwithstanding any other provision of law, the Department of Education shall implement the provisions of this Act within the existing budgeted resources of the general purpose aid for local schools program.

See title page for effective date.

## CHAPTER 420

## H.P. 1089 - L.D. 1480

### An Act To Correct Errors and Inconsistencies in the Laws of Maine

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

**Whereas,** acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

**Whereas,** these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

**Whereas,** it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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. 2 MRSA §6-A, sub-§3, ¶D,** as amended by PL 2009, c. 122, §2, is further amended to read:

D. Director of electric and gas utility industries; and

**Sec. A-2. 2 MRSA §6-A, sub-§3, ¶D-1,** as enacted by PL 2005, c. 23, §1, is repealed.

**Sec. A-3. 5 MRSA §1764-A, sub-§2,** as corrected by RR 2003, c. 1, §2, is amended to read:

**2. Rules.** The Bureau of General Services, in consultation with ~~the Energy Resources Council and~~ the Public Utilities Commission, shall by rule require that all planning and design for the construction of new or substantially renovated state-owned or state-leased buildings and buildings built with state funds, including buildings funded ~~though~~ through state bonds or the Maine Municipal Bond Bank:

A. Involve consideration of architectural designs and energy systems that show the greatest net benefit over the life of the building by minimizing long-term energy and operating costs;

B. Include an energy-use target that exceeds by at least 20% the energy efficiency standards in effect for commercial and institutional buildings pursuant to Title 10, section 1415-D; and

C. Include a life-cycle cost analysis that explicitly considers cost and benefits over a minimum of 30 years and that explicitly includes the public health and environmental benefits associated with energy-efficient building design and construction, to the extent they can be reasonably quantified.

Rules adopted pursuant to this section apply to all new or substantially renovated state-owned or state-leased buildings and buildings built with state funds, including buildings funded through state bonds or the Maine Municipal Bond Bank, regardless of whether the planning and design for construction is subject to approval by the department.

Rules adopted pursuant to this section may provide for exemptions, waivers or other appropriate consideration for buildings with little or no energy usage, such as unheated sheds or warehouses.

The Bureau of General Services shall adopt rules pursuant to this section by July 1, 2004. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. A-4. 7 MRSA §2104-A,** as enacted by PL 2009, c. 393, §6, is amended to read:

**§2104-A. Arrears in payments to Seed Potato Board**

A person who on July 15th of any year is in arrears as to full payment for potato seed purchased from the Seed Potato Board is not eligible for listing in the Maine certified seed potatoes book for that year published by the department's ~~Division of Plant Industry~~ division of animal and plant health.

**Sec. A-5. 7 MRSA §2106,** as amended by PL 2003, c. 578, §6, is further amended to read:

**§2106. Working capital advance**

The State Controller is authorized to advance $300,000 from the General Fund unappropriated surplus to the Certified Seed Fund established in section 2107 during any state fiscal year, if requested in writing by the ~~Director of the Division of Plant Industry~~ director of the division of animal and plant health, to be used to provide cash necessary to meet current expenditures of the seed certification program. These funds must be returned to the General Fund unappropriated surplus before the close of the state fiscal year in which the advance was made. The State Controller shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs within 30 days of making any working capital advance for this purpose.

**Sec. A-6. 7 MRSA §2157, sub-§5,** as enacted by PL 1987, c. 813, §1, is amended to read:

**5. Challenge grants.** The commissioner shall establish a challenge grant program to help in establishing field trials for new potato varieties. Grant proposals ~~shall~~ must be approved by the commissioner after review and recommendation by the Potato Plant Breeder at the Maine Agricultural Experiment Station in Presque Isle, the ~~Director of the Division of Plant Industry~~ director of the division of animal and plant health, the ~~chairman~~ chair of the seed grower's executive council of the Maine Potato Board and the Director of the Seed Potato Board. Grants may be given to farmers outside of this State. Grants may consist of seed, and assistance in determining cultural practices, and a percentage of the farmer's production costs to be

determined by the commissioner. Those receiving grants shall cooperate with the agronomist of the Maine Agricultural Experiment Station in developing the best cultural practices and sharing production and marketing information.

**Sec. A-7. 7 MRSA §2701, first ¶,** as amended by PL 2009, c. 393, §7, is further amended to read:

All persons owning honeybees within the State shall annually notify the commissioner of the keeping of bees and the location of the bees and shall forward to the commissioner for deposit with the Treasurer of State an annual license fee for all bees kept on June 15th of each year. Fees must be established by rule. Notwithstanding Title 5, section 8071, subsection 3, rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. License fees accrue as a dedicated revenue to the ~~Division of Plant Industry~~ division of animal and plant health to fund the cost of apiary inspection and licensing.

**Sec. A-8. 7 MRSA §2754,** as amended by PL 1999, c. 401, Pt. H, §3, is further amended to read:

**§2754. Registration fees**

A registration fee not to exceed $2 per colony for all bees to be shipped or moved into the State must be forwarded to the commissioner for deposit with the Treasurer of State. Fees must be established by rule in accordance with the Maine Administrative Procedure Act. The fees accrue as dedicated revenue to the ~~Division of Plant Industry~~ division of animal and plant health to fund the cost of apiary inspection and licensing.

**Sec. A-9. 12 MRSA §6301, sub-§2, ¶R,** as amended by PL 2009, c. 523, §2 and c. 561, §8, is repealed and the following enacted in its place:

R. A wholesale seafood license with a shrimp permit issued under section 6851 expires on March 31st of each year;

**Sec. A-10. 17 MRSA §330,** as amended by IB 2009, c. 2, §50 and repealed by PL 2009, c. 487, Pt. A, §1, is repealed.

**Sec. A-11. 17 MRSA §1831, sub-§5,** as amended by PL 2009, c. 599, §1, is further 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, bingo ~~and~~, a savings promotion raffle and table games as defined in Title 8, section 1001, subsection 43-A are not games of chance.

**Sec. A-12. 18-A MRSA §3-717,** as enacted by PL 1979, c. 540, §1, is amended to read:

**§3-717. Corepresentatives; when joint action required**

If 2 or more persons are appointed corepresentatives and unless the will provides otherwise, the concurrence of all is required on all acts connected with the administration and distribution of the estate. This restriction does not apply when any corepresentative receives and receipts for ~~propperty~~ property due the estate, when the concurrence of all cannot readily be obtained in the time reasonably available for emergency action necessary to preserve the estate, or when a corepresentative has been delegated to act for the others. Persons dealing with a corepresentative if actually unaware that another has been appointed to serve with ~~him~~ that corepresentative or if advised by the personal representative with whom they deal that ~~he~~ the personal representative has authority to act alone for any of the reasons mentioned herein, are as fully protected as if the person with whom they dealt had been the sole personal representative.

**Sec. A-13. 22 MRSA §2383-B, sub-§3, ¶A-1,** as amended by PL 2001, c. 580, §1, is repealed.

**Sec. A-14. 22 MRSA §2383-B, sub-§3, ¶A-2,** as enacted by IB 1999, c. 1, §7, is repealed.

**Sec. A-15. 22 MRSA §2383-B, sub-§3, ¶E,** as amended by PL 2009, c. 631, §6 and affected by §51, is repealed.

**Sec. A-16. 23 MRSA §4202,** as amended by PL 1971, c. 622, §77-C, is further amended to read:

**§4202. Short title**

This ~~Act shall~~ chapter may be known ~~as~~ and ~~may be~~ cited as the Maine Transportation Act.

**Sec. A-17. 23 MRSA §4203, first ¶,** as amended by PL 1971, c. 622, §77-D, is further amended to read:

The following terms, when used in this ~~Act~~ chapter, ~~shall~~ have the following meanings, unless the context otherwise requires.

**Sec. A-18. 24 MRSA §2317-B, sub-§12-F,** as enacted by PL 2009, c. 578, §1 and affected by §4; enacted by c. 634, §1 and affected by §5; and enacted by c. 635, §1 and affected by §6, is repealed and the following enacted in its place:

**12-F. Title 24-A, sections 2766 and 2847-R.** Enrollment of dependent children in dental coverage, Title 24-A, sections 2766 and 2847-R;

**Sec. A-19. 24 MRSA §2317-B, sub-§12-G** is enacted to read:

**12-G. Title 24-A, sections 2767, 2847-S and 4258.** Coverage for children's early intervention services, Title 24-A, sections 2767, 2847-S and 4258;

**Sec. A-20. 24 MRSA §2317-B, sub-§12-H** is enacted to read:

**12-H. Title 24-A, sections 2768, 2847-T and 4259.** Coverage for diagnosis and treatment of autism spectrum disorders, Title 24-A, sections 2768, 2847-T and 4259;

**Sec. A-21. 24 MRSA §2986, sub-§2,** as enacted by PL 1999, c. 719, §2 and affected by §11, is amended to read:

**2. Victims' Compensation Board billing.** All licensed hospitals and licensed health care practitioners that perform forensic examinations for alleged victims of gross sexual assault shall submit a bill to the Victims' Compensation Board directly for payment of the forensic examinations. The Victims' Compensation Board shall determine what a forensic examination includes pursuant to Title 5, section 3360-M. The hospital or health care practitioner that performs a forensic examination shall take steps necessary to ensure the confidentiality of the alleged victim's identity. The bill submitted by the hospital or health care practitioner may not identify the alleged victim by name but must be assigned a tracking number that corresponds to the forensic examination kit. The tracking number may not be the alleged victim's social security number. The Victims' Compensation Board shall pay the actual cost of the forensic examination up to a maximum of ~~$500~~ $750. Licensed hospitals and licensed health care practitioners that perform forensic examinations for alleged victims of gross sexual assault may not bill the alleged victim or the alleged victim's insurer, nonprofit hospital or medical service organization or health maintenance organization for payment for the examination.

**Sec. A-22. 24-A MRSA §957, 2nd ¶,** as enacted by PL 1983, c. 346, §7, is amended to read:

For any life insurance policy issued on or after January 1, 1987, for which the gross premium in the first policy year exceeds that of the 2nd year and for which no comparable additional benefit is provided in the first year for that excess and ~~which~~ that provides an endowment benefit or a cash surrender value or a combination thereof in an amount greater than that excess premium, the foregoing provisions of this section ~~shall~~ must be applied as if the method actually used in calculating the reserve for that policy were the method described in section 954, ignoring the 2nd paragraph of section 954. The minimum reserve at each policy anniversary of such a policy ~~shall be~~ is the greater of the minimum reserve calculated in accordance with section 954, including the 2nd paragraph of that section, and the minimum reserve calculated in accordance with this section ~~957~~.

**Sec. A-23. 24-A MRSA §2766,** as enacted by PL 2009, c. 634, §2 and affected by §5, is reallocated to 24-A MRSA §2767.

**Sec. A-24. 24-A MRSA §2766,** as enacted by PL 2009, c. 635, §2 and affected by §6, is reallocated to 24-A MRSA §2768.

**Sec. A-25. 24-A MRSA §2847-R,** as enacted by PL 2009, c. 634, §3 and affected by §5, is reallocated to 24-A MRSA §2847-S.

**Sec. A-26. 24-A MRSA §2847-R,** as enacted by PL 2009, c. 635, §3 and affected by §6, is reallocated to 24-A MRSA §2847-T.

**Sec. A-27. 24-A MRSA §4258,** as enacted by PL 2009, c. 635, §4 and affected by §6, is reallocated to 24-A MRSA §4259.

**Sec. A-28. 25 MRSA §2926, sub-§2-A,** as amended by PL 2009, c. 219, §2, is further amended to read:

**2-A. Goal.** To the extent possible, the bureau shall establish a total of between 16 and 24 public ~~service~~ safety answering points. The bureau shall seek to coordinate any reduction in the number of public ~~service~~ safety answering points to achieve this goal with any contractual obligations it may have or may enter into that are or could be affected by that reduction. Prior to implementing a reduction in the number of public safety answering points, the bureau shall make a finding regarding the need for the reduction based on an evaluation of the costs and benefits of the reduction, taking into account impacts on ratepayers, each of the affected municipalities and the State.

**Sec. A-29. 34-B MRSA §9008, sub-§1,** as enacted by PL 1983, c. 459, §7, is amended to read:

**1. Supplemental or substitute guardian.** Nothing in this compact ~~shall~~ may be construed to abridge,

diminish or in any way impair the rights, duties and responsibilities of any patient's guardian on ~~his~~ the guardian's own behalf or in respect of any patient for whom ~~he~~ the guardian may serve, except that, where the transfer of any patient to another ~~jurisdiction~~ jurisdiction makes advisable the appointment of a supplemental or substitute guardian, any court of competent jurisdiction in the receiving state may make such supplemental or substitute appointment and the court ~~which~~ that appointed the previous guardian shall, upon being duly advised of the new appointment, and upon the satisfactory completion of such accounting and other acts as such court may by law require, relieve the previous guardian of power and responsibility to whatever extent ~~shall be~~ is appropriate in the circumstances. In the case of any patient having settlement in the sending state, the court of competent jurisdiction in the sending state ~~shall have~~ has the sole discretion to relieve a guardian appointed by it or continue ~~his~~ the guardian's power and responsibility, whichever ~~it shall deem~~ the court considers advisable. The court in the receiving state may, in its discretion, confirm or reappoint the person or persons previously serving as guardian in the sending state in lieu of making a supplemental or substitute appointment.

**Sec. A-30. 35-A MRSA §107, sub-§1, ¶A,** as amended by PL 2009, c. 122, §7, is further amended to read:

A. An administrative director, a director of telephone and water utility industries, a director of electric and gas utility industries~~, a director of energy programs~~ and a director of consumer assistance;

**Sec. A-31. 35-A MRSA §107, sub-§2, ¶A,** as amended by PL 2009, c. 122, §7, is further amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries~~, the director of energy programs~~ and the director of consumer assistance serve at the pleasure of the commission and their salaries must be set by the commission within the ranges established by Title 2, section 6-A.

**Sec. A-32. 35-A MRSA §107, sub-§2, ¶C,** as amended by PL 2009, c. 122, §7, is further amended to read:

C. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries, ~~the director of energy programs,~~ the director of consumer assistance and the staff attorney and utility analyst positions, are subject to the Civil Service Law.

**Sec. A-33. 35-A MRSA §1309, sub-§5,** as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

**5. Complaint received within 6 months after reparation or adjustment ordered.** Within 6 months after an order has been made authorizing reparation or adjustment under subsections 2 and 3, any person aggrieved may complain to the commission that ~~he~~ the person is entitled to reparation from the same utility because ~~he~~ the person paid the rates ~~which~~ that the utility admits are excessive or ~~reasonable~~ unreasonable or collected through error, provided the utility might lawfully have made the reparation on its own petition, and provided the person has made a written request for the utility to file its own petition for authority to make the reparation or adjustment not less than 30 days before filing a complaint with the commission.

**Sec. A-34. 38 MRSA §346, sub-§4,** as amended by PL 2009, c. 615, Pt. E, §5 and c. 642, Pt. B, §4, is repealed and the following enacted in its place:

**4. Appeal of decision.** A judicial appeal of final action by the board or commissioner regarding an application for an expedited wind energy development, as defined in Title 35-A, section 3451, subsection 4, or a general permit pursuant to section 480-HH or section 636-A must be taken to the Supreme Judicial Court sitting as the Law Court. The Law Court has exclusive jurisdiction over request for judicial review of final action by the commissioner or the board regarding expedited wind energy developments or a general permit pursuant to section 480-HH or section 636-A. These appeals to the Law Court must be taken in the manner provided in Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

**Sec. A-35. 38 MRSA §1310-B, sub-§2,** as amended by PL 2009, c. 579, Pt. A, §1 and c. 610, §1, is repealed and the following enacted in its place:

**2. Hazardous waste information and information on mercury-added products and electronic devices and mercury reduction plans; chemicals.** Information relating to hazardous waste submitted to the department under this subchapter, information relating to mercury-added products submitted to the department under chapter 16-B, information relating to electronic devices submitted to the department under section 1610, subsection 6-A, information relating to mercury reduction plans submitted to the department under section 585-B, subsection 6, information related to priority toxic chemicals submitted to the department under chapter 27 or information related to products that contain the "deca" mixture of polybrominated diphenyl ethers submitted to the department under section 1609 may be designated by the person submit-

ting it as being only for the confidential use of the department, its agents and employees, the Department of Agriculture, Food and Rural Resources and the Department of Health and Human Services and their agents and employees, other agencies of State Government, as authorized by the Governor, employees of the United States Environmental Protection Agency and the Attorney General and, for waste information, employees of the municipality in which the waste is located. The designation must be clearly indicated on each page or other portion of information. The commissioner shall establish procedures to ensure that information so designated is segregated from public records of the department. The department's public records must include the indication that information so designated has been submitted to the department, giving the name of the person submitting the information and the general nature of the information. Upon a request for information, the scope of which includes information so designated, the commissioner shall notify the submittor. Within 15 days after receipt of the notice, the submittor shall demonstrate to the satisfaction of the department that the designated information should not be disclosed because the information is a trade secret or production, commercial or financial information, the disclosure of which would impair the competitive position of the submittor and would make available information not otherwise publicly available. Unless such a demonstration is made, the information must be disclosed and becomes a public record. The department may grant or deny disclosure for the whole or any part of the designated information requested and within 15 days shall give written notice of the decision to the submittor and the person requesting the designated information. A person aggrieved by a decision of the department may appeal only to the Superior Court in accordance with the provisions of section 346. All information provided by the department to the municipality under this subsection is confidential and not a public record under Title 1, chapter 13. In the event a request for such information is submitted to the municipality, the municipality shall submit that request to the commissioner to be processed by the department as provided in this subsection.

## PART B

**Sec. B-1. 31 MRSA §1592, sub-§8,** as amended by PL 2011, c. 113, Pt. A, §12, is further amended to read:

**8. Delivery of notice.** The Secretary of State shall send notice of ~~its~~ the determination under subsection 1 by regular mail or other medium as defined by rule by the Secretary of State and the service upon the limited liability company is perfected 5 days after the Secretary of State deposits ~~its~~ the notice of the determination in the United States mail, as evidenced by the postmark if mailed postpaid and correctly addressed or delivered by a medium authorized by the Secretary of State to the registered agent of the limited liability company.

**Sec. B-2. 31 MRSA §1626, sub-§7,** as enacted by PL 2009, c. 629, Pt. A, §2 and affected by §3, is amended to read:

**7. Delivery of notice.** The Secretary of State shall send notice of ~~its~~ the determination under subsection 1 by regular mail and the service upon the foreign limited liability company is perfected 5 days after the Secretary of State deposits ~~its~~ the notice of the determination in the United States mail, as evidenced by the postmark, if mailed postpaid and correctly addressed to the registered agent in this State and the registered or principal office, wherever located, on file for the foreign limited liability company.

**Sec. B-3. Maine Revised Statutes headnote enacted; revision clause.** In the Maine Revised Statutes, Title 23, chapter 410, after the chapter headnote, the headnote "subchapter 1, general provisions" is enacted and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. B-4. Effective date.** Those sections of this Part that amend the Maine Revised Statutes, Title 31, section 1592, subsection 8 and section 1626, subsection 7 take effect July 1, 2011.

## PART C

**Sec. C-1. 4 MRSA §1804, sub-§3, ¶C,** as enacted by PL 2009, c. 419, §2, is amended to read:

C. Establish processes and procedures consistent with commission standards to ensure that office and contract personnel use information technology and case load management systems so that detailed expenditure and case load data ~~is~~ are accurately collected, recorded and reported;

**Sec. C-2. 5 MRSA §1514,** as amended by PL 1989, c. 878, Pt. A, §§12 and 13, is repealed.

**Sec. C-3. 17-A MRSA §1202, sub-§2-A,** as amended by PL 2005, c. 265, §9, is further amended to read:

**2-A.** Once the period of probation has commenced, on motion of the probation officer, or of the person on probation, or on the court's own motion, the court may convert at any time a period of probation for a Class D or Class E crime or a Class C crime under Title 29-A, section ~~2557~~ 2557-A to a period of administrative release. A conversion to administrative release may not be ordered unless notice of the motion is given to the probation officer and the attorney for the State. The provisions of chapter 54-G apply when probation is converted to administrative release. Conversion to administrative release serves to relieve the person on probation of any obligations imposed by the probation conditions.

**Sec. C-4. 34-A MRSA §11222, sub-§4-A, ¶C,** as enacted by PL 2009, c. 570, §3, is amended to read:

C. In lieu of mailing the completed verification form under paragraph B, the 10-year registrant shall take the completed verification form and a current photograph of the 10-year registrant to the law enforcement agency having jurisdiction once every 5 years after the anniversary of the 10-year registrant's initial registration or, if there is a reason to believe the offender's appearance has changed significantly, the law enforcement agency having jurisdiction or the bureau may instruct the 10-year registrant in writing:

(1) To appear in person at the law enforcement agency having jurisdiction with a current photograph or to allow a photograph to be taken; or

(2) If authorized in writing by the law enforcement agency having jurisdiction ~~for~~ or the bureau, to submit a new photograph without appearing in person.

**Sec. C-5. 34-A MRSA §11222, sub-§4-B, ¶C,** as enacted by PL 2009, c. 570, §4, is amended to read:

C. In lieu of mailing the completed verification form under paragraph B, the lifetime registrant shall take the completed verification form and a current photograph of the lifetime registrant to the law enforcement agency having jurisdiction once every 5 years after the anniversary of the lifetime registrant's initial registration or, if there is a reason to believe the lifetime registrant's appearance has changed significantly, the law enforcement agency having jurisdiction or the bureau may instruct the lifetime registrant in writing:

(1) To appear in person at the law enforcement agency having jurisdiction with a current photograph or to allow a photograph to be taken; or

(2) If authorized in writing by the law enforcement agency having jurisdiction ~~for~~ or the bureau, to submit a new photograph without appearing in person.

**Sec. C-6. 34-B MRSA §1207, sub-§1, ¶F,** as amended by PL 2003, c. 563, §1, is further amended to read:

F. Nothing in this subsection precludes the disclosure or use of any information, including recorded or transcribed diagnostic and therapeutic interviews, concerning any client in connection with any educational or training program established between a public hospital and any college, university, hospital, psychiatric or counseling clinic or school of nursing, provided that, in the disclosure or use of the information as part of a course of instruction or training program, the client's identity remains undisclosed; and

**Sec. C-7. 34-B MRSA §1207, sub-§1, ¶G,** as amended by PL 2003, c. 563, §2, is repealed.

## PART D

**Sec. D-1. 14 MRSA §6001, sub-§1-B,** as enacted by PL 2011, c. 122, §1, is amended to read:

**1-B. Residential lease without termination or notice language.** If a written residential lease or contract does not include a provision to terminate the tenancy or does not provide for any written notice of termination in the event of a material breach of a provision of the written residential lease or contract, either the landlord or the tenant may terminate the written residential lease or contract pursuant to this subsection.

A. A landlord may terminate the tenancy in accordance with section 6002, subsections 1 and 2. After a landlord has provided notice and service as provided in section 6002, including language advising the tenant that the tenant has the right to contest the termination in court, the landlord may commence a forcible entry and detainer action as provided in this section.

B. A tenant may terminate the tenancy by providing the landlord with 7 days' written notice of the termination if the landlord has substantially breached a provision of the written residential lease or contract. In the event that the tenant or the tenant's agent has made at least 3 good faith efforts to personally serve the landlord in-hand, that service may be accomplished by both mailing the notice by first-class mail to the landlord's last known address and by leaving the notice at the landlord's last and usual place of abode.

**Sec. D-2. 22 MRSA §3025, sub-§1, ¶D,** as amended by PL 2011, c. 60, §1, is further amended to read:

D. Death when the person is in custody pursuant to an arrest, confined in a state correctional or detention facility, county jail, other county correctional or detention facility or local lockup or is ~~in transport between~~ on the way to or from a courthouse or any of these places while in the custody of a law enforcement officer or county or state corrections official;

**Sec. D-3. 30-A MRSA §1562-A,** as enacted by PL 2011, c. 60, §2, is amended to read:

**§1562-A. Death of a person in custody**

When a ~~prisoner~~ person in ~~county or state~~ custody dies, an examination and inquest must be held, and the ~~commissioner or the chief administrative officer of the facility~~ sheriff or jailer shall cause a medical examiner

to be immediately notified for that purpose pursuant to Title 22, section 3025. For purposes of this section, "~~county or state~~ custody" means custody pursuant to an arrest, confinement in a ~~state correctional facility,~~ county jail~~,~~ or other county correctional facility or ~~local lockup or~~ when the ~~prisoner~~ person is ~~in transport between~~ on the way to or from a courthouse or any of these places while in the custody of a county law enforcement officer or county ~~or state~~ corrections official. The medical examiner shall also review the case file and relevant medical records and determine whether an autopsy is needed. If the medical examiner determines that an autopsy is needed, an autopsy must be performed.

**Sec. D-4. 30-A MRSA §2678** is enacted to read:

**§2678. Death of a person in custody**

When a person in custody dies, an examination and inquest must be held, and the chief of police shall cause a medical examiner to be immediately notified for that purpose pursuant to Title 22, section 3025. For purposes of this section, "custody" means custody pursuant to an arrest, confinement in a local lockup or when the person is on the way to or from a courthouse or a local lockup while in the custody of a local law enforcement officer. The medical examiner shall also review the case file and relevant medical records and determine whether an autopsy is needed. If the medical examiner determines that an autopsy is needed, an autopsy must be performed.

**Sec. D-5. 34-A MRSA §3045,** as amended by PL 2011, c. 60, §4, is further amended to read:

**§3045. Death of client**

When any client in ~~county or state~~ custody dies, an examination and inquest must be held, and the commissioner or the chief administrative officer of the facility shall cause a medical examiner to be immediately notified for that purpose pursuant to Title 22, section 3025. For purposes of this section, "~~county or state~~ custody" means ~~custody pursuant to an arrest,~~ confinement in a state correctional or detention facility~~, county jail, other correctional facility or local lockup~~ or when the ~~prisoner~~ client is ~~in transport between any of these places~~ on the way to or from a state correctional or detention facility while in the custody of a ~~law enforcement officer or county or~~ state corrections official. The medical examiner shall also review the case file and relevant medical records and determine whether an autopsy is needed. If the medical examiner determines that an autopsy is needed, an autopsy must be performed.

**Sec. D-6. Effective date.** This Part takes effect 90 days after the adjournment of the First Regular Session of the 125th Legislature.

## PART E

**Sec. E-1. 38 MRSA §1665-B, sub-§2, ¶A,** as amended by PL 2011, c. 206, §29, is further amended to read:

A. Establish and maintain a collection and recycling program for out-of-service mercury-added thermostats. The collection and recycling program must be designed and implemented to ensure that:

(1) A maximum rate of collection of mercury-added thermostats is achieved;

(2) Handling and recycling of mercury-added thermostats are accomplished in a manner that is consistent with section 1663, with other provisions of this chapter and with the universal waste rules adopted by the board pursuant to section 1319-O;

(3) Authorized bins for mercury-added thermostat collection are made available at a reasonable one-time fee not to exceed $25 to all ~~wholesaler~~ heating, ventilation and air conditioning supply, electrical supply and plumbing supply distributor locations that sell thermostats and to all retailers ~~and electrical supply wholesalers~~ who volunteer to participate in the program; and

(4) By January 1, 2007, authorized bins for mercury-added thermostat collection are made available at a reasonable one-time fee not to exceed $25 to municipalities and regions requesting bins for mercury-added thermostat collection at universal waste collection sites or at periodic household hazardous waste collection events, as long as the collection sites or events are approved by the department for mercury-added thermostat collections;

**Sec. E-2. 38 MRSA §1665-B, sub-§2, ¶E,** as amended by PL 2011, c. 206, §30, is further amended to read:

E. Within 3 months after the department develops phase one of the plan required by subsection 4, provide a financial incentive with a minimum value of $5 for the return of each mercury-added thermostat~~, with or without a cover,~~ by a contractor or service technician to an established ~~wholesaler~~ recycling collection point;

**Sec. E-3. 38 MRSA §1665-B, sub-§2, ¶F,** as amended by PL 2011, c. 206, §31, is further amended to read:

F. Within 3 months after the department develops phase 2 of the plan required by subsection 4, provide a financial incentive with a minimum value of $5 for the return of each mercury-added ther-

mostat~~, with or without a cover,~~ by a homeowner to an established ~~retail~~ recycling collection point;

**Sec. E-4. PL 2011, c. 206, §32** is repealed.

**Sec. E-5. Retroactivity.** This Part applies retroactively to June 3, 2011.

## PART F

**Sec. F-1. 20-A MRSA §13201, 2nd ¶,** as amended by PL 2011, c. 172, §2 and affected by §4, is further amended to read:

After a probationary period of 3 years, subsequent contracts of duly certified teachers must be for not less than ~~5~~ 2 years. Unless a duly certified teacher receives written notice to the contrary at least 6 months before the terminal date of the contract, the contract must be extended automatically for one year and similarly in subsequent years. The right to an extension for a longer period of time through a new contract is specifically reserved to the contracting parties.

**Sec. F-2. Effective date.** This Part takes effect 90 days after the adjournment of the First Regular Session of the 125th Legislature.

## PART G

**Sec. G-1. 20-A MRSA §11484, sub-§1, ¶B-1,** as enacted by PL 2001, c. 417, §19, is repealed.

**Sec. G-2. 20-A MRSA §11484, sub-§1, ¶B-2,** as enacted by PL 2001, c. 417, §19, is amended to read:

B-2. ~~One member~~ Two members appointed by the Governor from at large;

**Sec. G-3. 20-A MRSA §11484, sub-§1, ¶C,** as enacted by PL 1997, c. 732, §4, is amended to read:

C. Two members appointed by the Governor with experience in and knowledge of institutional investment of funds; ~~and~~

**Sec. G-4. 20-A MRSA §11484, sub-§1, ¶D,** as enacted by PL 1997, c. 732, §4, is repealed.

**Sec. G-5. 20-A MRSA §11484, sub-§1, ¶¶E and F** are enacted to read:

E. One member appointed by the Governor with experience in and knowledge of institutional investment of funds; and

F. One member appointed by the chair of the board who is a member of the board other than the Treasurer of State.

**Sec. G-6. PL 2011, c. 150, §§5 to 8** are repealed.

**Sec. G-7. PL 2011, c. 150, §9** is amended to read:

**Sec. 9. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 20-A, section 11473, subsections 1 and 5; section 11474, subsection 2; and section 11476 take effect on July 1, 2012. ~~That section of this Act that repeals Title 20-A, section 11484, subsection 1, paragraph B-1 and that section of this Act that amends Title 20-A, section 11484, subsection 1, paragraph B-2 take effect at the expiration of the term of the member with knowledge of student financial assistance or when the position is vacant. That section of this Act that repeals Title 20-A, section 11484, subsection 1, paragraph D and that section of this Act that enacts Title 20-A, section 11484, subsection 1, paragraph E take effect at the expiration of the terms of the member representing public institutions of higher education and the member representing private institutions of higher education or when the positions are vacant.~~

**Sec. G-8. Transition.** Notwithstanding that section of this Part that repeals the Maine Revised Statutes, Title 20-A, section 11484, subsection 1, paragraph B-1, the member appointed pursuant to that paragraph may continue to serve until the expiration of the term to which the member was appointed, until the member vacates the membership or until the member is removed for cause, whichever occurs first. Notwithstanding that section of this Part that amends Title 20-A, section 11484, subsection 1, paragraph B-2, the Governor may not appoint a 2nd member under that paragraph until the expiration of the term of the member appointed pursuant to Title 20-A, section 11484, subsection 1, paragraph B-1, the member vacates the membership or the member is removed for cause, whichever occurs first. Notwithstanding that section of this Part that repeals Title 20-A, section 11484, subsection 1, paragraph D, a member appointed pursuant to that paragraph may continue to serve until the expiration of the term to which the member was appointed, until the member vacates the membership or until the member is removed for cause, whichever occurs first. Notwithstanding that section of this Part that enacts Title 20-A, section 11484, subsection 1, paragraph E, the Governor may not appoint a member under that paragraph until the expiration of the term of the member appointed pursuant to the former Title 20-A, section 11484, subsection 1, paragraph D to represent public institutions or until that member is removed for cause or otherwise vacates the membership. Notwithstanding that section of this Part that enacts Title 20-A, section 11484, subsection 1, paragraph F, the chair of the board of directors of the Finance Authority of Maine may not appoint a member under that paragraph until the expiration of the term of the member appointed pursuant to the former Title 20-A, section 11484, subsection 1, paragraph D to represent private institutions or until that member is removed for cause or otherwise vacates the membership.

**Sec. G-9. Effective date.** This Part takes effect 90 days after adjournment of the First Regular Session of the 125th Legislature.

## PART H

**Sec. H-1. 23 MRSA §1980, sub-§2-C, ¶¶B and D,** as enacted by PL 2011, c. 302, §19, are amended to read:

B. The penalties, exclusive of tolls, claimed by the away agency against an owner of ~~an automobile~~ a motor vehicle registered in this State do not exceed $100 for a first violation or $600 for all pending violations;

D. An owner of ~~an automobile~~ a motor vehicle registered in this State may present evidence to the away agency or to the authority by mail, telephone, electronic means or other means to invoke rights of due process without having to appear personally in the jurisdiction where the violation occurred; and

**Sec. H-2. Retroactivity.** This Part applies retroactively to June 10, 2011.

## PART I

**Sec. I-1. 22 MRSA §4038-E, sub-§1, ¶¶H and J,** as enacted by PL 2011, c. 402, §15, are amended to read:

H. A statement of the intent of the ~~biological~~ parents to consent to the adoption;

J. A statement that the ~~biological~~ parents are entitled to legal counsel in the adoption from permanency guardianship proceeding and that, if they want an attorney and are unable to afford one, they should contact the court as soon as possible to request appointed counsel.

**Sec. I-2. 22 MRSA §4038-E, sub-§6,** as enacted by PL 2011, c. 402, §15, is amended to read:

**6. Service.** The petition and the notice of the case management conference must be served on the ~~parent whose rights were terminated~~ parents and the guardian ad litem for the child at least 10 days prior to the scheduled case management conference date. Service must be in accordance with the Maine Rules of Civil Procedure or in any other manner ordered by the court.

**Sec. I-3. 22 MRSA §4038-E, sub-§8, ¶B,** as enacted by PL 2011, c. 402, §15, is amended to read:

B. The child's ~~biological~~ parents~~, if parental rights have not been terminated~~; and

**Sec. I-4. 22 MRSA §4038-E, sub-§11,** as enacted by PL 2011, c. 402, §15, is amended to read:

**11. Effect of consent to adoption by the parent.** An order granting the adoption has the following effect.

A. An order granting the adoption of the child by the permanency guardian divests the consenting parent and child of all legal rights, powers, privileges, immunities, duties and obligations to each other as parent and child, except the inheritance rights between the child and the ~~biological~~ parent.

B. An adoption order may not disentitle a child to benefits due the child from any 3rd person, agency~~,~~ or state or the United States and may not affect the rights and benefits that a Native American derives from descent from a member of a federally recognized Indian tribe.

**Sec. I-5. Effective date.** This Part takes effect 90 days after the adjournment of the First Regular Session of the 125th Legislature.

## PART J

**Sec. J-1. 23 MRSA §4210-B, sub-§7,** as enacted by PL 2007, c. 677, §1, is amended to read:

**7. Sales tax revenue.** Beginning July 1, 2009 and every July 1st thereafter, the State Controller shall transfer to the STAR 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 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.

**Sec. J-2. 23 MRSA §4210-B, sub-§7-A,** as enacted by PL 2011, c. 380, Pt. G, §2 and affected by §3, is amended to read:

**7-A. Sales tax revenue.** Beginning July 1, 2012 and every July 1st thereafter, the State Controller shall transfer to the STAR Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax im-

posed 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 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. J-3. Effective date.** That section of this Part that amends the Maine Revised Statutes, Title 23, section 4210-B, subsection 7 takes effect October 1, 2011. That section of this Part that amends Title 23, section 4210-B, subsection 7-A takes effect June 30, 2012.

## PART K

**Sec. K-1. 29-A MRSA §2251, sub-§7-A, ¶B,** as enacted by PL 2011, c. 390, §2 is amended to read:

B. The Department of Public Safety, Bureau of State Police may not publicly disseminate personally identifying accident report data that are contained in an accident report database maintained, ~~records~~ administered or contributed to by the Bureau of State Police. Such data are not public records for the purposes of Title 1, chapter 13.

**Sec. K-2. Effective date.** This Part takes effect 90 days after adjournment of the First Regular Session of the 125th Legislature.

## PART L

**Sec. L-1. 5 MRSA §17859, sub-§1,** as enacted by PL 2011, c. 380, Pt. MMM, §1, is amended to read:

**1. Restoration to service.** Any state employee or teacher who has reached normal retirement age and who retires ~~on or~~ after ~~July~~ September 1, 2011 may be restored to service for up to 5 years. The decision to hire a retired state employee or retired teacher under this section is at the discretion of the appointing authority. The retired state employee or retired teacher must have had a bona fide termination of employment in accordance with state and federal laws and rules, may not return to employment after retirement with the same employer for at least 30 calendar days after the termination of employment and may not return to employment before the effective date of the person's retirement.

## PART M

**Sec. M-1. 32 MRSA §1103,** as repealed and replaced by PL 1973, c. 363, is amended to read:

**§1103. Municipal licenses not required; municipal permits**

~~No~~ A municipality, provisions in charters to the contrary, ~~shall~~ may not require electricians to be municipally licensed, ~~nor shall any~~ and a municipality may not issue a permit for an electrical installation unless satisfied that the person~~, firm or corporation~~ applying for the permit complies with this chapter.

**Sec. M-2. 32 MRSA §1105, sub-§1,** as amended by PL 2007, c. 402, Pt. I, §3, is further amended to read:

**1. Unlicensed practice.** A person~~, firm or corporation~~ who violates section 1201 is subject to the provisions of Title 10, section 8003-C.

**Sec. M-3. 32 MRSA §1105, sub-§4,** as amended by PL 2011, c. 286, Pt. F, §10, is further amended to read:

**4. Exception.** Subsection 1 does not apply to a person~~, firm or corporation~~ or work excepted under section 1102 or 1201-A.

**Sec. M-4. 32 MRSA §1155-B, sub-§1, ¶B,** as enacted by PL 2007, c. 402, Pt. I, §10, is amended to read:

B. While in the business of making electrical installations, employ an unlicensed person~~, firm or corporation~~ to do that work, unless the unlicensed person~~, firm or corporation~~ is an apprentice electrician or electrician's helper as set forth in this chapter.

**Sec. M-5. 32 MRSA §1201,** as amended by PL 2011, c. 286, Pt. F, §11, is further amended to read:

**§1201. License required**

An electrical installation may not be made unless by an electrician or other person licensed by the board except as provided in this chapter. ~~A person may not perform any electrical installations on behalf of an electrical company unless the company is licensed as provided in section 1202, subsection 5.~~

**Sec. M-6. 32 MRSA §1202, sub-§5,** as amended by PL 2011, c. 286, Pt. F. §14 and repealed by PL 2011, c. 406, §2, is repealed.

**Sec. M-7. Effective date.** This Part takes effect 90 days after adjournment of the First Regular Session of the 125th Legislature.

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

Effective July 6, 2011, unless otherwise indicated.

## CHAPTER 421

## S.P. 60 - L.D. 210

### An Act Regarding the Saltwater Recreational Fishing Registry

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

**Whereas,** for the efficient management of the saltwater recreational fishery, this Act must take effect before the spring fishing season begins; 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. 12 MRSA §6032,** as repealed and replaced by PL 2009, c. 559, §1 and affected by §4, is repealed.

**Sec. 2. 12 MRSA §6312,** as enacted by PL 2009, c. 559, §2 and affected by §4, is amended to read:

**§6312. Saltwater recreational fishing registry**

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

~~A. "Disabled veteran" means a veteran of the Armed Forces of the United States who has a service-connected disability as determined by the United States Department of Veterans Affairs.~~

~~B. "Person with a disability" means a person who is physically or mentally incapacitated as determined by the commissioner.~~

C. "Registry" means the registry for persons engaged in saltwater recreational fishing established under subsection 2.

**2. Saltwater recreational fishing registry established.** The commissioner shall administer and maintain a registry of persons who engage in saltwater recreational fishing in the coastal waters of the State. ~~The commissioner may designate by rule the methods of fishing or the saltwater areas for which registration is required under this section.~~ The registry must at a minimum contain the name, address, date of birth and telephone number for each person registered. Only an individual may register.

**3. Registration required.** ~~A~~ Unless the registry is suspended by rule under subsection 16, a person may not engage in saltwater recreational fishing in the coastal waters of the State or land or possess fish taken from ~~salt water~~ the coastal waters of the State without registering pursuant to this section except that the following persons are exempt from this prohibition ~~and the endorsement requirement under subsection 4~~:

A. A person under 16 years of age;

B. A passenger on board a vessel captained by an individual who possesses a valid ~~commercial~~ recreational fishing operator's license pursuant to subsection 5;

C. A person renting a smelt fishing camp from an operator that possesses a valid ~~commercial~~ recreational fishing operator's license pursuant to subsection 5;

~~D. A person with a disability;~~

~~E. A disabled veteran;~~

~~F. A person that possesses a valid New Hampshire saltwater recreational fishing license that meets the requirements of 50 Code of Federal Regulations, Sections 600.1415 and 600.1416 (2009) engaging in recreational saltwater fishing from the State's southern border to Cape Neddick; and~~

G. A resident fishing on July 4th, Labor Day weekend or Memorial Day weekend~~.~~;

H. A person who has employed the guiding services of an individual who possesses a current guide license for tidewater fishing as provided by rule pursuant to section 12853 and a valid recreational fishing operator's license pursuant to subsection 5;

I. A person fishing from a dock, pier or wharf that is owned by an individual who possesses a valid recreational fishing operator's license pursuant to subsection 5;

J. A person who holds and presents upon demand a current and valid registration or license to engage in saltwater recreational fishing by a state that has been designated as an exempted state under 50 Code of Federal Regulations, Section 600.1415;

K. A person registered on the National Saltwater Angler Registry through the United States De-

partment of Commerce, National Oceanic and Atmospheric Administration;

L. A member of the Passamaquoddy Tribe, if the Passamaquoddy Tribe certifies to the commissioner that it will collect the registry data required under subsection 2 from tribal members who engage in saltwater recreational fishing and report the data to the commissioner;

M. A member of the Penobscot Nation, if the Penobscot Nation certifies to the commissioner that it will collect the registry data required under subsection 2 from members of the Penobscot Nation who engage in saltwater recreational fishing and report the data to the commissioner;

N. A member of the Houlton Band of Maliseet Indians, if the Houlton Band of Maliseet Indians certifies to the commissioner that it will collect the registry data required under subsection 2 from band members who engage in saltwater recreational fishing and report the data to the commissioner; and

O. A member of the Aroostook Band of Micmacs, if the Aroostook Band of Micmacs certifies to the commissioner that it will collect the registry data required under subsection 2 from band members who engage in saltwater recreational fishing and report the data to the commissioner.

Registration does not authorize a person ~~registered on the registry~~ to sell fish taken pursuant to the registry.

A person who has indicated on a valid freshwater fishing license issued under Part 13 ~~that~~ whether or not the person engaged in saltwater recreational fishing during the prior year ~~or plans to engage in saltwater recreational fishing during the period covered by the freshwater fishing license~~ is not required to register under this subsection~~, and residents of the State who make that indication are not required to obtain a striped bass endorsement under subsection 4~~. The Department of Inland Fisheries and Wildlife shall provide registry data from persons exempted under this subsection regarding saltwater recreational fishing by these persons to the ~~federal or state agency responsible for monitoring saltwater recreational fishing~~ department at a time and manner as determined by ~~that agency~~ the department.

A person who has indicated on a valid commercial fishing license issued under this Part whether or not the person engaged in saltwater recreational fishing during the prior year is not required to register under this subsection. The department shall collect data regarding saltwater recreational fishing by these persons exempted under this subsection.

~~**4. Striped bass endorsement.** A person required to register under subsection 3 may not engage in saltwater recreational fishing for striped bass or land or possess striped bass taken from salt water without a striped bass endorsement issued by the commissioner or a clerk or agent appointed by the commissioner pursuant to subsection 6. A striped bass endorsement is valid for one year and the fees are:~~

~~A. Five dollars for a resident;~~

~~B. Fifteen dollars for a nonresident; and~~

~~C. Ten dollars for a resident lifetime striped bass endorsement for an applicant who is 70 years of age or older. A resident lifetime striped bass endorsement is valid for one year and may be renewed free of charge.~~

~~Revenues collected pursuant to this subsection must be deposited in the Marine Recreation Fishing Conservation and Management Fund established under section 6032.~~

**5. Recreational fishing operator's license.** The following persons ~~must possess~~ are eligible to hold a ~~valid commercial~~ recreational fishing operator's license issued by the commissioner ~~or a clerk or agent appointed by the commissioner pursuant to subsection 6~~:

A. A captain of a vessel licensed to carry passengers for hire for saltwater recreational fishing; ~~and~~

B. A person operating a business that rents smelt fishing camps for saltwater recreational smelt fishing~~.~~;

C. A person who owns a private dock, pier or wharf and makes that wharf available to customers for the purpose of recreational fishing as part of a commercial enterprise; and

D. An individual who possesses a current guide license for tidewater fishing as provided by rule pursuant to section 12853.

~~The annual fee for a commercial operator's license is $50. Revenues collected pursuant to this subsection must be deposited in the Marine Recreation Fishing Conservation and Management Fund established under section 6032.~~

A person who holds a recreational fishing operator's license shall collect data from persons who engage in saltwater recreational fishing and report the data to the commissioner as specified by the commissioner by rule.

There is no fee for a recreational fishing operator's license.

~~**6. Agent fee.** A clerk or other agent appointed by the commissioner to register a person on the registry, issue a commercial operator's license or issue a striped bass endorsement under this section shall charge a~~

~~person a fee of $2 for each registration, license or endorsement issued to that person by that clerk or agent. The commissioner shall charge a fee of $1 for each registration, license or endorsement taken by a department employee.~~

~~**7. Native American.** Upon application, the commissioner shall register a member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs on the registry without a charge or fee if the Native American presents a certificate from the respective reservation tribal clerk or the Aroostook Micmac Council stating that the person described is a Native American and a member of that nation, band or tribe. The commissioner may refuse to register a Native American that is otherwise prohibited from registering or from holding a recreational fishing license issued under Part 13. A registration under this subsection is valid for one year and may be renewed without a charge or fee.~~

**8. Penalty.** A person who violates this section commits a civil violation for which a fine of not less than $100 may be adjudged.

**9. Suspension.** A person on the registry ~~or holding a striped bass endorsement or a license issued under this section~~ is subject to the applicable suspension provisions under chapter 617.

**10. Collaboration on outreach efforts.** The commissioner shall work with fishing and hunting groups and interested parties in the commissioner's efforts to notify and educate the public about the registry.

**11. Report.** The commissioner shall report registry information to the United States Department of Commerce, National Oceanic and Atmospheric Administration in a form and manner as required by the National Oceanic and Atmospheric Administration.

**12. Rules.** The commissioner may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**13. Registration expiration.** A registration issued under this section is valid until December 31st of the year in which it was issued. If applicable federal requirements allow, the commissioner may by rule extend the period for which a registration is valid.

**14. Registry procedures.** A person may register pursuant to this section through an agent appointed by the Department of Inland Fisheries and Wildlife to issue licenses under section 12501, through a publicly accessible online electronic system for registration operated by the department or at the department through a department employee.

**15. Agent fees.** A fee may not be charged for registering under this section. A person registering through an agent under section 12501 may be charged an agent fee of $2 if the only transaction conducted by that person is registering on the registry. A person registering on a publicly accessible online electronic system for registration may be charged an agent fee of $1. A person registering at the department with a department employee may be charged an agent fee of $1.

**16. Termination of registry requirement.** If the Marine Recreational Information Program administered by the United States Department of Commerce, National Oceanic and Atmospheric Administration does not receive funding to conduct surveys and perform data analysis, the department by rule shall suspend the registry. If the department suspends the registry, a person is not required to register under this section in order to engage in saltwater recreational fishing.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: Provides funding for computer programming and database storage costs.

| GENERAL FUND | 2010-11 | 2011-12 | 2012-13 |
|---|---|---|---|
| All Other | $0 | $0 | $6,365 |
| GENERAL FUND TOTAL | $0 | $0 | $6,365 |

| INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS | 2010-11 | 2011-12 | 2012-13 |
|---|---|---|---|
| GENERAL FUND | $0 | $0 | $6,365 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $0 | $6,365 |

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Resource Management 0027**

Initiative: Reduces allocations as a result of repealing the provisions of Public Law 2009, chapter 559, An Act to Create a Saltwater Recreational Fishing Registry.

| OTHER SPECIAL REVENUE FUNDS | 2010-11 | 2011-12 | 2012-13 |
|---|---|---|---|
| Personal Services | ($76,882) | $0 | $0 |
| All Other | ($85,434) | ($55,433) | ($55,433) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($162,316) | ($55,433) | ($55,433) |

**Office of the Commissioner 0258**

Initiative: Provides an allocation for supplies related to printing registrations received by the department.

| OTHER SPECIAL REVENUE FUNDS | 2010-11 | 2011-12 | 2012-13 |
|---|---|---|---|
| All Other | $400 | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $400 | $500 | $500 |

| MARINE RESOURCES, DEPARTMENT OF | | | |
|---|---|---|---|
| **DEPARTMENT TOTALS** | **2010-11** | **2011-12** | **2012-13** |
| **OTHER SPECIAL REVENUE FUNDS** | **($161,916)** | **($54,933)** | **($54,933)** |
| **DEPARTMENT TOTAL - ALL FUNDS** | **($161,916)** | **($54,933)** | **($54,933)** |

| SECTION TOTALS | 2010-11 | 2011-12 | 2012-13 |
|---|---|---|---|
| **GENERAL FUND** | **$0** | **$0** | **$6,365** |
| **OTHER SPECIAL REVENUE FUNDS** | **($161,916)** | **($54,933)** | **($54,933)** |
| **SECTION TOTAL - ALL FUNDS** | **($161,916)** | **($54,933)** | **($48,568)** |

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

Effective July 6, 2011.

# CHAPTER 422

## H.P. 510 - L.D. 683

## An Act To Enhance Long-term Care Services for Maine Citizens

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

**Sec. 1. 22 MRSA c. 1622-A** is enacted to read:

### CHAPTER 1622-A

### CONSOLIDATION OF LONG-TERM CARE SERVICES

**§7316. Consolidation of long-term care services**

Beginning July 1, 2012, all long-term care services provided directly or indirectly under the MaineCare program or other state-funded programs by the department under this Title must be combined into one program, referred to in this chapter as "the program," with a single set of rules, coordinated criteria for assessment and qualifications and a single budget.

**§7317. In-home and community support services; nursing facility services**

In-home and community support services and nursing facility services must be provided under the program, giving priority to expenditures that serve first those consumers with the greatest needs and the lowest service costs in accordance with the provisions of this section.

**1. Intake and eligibility assessment.** The department shall develop for the program a single system for intake and eligibility determination for all consumers, regardless of diagnosis, type of disability or age or other demographic factors, using the multidisciplinary teams designated by the commissioner pursuant to section 7323. The intake process, application and forms must be standardized despite differences in the criteria for eligibility for services under different provisions of the MaineCare program state plan or federally approved waiver under Medicaid or under state-funded services.

**2. Needs assessment.** The department shall assess a consumer for benefits determination periodically, as appropriate to the consumer, based on assessments of functional, health care and financial needs performed by an agency that is available to the consumer for case management services but that does not directly or indirectly provide in-home and community support services or nursing facility services. The assessment of the consumer's functional, health care and financial needs for in-home and community support services and nursing facility services must

include a medical evaluation conducted by the consumer's primary care provider or health care specialist, as appropriate, and an evaluation by the department of the requirements for personal care assistant services and the hours of service necessary to maintain the consumer in a home-based or community-based setting.

**3. Benefits determination; service delivery model selection.** Once the needs assessment under subsection 2 has been completed for a consumer, the department shall determine the benefits that are available for the consumer and the consumer may choose which services to purchase. The consumer may select service delivery through the following models: the model in which the consumer directs the consumer's care and employs the persons who provide care, with or without a surrogate or unpaid representative to assist the consumer; the agency model in which an agency directs the consumer's care and employs the persons who provide care; and the residential care model or nursing facility care model. If a consumer does not indicate a preference of service delivery model, the department shall assign the consumer to a self-directed model of in-home and community support services unless self-direction is determined to be inappropriate for the consumer.

**4. Plan of care.** The department shall develop and authorize a plan of care for each consumer determined to be eligible under this chapter or Title 34-B, chapter 5, subchapter 3, article 2. The plan of care must be based on the needs assessment under subsection 2 and must be designed to meet the needs of the consumer identified in the assessment, giving consideration to the consumer's living arrangement and informal supports and, to avoid duplication of services, services provided by other private and public funding sources.

**5. Transitional facilities and services.** The program must provide a consumer with transitional facilities and services to assist with changing functional needs and health care status.

**6. Nursing facility diversion.** The program must include a nursing facility diversion component to encourage the use of facilities and services consistent with the consumer's needs assessment under subsection 2 and as chosen by the consumer under subsection 3.

**7. Reimbursement.** The program must provide reimbursement for skilled nursing care and in-home and community support services based on a uniform rate-setting process that is consistent across types of care and services, that reduces administrative costs and that is realistic regarding access to care and services. The process must set aside a fixed percentage of the rate for wages and benefits of the direct-care workers.

**8. Implementation.** In implementing the program the department shall:

A. Establish best practices training standards in a common module-based format with standard designations for direct-care workers;

B. Create structures for service delivery that apply to all types of payors;

C. Promote the use of assistive technology;

D. Integrate the delivery of skilled nursing care and personal care and services;

E. Establish a system to designate qualified providers who must:

(1) Provide the full range of services in the self-directed and agency models under subsection 3;

(2) Have the organizational and administrative capacity to administer and monitor a complete range of in-home and community support services, including, but not limited to, serving as a resource regarding service options, coordinating and implementing consumer services, ensuring the services are delivered, providing skills training, responding to questions and problems, performing administrative services, ensuring compliance with policies and performing utilization review functions; and

(3) Submit proposals for coordinated in-home and community support services in response to a solicitation for proposals to qualified provider agencies from the department, in the form and manner required by the department as specified in rules. Rules adopted pursuant to this subparagraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

F. Promote consumer choice by investing in needed care and services that consumers choose; and

G. Develop expanded financing options to encourage private investment in residential care and nursing facilities.

**Sec. 2. Integrate accounts.** The Department of Health and Human Services shall combine long-term care accounts to implement the consolidation of long-term care services under the Maine Revised Statutes, Title 22, chapter 1622-A for fiscal years 2011-12 and 2012-13. The accounts that must be integrated into a single budget include the Office of Elder Services - Central Office account, the Long-term Care - Human Services account, the Nursing Facilities account and the Independent Housing with Services account.

**Sec. 3. Report on progress.** By January 5, 2012 and by November 1, 2012, the Department of Health and Human Services shall report to the joint

standing committee of the Legislature having jurisdiction over health and human services matters regarding the progress in implementing consolidation of long-term care services under the Maine Revised Statutes, Title 22, chapter 1622-A.

**Sec. 4. Report regarding feasibility of inclusion of services for persons with mental health needs and intellectual disabilities needs.** By January 5, 2012, the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services regarding the feasibility of the inclusion of services for persons with mental health needs and intellectual disabilities needs in the consolidation of long-term care services under the Maine Revised Statutes, Title 22, chapter 1622-A in fiscal years 2013-14 and 2014-15.

See title page for effective date.

## CHAPTER 423

## S.P. 205 - L.D. 624

### An Act To Require a Person Who Commits a Sex Offense against a Dependent or Incapacitated Adult To Register under the Sex Offender Registration and Notification Act of 1999

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

**Sec. 1. 17-A MRSA §253, sub-§2, ¶I,** as amended by PL 2001, c. 383, §16 and affected by §156, is further amended to read:

I. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a patient or client for mental health therapy of the actor. As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes, which therapy is based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse. Violation of this paragraph is a Class C crime; ~~or~~

**Sec. 2. 17-A MRSA §253, sub-§2, ¶J,** as corrected by RR 2003, c. 2, §25, is amended to read:

J. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes the other person as a person with mental retardation. It is an affirmative defense to prosecution under this paragraph that the actor receives services for mental retardation or is a person with mental retardation as defined in Title 34-B, section 5001, subsection 3. Violation of this paragraph is a Class C crime~~.~~;

**Sec. 3. 17-A MRSA §253, sub-§2, ¶¶K and L** are enacted to read:

K. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor. Violation of this paragraph is a Class C crime; or

L. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare. Violation of this paragraph is a Class C crime.

**Sec. 4. 17-A MRSA §255-A, sub-§1, ¶¶R-1 and R-2** are enacted to read:

R-1. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor. Violation of this paragraph is a Class D crime;

R-2. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor and the sexual contact includes penetration. Violation of this paragraph is a Class C crime;

**Sec. 5. 17-A MRSA §255-A, sub-§1, ¶¶U and V,** as enacted by PL 2005, c. 450, §2, are amended to read:

U. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a patient or client of the actor for mental health therapy. As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes and based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse. Violation of this paragraph is a Class D crime; ~~or~~

V. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a patient or client of the actor for mental health therapy and the sexual contact includes penetration. As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes and based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse. Violation of this paragraph is a Class C crime~~.~~;

**Sec. 6. 17-A MRSA §255-A, sub-§1, ¶¶W and X** are enacted to read:

W. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare. Violation of this paragraph is a Class D crime; or

X. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect and the sexual contact includes penetration. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare. Violation of this paragraph is a Class C crime.

**Sec. 7. 17-A MRSA §260, sub-§1, ¶J,** as amended by PL 2005, c. 450, §4, is further amended to read:

J. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor, who is at least 21 years of age, is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled. Violation of this paragraph is a Class E crime; ~~or~~

**Sec. 8. 17-A MRSA §260, sub-§1, ¶K,** as enacted by PL 2005, c. 450, §5, is amended to read:

K. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a patient or client of the actor for mental health therapy. As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes and based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse. Violation of this paragraph is a Class D crime~~.~~;

**Sec. 9. 17-A MRSA §260, sub-§1, ¶¶L and M** are enacted to read:

L. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor. Violation of this paragraph is a Class D crime; or

M. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare. Violation of this paragraph is a Class D crime.

**Sec. 10. 34-A MRSA §11203, sub-§6-A** is enacted to read:

**6-A. Sex offense; after October 1, 2011.** For persons convicted and sentenced on or after October 1, 2011, "sex offense" means, in addition to the offenses listed in subsection 6, a conviction for one of the following offenses or for an attempt or solicitation of one of the following offenses, without regard to the age of the victim:

A. Title 17-A, section 253, subsection 2, paragraphs J, K and L and Title 17-A, section 255-A, subsection 1, paragraphs C, G, Q, R, R-1, R-2, W and X;

B. A violation in another jurisdiction that includes the essential elements of an offense listed in paragraph A; or

C. A conviction for a military, tribal or federal offense requiring registration pursuant to:

(1) The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, also known as the Jacob Wetterling Act, Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, as amended; or

(2) The Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248.

See title page for effective date.

## CHAPTER 424

## H.P. 286 - L.D. 360

### An Act To Amend the Maine Certificate of Need Act of 2002

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

### PART A

**Sec. A-1. 22 MRSA §328, sub-§16,** as amended by PL 2009, c. 383, §3, is further amended to read:

**16. Major medical equipment.** "Major medical equipment" means a single unit of medical equipment or a single system of components with related functions used to provide medical and other health services that costs ~~$1,600,000~~ $3,200,000 or more. "Major medical equipment" does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and has been determined to meet the requirements of the United States Social Security Act, Title XVIII, Section 1861(s), paragraphs 10 and 11. In determining whether medical equipment costs more than the threshold provided in this subsection, the cost of studies, surveys, designs, plans, working drawings, specifications and other activities essential to acquiring the equipment must be included. If the equipment is acquired for less than fair market value, the term "cost" includes the fair market value. Beginning January 1, 2013 and annually thereafter, the threshold amount for review must be updated by the commissioner to reflect the change in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index, with an effective date of January 1st each year.

**Sec. A-2. 22 MRSA §328, sub-§17-A,** as amended by PL 2009, c. 383, §4, is further amended to read:

**17-A. New health service.** "New health service" means:

A. The obligation of any capital expenditures by or on behalf of a new or existing health care facility of ~~$110,000~~ $3,000,000 or more that is associated with the addition of a health service that was not offered on a regular basis by or on behalf of the health care facility within the 12-month period prior to the time the services would be offered;

B. The addition of a health service that is to be offered by or on behalf of a new or existing health care facility that was not offered on a regular basis by or on behalf of the health care facility within the 12-month period prior to the time the services would be offered and that, for the 3rd fiscal year of operation, including a partial first year following addition of that service, is projected to entail incremental annual operating costs directly attributable to the addition of that health service of at least ~~$400,000~~ $1,000,000. For the purposes of this paragraph, the compensation attributable to the health care practitioner is not included in the calculation of 3rd-year operating costs; or

C. The addition in the private office of a health care practitioner, as defined in Title 24, section 2502, subsection 1-A, of new technology that costs ~~$1,600,000~~ $3,200,000 or more. The department shall consult with the Maine Quality Forum Advisory Council established pursuant to Title 24-A, section 6952, prior to determining whether a project qualifies as a new technology in the office of a private practitioner. With regard to the private office of a health care practitioner, "new health service" does not include the location of a new practitioner in a geographic area.

Beginning January 1, 2013 and annually thereafter, the threshold amounts for review in paragraphs A, B and C must be updated by the commissioner to reflect the change in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index, with an effective date of January 1st each year.

"New health service" does not include a health care facility that extends a current service within the defined primary service area of the health care facility by purchasing within a 12-month time period new equipment costing in the aggregate less than the threshold provided in ~~section 328,~~ subsection 16;

**Sec. A-3. 22 MRSA §329, sub-§2-A, ¶B,** as amended by PL 2009, c. 383, §5, is further amended to read:

B. The following acquisitions of major medical equipment do not require a certificate of need:

(1) Major medical equipment being replaced by the owner~~, as long as the replacement cost is less than $2,000,000~~; and

(2) The use of major medical equipment on a temporary basis in the case of a natural disaster, major accident or major medical equipment failure.

**Sec. A-4. 22 MRSA §329, sub-§3,** as amended by PL 2009, c. 383, §6 and affected by §16, is further amended to read:

**3. Capital expenditures.** Except as provided in subsection 6, the obligation by or on behalf of a new or existing health care facility of any capital expenditure of ~~$3,100,000~~ $10,000,000 or more. Capital expenditures in the case of a natural disaster, major accident or equipment failure or for replacement equipment that is not major medical equipment as defined in section 328, subsection 16 or for parking lots and garages, information and communications systems or physician office space or projects directed solely at reducing energy costs through energy efficiency, renewable energy technology or smart grid technology and that have been certified as likely to be cost-effective by the Efficiency Maine Trust pursuant to Title 35-A, section 10122 do not require a certificate of need. Beginning January 1, 2013 and annually thereafter, the threshold amount for review must be updated by the commissioner to reflect the change in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index, with an effective date of January 1st each year;

**Sec. A-5. 22 MRSA §329, sub-§4-A,** as enacted by PL 2007, c. 440, §4, is amended to read:

**4-A. New health care facility.** The construction, development or other establishment of a new health care facility. The following requirements apply to certificate of need for new health care facilities.

A. A new health care facility that is a nursing facility must obtain a certificate of need:

(1) If it requires a capital expenditure of more than $5,000,000; or

(2) If it proposes to add new nursing facility beds to the inventory of nursing facility beds within the State, in which case it must satisfy all applicable requirements of section 334-A.

B. A new health care facility other than a nursing facility must obtain a certificate of need:

(1) If it requires a capital expenditure of more than $3,000,000; or

(2) If it is a new health service;

**Sec. A-6. 35-A MRSA §10122** is enacted to read:

**§10122. Health care facility program**

The trust shall develop and implement a process to review projects undertaken by health care facilities that are directed solely at reducing energy costs through energy efficiency, renewable energy technology or smart grid technology and to certify those projects that are likely to be cost-effective. If a project is certified as likely to be cost-effective by the trust, the review process serves as an alternative to the certificate of need process established pursuant to Title 22, section 329, subsection 3.

## PART B

**Sec. B-1. 22 MRSA §329, sub-§6,** as repealed and replaced by PL 2009, c. 652, Pt. A, §29, is amended to read:

**6. Nursing facilities.** The obligation by a new or existing nursing facility, when related to nursing services provided by the nursing facility, of any capital expenditures of ~~$510,000~~ $5,000,000 or more ~~and, beginning January 1, 2010, the obligation by a nursing facility, when related to nursing services provided by the nursing facility, of any capital expenditures of $1,000,000 or more~~. Beginning January 1, 2013 and annually thereafter, the threshold amount for review must be updated by the commissioner to reflect the change in the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index, with an effective date of January 1st each year.

A certificate of need is not required for the following:

A. A nursing facility converting beds used for the provision of nursing services to beds to be used for the provision of residential care services. If such a conversion occurs, MaineCare and other public funds may not be obligated for payment of services provided in the converted beds unless approved by the department pursuant to the provisions of sections 333-A and 334-A. In order to approve a conversion under this paragraph, the department must determine that any increased MaineCare residential care costs associated with the converted beds are fully offset by reductions in the MaineCare costs from the reduction in MaineCare nursing facility costs associated with the converted beds;

B. Capital expenditures in the case of a natural disaster, major accident or equipment failure;

C. Replacement equipment, other than major medical equipment as defined in section 328, subsection 16;

D. Information systems, communication systems, parking lots and garages; and

E. Certain energy-efficient improvements, as described in section 334-A, subsection 4.

**Sec. B-2. 22 MRSA §333, sub-§1, ¶A-1,** as enacted by PL 2007, c. 440, §8, is amended to read:

A-1. Beginning with anniversary dates occurring after July 1, 2007, annually provide notice to the department no later than 30 days after the anniversary date of the effective date of the license reduction of the nursing facility's intent to retain these reserved beds~~, subject to the time limitations set forth in subsection 2, paragraph B~~; and

**Sec. B-3. 22 MRSA §333, sub-§1, ¶B,** as enacted by PL 2001, c. 664, §2, is amended to read:

B. Obtain a certificate of need to convert beds back under section 335, except that, if no construction is required for the conversion of beds back, the application must be processed in accordance with subsection 2. The department in its review shall evaluate the impact that the nursing facility beds to be converted back would have on those existing nursing facility beds and facilities within 30 miles of the applicant's facility and shall determine whether to approve the request based on current certificate of need criteria and methodology.

**Sec. B-4. 22 MRSA §333, sub-§2, ¶B,** as amended by PL 2007, c. 440, §9, is further amended to read:

B. ~~Conversion of beds back under this section must be requested within 4 years of the effective date of the license reduction.~~ If the nursing facility fails to provide the annual notices required by subsection 1, paragraph B, the nursing facility's ability to convert beds back under this section lapses, and the beds must be treated as lapsed beds for purposes of this section and sections 333-A and 334-A.

**Sec. B-5. 22 MRSA §333-A, sub-§1,** as amended by PL 2009, c. 429, §2, is further amended to read:

**1. Nursing facility MaineCare funding pool.** Except as set forth in subsection ~~3~~ 3-A and section 334-A, savings to the MaineCare program as a result of delicensing of nursing facility beds on or after July 1, 2005, including savings from lapsed beds but excluding savings from reserved beds, must be credited to the nursing facility MaineCare funding pool, which must be maintained by the department to provide for the development of new beds or other improvements requiring a certificate of need. ~~The~~ For those nursing facility projects that propose to add new nursing facility beds to the inventory of beds within the State, the balance of the nursing facility MaineCare funding pool, as adjusted to reflect current costs consistent with the rules and statutes governing reimbursement of nursing facilities, serves as a limit on the MaineCare share of all incremental 3rd-year operating costs of ~~nursing facility~~ such projects ~~requiring review under this chapter, except as set forth in subsection 3 and~~ unless such projects are approved under applicable provisions of section 334-A. Nursing facility projects that do not add new nursing facility beds to the inventory of beds within the State are not subject to the nursing facility MaineCare funding pool.

**Sec. B-6. 22 MRSA §333-A, sub-§2,** as amended by PL 2007, c. 681, §4, is further amended to read:

**2. Procedure.** The balance of the nursing facility MaineCare funding pool must be used for development of additional nursing facility beds in areas of the State where additional beds are needed to meet the community need. The department must assess needs throughout the State and issue requests for proposals for the development of additional beds in areas where need has been identified by the department, except in the event of an emergency, when the department may use a sole source process. Proposals must be evaluated based on consideration of quality of care and cost, and preference must be given to existing nursing facilities in the identified need area that may increase licensed capacity by adding on to or renovating the existing facility. ~~Projects that exceed the review thresholds require a certificate of need, but no additional assessment of need will be conducted as part of that process. Except as set forth in section 334-A, subsection 2, a project requiring certificate of need approval may not increase MaineCare costs beyond the total amount appropriated for nursing facility care plus the available balance of the nursing facility MaineCare funding pool.~~

**Sec. B-7. 22 MRSA §333-A, sub-§3,** as amended by PL 2011, c. 90, Pt. J, §4, is repealed.

**Sec. B-8. 22 MRSA §333-A, sub-§3-A** is enacted to read:

**3-A. Transfers between nursing facility and residential care facility.** A nursing facility may delicense and sell or transfer beds to a residential care facility for the purpose of permitting the residential care facility to add MaineCare-funded beds to meet identified needs for such beds. Such a transfer does not require a certificate of need but is subject to prior approval of the department on an expedited basis. When the average then current occupancy rate for existing state-funded residential care beds within 30 miles of the applicant facility is 80% or less, the department in its review under section 335 shall evaluate

the impact that the proposed additional state-funded residential care beds would have on these existing state-funded residential care beds and facilities. Beds and MaineCare resources transferred pursuant to this subsection are not subject to the nursing facility MaineCare funding pool. In order for the department to approve delicensing, selling or transferring under this subsection, the department must determine that any increased MaineCare residential care costs associated with the converted beds are fully offset by reductions in the MaineCare costs from the reduction in MaineCare nursing facility costs associated with the converted beds.

**Sec. B-9. 22 MRSA §334-A, sub-§1,** as repealed and replaced by PL 2009, c. 429, §3, is repealed.

**Sec. B-10. 22 MRSA §334-A, sub-§1-A** is enacted to read:

**1-A. Projects that expand current bed capacity.** Nursing facility projects that propose to add new nursing facility beds to the inventory of nursing facility beds within the State may be considered under either of the following 2 options:

A. These projects may be grouped for competitive review purposes consistent with funds available from the nursing facility MaineCare funding pool and may be approved if sufficient funds are available from the nursing facility MaineCare funding pool or are added to the pool by an act of the Legislature, except that the department may approve, without available funds from the pool, projects to reopen beds previously reserved by a nursing facility through a voluntary reduction pursuant to section 333 if the annual total of reopened beds approved does not exceed 100; or

B. Petitioners proposing such projects may elect not to participate in a competitive review under paragraph A and the projects may be approved if:

(1) The petitioner, or one or more nursing facilities or residential care facilities or combinations thereof under common ownership or control, has agreed to delicense a sufficient number of beds from the total number of currently licensed or reserved beds, or is otherwise reconfiguring the operations of such facilities, so that the MaineCare savings associated with such actions are sufficient to fully offset any incremental MaineCare costs that would otherwise arise from implementation of the certificate of need project and, as a result, there are no net incremental MaineCare costs arising from implementation of the certificate of need project; or

(2) The petitioner, or one or more nursing facilities or residential care facilities or combinations thereof under common ownership or control, has acquired bed rights from another nursing facility or facilities or residential care facility or facilities or combinations thereof that agree to delicense beds or that are ceasing operations or otherwise reconfiguring their operations, and the MaineCare revenues associated with these acquired bed rights and related actions are sufficient to cover the additional requested MaineCare costs associated with the project.

With respect to the option described in this paragraph, when the average then current occupancy rate for existing nursing facility beds at facilities within 30 miles of the applicant facility exceeds 85%, the department in its review under section 335 shall evaluate the impact that the proposed additional nursing facility beds would have on those existing nursing facility beds and facilities and shall determine whether to approve the request based on current certificate of need criteria and methodology.

Certificate of need projects described in this paragraph are not subject to or limited by the nursing facility MaineCare funding pool.

**Sec. B-11. 22 MRSA §334-A, sub-§2, ¶B,** as amended by PL 2009, c. 429, §4, is further amended to read:

B. May be approved by the department upon a showing by the petitioner that the ~~petitioner has acquired bed rights from another nursing facility or facilities that agree to delicense beds, or that are ceasing operations or otherwise reconfiguring their operations, and that the MaineCare revenues associated with these acquired bed rights and related actions are sufficient to cover the additional requested MaineCare costs associated with the~~ project fulfills all pertinent requirements and the review criteria set forth in section 335.

**Sec. B-12. 22 MRSA §334-A, sub-§2-A,** as enacted by PL 2009, c. 429, §5, is amended to read:

**2-A. Other types of certificate of need projects.** Other types of nursing facility projects that do not add new nursing facility beds to the inventory of nursing facility beds within the State and do not propose to relocate beds from one facility to another existing or new facility and that propose any renovation, replacement, transfer of ownership or other actions requiring certificate of need review, such as capital expenditures for equipment and renovations that are above applicable thresholds, ~~or that propose actions that do not require a certificate of need, such as the addition of residential care beds to be funded by the MaineCare program,~~ may be approved by the department upon a showing that~~:~~ the project fulfills all pertinent requirements and the review criteria set forth in section 335.

~~A. The petitioner, or one or more nursing facilities under common ownership or control, has agreed to delicense a sufficient number of beds from the total number of currently licensed or reserved beds, or is otherwise reconfiguring its operations, so that the MaineCare savings associated with such actions are sufficient to fully offset any incremental MaineCare costs that would otherwise arise from implementation of the certificate of need project and, as a result, there are no net incremental MaineCare costs arising from implementation of the certificate of need project; or~~

~~B. The petitioner, or one or more nursing facilities under common ownership or control, has acquired bed rights from another nursing facility or facilities that agree to delicense beds or that are ceasing operations or otherwise reconfiguring their operations, and that the MaineCare revenues associated with these acquired bed rights and related actions are sufficient to cover the additional requested MaineCare costs associated with the project.~~

Certificate of need projects described in this subsection are not subject to or limited by the nursing facility MaineCare funding pool.

**Sec. B-13. 22 MRSA §334-A, sub-§2-B** is enacted to read:

**2-B. Emergencies and necessary nursing facility projects.** If the department determines that an emergency exists, it may approve a necessary nursing facility certificate of need application on an expedited basis when the applicant proposes capital expenditures for renovations and improvements that are necessary:

A. To achieve compliance with code and related regulatory requirements;

B. To comply with the federal Health Insurance Portability and Accountability Act of 1996 and related patient privacy standards;

C. To address other patient safety requirements and standards; or

D. To address other necessary and time-sensitive patient safety or compliance issues.

Certificate of need projects described in this subsection are not subject to or limited by the nursing facility MaineCare funding pool.

**Sec. B-14. 22 MRSA §334-A, sub-§3,** amended by PL 2009, c. 430, §§2 to 4, is further amended to read:

**3. Evaluating costs.** Beginning with all applications pending on ~~January 1, 2003~~ February 15, 2012, in evaluating whether a project will increase MaineCare expenditures for a nursing facility for the purposes of this section, the department shall:

A. Allow gross square footage per licensed bed of not less than 500 square feet unless the applicant specifies a smaller allowance for the project~~;~~.

~~B. Exclude the projected incremental cost associated with replacement of equipment; and~~

~~C. Exclude the incremental cost of energy efficient improvements as defined in the rules governing MaineCare reimbursement for nursing facilities.~~

**Sec. B-15. 22 MRSA §335, sub-§1,** as amended by PL 2011, c. 90, Pt. J, §5, is further amended to read:

**1. Basis for decision.** Based solely on a review of the record maintained under subsection 6, the commissioner shall approve an application for a certificate of need if the commissioner determines that the project:

A. Meets the conditions set forth in subsection 7;

C. Ensures high-quality outcomes and does not negatively affect the quality of care delivered by existing service providers;

D. Does not result in inappropriate increases in service utilization, according to the principles of evidence-based medicine adopted by the Maine Quality Forum, as established in Title 24-A, section 6951, when the principles adopted by the Maine Quality Forum are directly applicable to the application; and

~~E. Can be funded within the capital investment fund or, in the case of a nursing facility, is consistent with the nursing facility MaineCare funding pool and other provisions of sections 333-A and 334-A.~~

F. In the case of a nursing facility project that proposes to add new nursing facility beds to the inventory of nursing facility beds within the State, is consistent with the nursing facility MaineCare funding pool and other applicable provisions of sections 333-A and 334-A.

## PART C

**Sec. C-1. Rule amendment.** No later than January 1, 2012, the Department of Health and Human Services shall amend its rules on certificate of need under the Maine Revised Statutes, Title 22, chapter 103-A to permit applications to be filed at any time, rather than on a cycle, and to allow applicants to waive having a technical assistance meeting.

**Sec. C-2. Review of certificate of need.** The Department of Health and Human Services shall convene a stakeholder group no later than October 15, 2011 to review ways to improve the certificate of need process under the Maine Revised Statutes, Title 22, chapter 103-A and the rules that implement certificate

of need laws. The department shall make any necessary recommendations for changes in law or rule for the benefit of the regulated entities and the people of the State to the Legislature no later than January 15, 2012. The department shall invite participants from a range of groups, including, but not limited to, the Maine Medical Association, the Maine Hospital Association, the Maine Health Care Association, private attorneys who have practiced in the field of certificate of need law, an association of not-for-profit, long-term care providers of services to the elderly in Maine and New Hampshire and a physician-owned multispecialty medical practice based in Portland.

**Sec. C-3. Effective date.** Notwithstanding any other provision of this Act, section 1 of this Part takes effect December 1, 2011 and section 2 of this Part takes effect October 1, 2011.

## PART D

**Sec. D-1. 22 MRSA §337, sub-§2, ¶B,** as amended by PL 2009, c. 383, §10, is further amended to read:

B. Within ~~30~~ 15 days of filing the letter of intent, the applicant shall schedule a meeting with the department staff in order to assist the department in understanding the application and to receive technical assistance concerning the nature, extent and format of the documentary evidence, statistical data and financial data required for the department to evaluate the proposal. The department may not accept an application for review until the applicant has satisfied this technical assistance requirement.

**Sec. D-2. 22 MRSA §337, sub-§5,** as amended by PL 2009, c. 383, §11, is further amended to read:

**5. Public notice; public informational meeting.** Within ~~10~~ 5 business days of the filing of a certificate by an applicant that a complete certificate of need application is on file with the department, public notice that the application has been filed and that a public informational meeting must be held regarding the application must be given by publication in a newspaper of general circulation in Kennebec County and in a newspaper published within the service area in which the proposed expenditure will occur. The notice must also be provided to all persons who have requested notification by means of asking that their names be placed on a mailing list maintained by the department for this purpose. This notice must include:

A. A brief description of the proposed expenditure or other action;

B. A description of the review process and schedule;

C. A statement that any person may examine the application, submit comments in writing to the department regarding the application and examine the entire record assembled by the department at any time from the date of publication of the notice until the application process is closed for comment; and

D. The time and location of the public informational meeting and a statement that any person may appear at the meeting to question the applicant regarding the project or the department regarding the conditions that the applicant must satisfy in order to receive a certificate of need for the project.

The department shall make an electronic or stenographic record of the public informational meeting.

A public informational meeting is not required for the simplified review and approval process in section 336.

**Sec. D-3. 22 MRSA §339, sub-§2, ¶B,** as enacted by PL 2001, c. 664, §2, is amended to read:

B. The commissioner, or the commissioner's designee, shall hold a public hearing if 5 persons residing or located within the health service area to be served by the applicant request, in writing, that such a public hearing be held and the request is received by the commissioner no later than ~~30~~ 15 days following the informational hearing on the application conducted pursuant to section 337, subsection 5.

**Sec. D-4. 22 MRSA §339, sub-§5,** as enacted by PL 2001, c. 664, §2, is amended to read:

**5. Reviews.** To the extent practicable, a review must be completed and the commissioner shall make a decision within ~~90~~ 45 days after the application has been certified as complete by the applicant. The department shall establish criteria for determining when it is not practicable to complete a review within ~~90~~ 45 days. Whenever it is not practicable to complete a review within ~~90~~ 45 days, the department may extend the review period for up to an additional ~~60~~ 30 days.

**Sec. D-5. 22 MRSA §339, sub-§6,** as enacted by PL 2001, c. 664, §2, is amended to read:

**6. Public necessity.** The department may delay action on an otherwise complete application for up to ~~180~~ 90 days from the time the application has been certified as complete by the applicant if the department finds that a public necessity exists. The department shall provide written notice of the delay to the applicant and any other person who has requested in writing information regarding the application. For purposes of this subsection, the department shall find that a public necessity exists if:

A. The application represents a new service or technology not previously provided within the State;

B. The application represents a potential significant impact on health care system costs;

C. The application represents a new service or technology for which a health care system need has not been previously established; or

D. There are several applications for the same or similar projects before the department.

## PART E

**Sec. E-1. Effective date.** This Act takes effect February 15, 2012 except as otherwise indicated.

Effective February 15, 2012, unless otherwise indicated.

---

## CHAPTER 425

## H.P. 52 - L.D. 59

### An Act To Provide Sales Tax Exemption or Refund on Parts and Supplies Purchased To Operate Windjammers

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

**Sec. 1. 36 MRSA §2020** is enacted to read:

**§2020. Refund of sales tax on purchases of parts and supplies for windjammers**

**1. Definition.** For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Parts and supplies" means any products used directly and primarily for the operation, repair or maintenance of a windjammer, including, but not limited to, sails, rope, wood, rigging, masts, paints, varnishes, undersealers, engines and pumps, and lubricants and fuel.

B. "Windjammer" means a United States Coast Guard-certified sailing vessel based in the State of traditional construction and designed to a historic standard that is used primarily for providing overnight passenger cruises along the Maine coast for a fee.

**2. Refund authorized.** The State Tax Assessor shall refund to a person that purchases parts and supplies for use in the operation, repair or maintenance of a windjammer the amount of sales tax paid with respect to those parts and supplies upon the person's presenting evidence that the purchase is eligible for a refund under this section. The refund claim must be submitted on a form prescribed by the assessor and must be accompanied by a copy or copies of that portion of the purchaser's most recent filing under the Code indicating that the purchaser is engaged in the operation of a windjammer and such additional information as the assessor may require. An application for a refund under this subsection must be filed with the assessor within 36 months of the date of purchase.

**3. Purchases made free of tax with certificate.** Sales tax need not be paid on the purchase of parts and supplies for use in the operation, repair or maintenance of a windjammer if the purchaser has obtained a certificate from the assessor stating that the purchaser is engaged in the operation of a windjammer and authorizing the purchaser to purchase parts and supplies for use in the operation, repair and maintenance of a windjammer without paying Maine sales tax. The seller shall obtain a copy of the certificate together with an affidavit as prescribed by the assessor, to be maintained in the seller's records, attesting to the qualification of purchases for exemption pursuant to this section.

**4. Audit.** The assessor may audit a claim for refund filed under subsection 2 or the use of a certificate issued under subsection 3. If the assessor determines that the amount of the claimed refund is incorrect or that the certificate has been used inappropriately, the assessor may issue an assessment within 3 years from the date of purchase or the date the claim was filed, whichever is later, or at any time if a fraudulent claim was filed. The claimant may seek reconsideration of the assessment pursuant to section 151.

**5. Payment of claims.** The assessor shall pay the approved amount to qualified applicants under this section within 30 days after receipt of a properly completed claim. Interest is not allowed on any payment made to a claimant pursuant to this section.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Revenue Services - Bureau of 0002**

Initiative: Provides funding for required adaptations to computer systems and forms to implement sales tax refunds or sales tax exemption certificates for purchases of parts and supplies used for the operation, repair or maintenance of windjammers based in this State used to carry either cargo or passengers for a fee.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $7,000 |
| GENERAL FUND TOTAL | $0 | $7,000 |

**Sec. 3. Effective date; application.** This Act takes effect October 1, 2012 and applies to purchases of parts and supplies, as defined in the Maine Revised

Statutes, Title 36, section 2020, subsection 1, made on or after October 1, 2012.

Effective October 1, 2012.

## CHAPTER 426

## H.P. 171 - L.D. 194

### An Act To Make Permanent the Direction of Fines Derived from Tribal Law Enforcement Activities to the Passamaquoddy Tribe and the Penobscot Nation

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

**Sec. 1. 4 MRSA §1059, sub-§3,** as enacted by PL 2009, c. 417, §1, is repealed.

See title page for effective date.

## CHAPTER 427

## S.P. 415 - L.D. 1338

### An Act To Amend the Maine Consumer Credit Code To Conform with Federal Law

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

### PART A

**Sec. A-1. 9-A MRSA §1-301, sub-§11,** as amended by PL 1997, c. 122, §1, is further amended to read:

**11.** "Consumer credit sale":

A. A "consumer credit sale" is a sale of goods, services or an interest in land in which:

~~(i)~~ (1) Credit is granted either pursuant to a credit card other than a lender credit card or by a seller who regularly engages as a seller in credit transactions of the same kind;

~~(ii)~~ (2) The buyer is a person other than an organization;

~~(iii)~~ (3) The goods, services or interest in land are purchased primarily for a personal, family or household purpose;

~~(iv)~~ (4) Either the debt is payable in installments or a finance charge is made;

~~(v)~~ (5) With respect to a sale of goods or services, not including manufactured housing or a motor vehicle, the amount financed does not exceed ~~$25,000~~ $50,000, consistent with Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203; and

~~(vi)~~ (6) With respect to a sale of a motor vehicle as defined in Title 29-A, section 101, subsection 42, the amount financed does not exceed ~~$35,000~~ $50,000, consistent with Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203.

The amounts set out in subparagraphs (5) and (6) are automatically adjusted to correspond with any inflation adjustment made to the exempt transaction amount referenced in the Federal Truth in Lending Act, Section 104, subsection (3) and any rules adopted pursuant to that Act.

**Sec. A-2. 9-A MRSA §1-301, sub-§13,** as repealed and replaced by PL 1987, c. 129, §20, is amended to read:

**13.** A "consumer lease" is a lease of goods:

A. ~~Which~~ That a lessor regularly engaged in the business of leasing makes to a person, other than an organization, who takes under the lease primarily for a personal, family or household purpose;

B. In which the amount payable under the lease does not exceed ~~$25,000~~ $50,000, consistent with Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203. The exempt transaction amount in this paragraph is automatically adjusted to correspond with any inflation adjustment made to the exempt transaction amount referenced in the Federal Truth in Lending Act, Section 181, subsection (1) and any rules adopted pursuant to that Act;

C. ~~Which~~ That is for a term exceeding 4 months; and

D. ~~Which~~ That is not made pursuant to a lender credit card.

A person is regularly engaged in the business of leasing if ~~he~~ the person enters into consumer leases more than 25 times in the preceding calendar year. If a person did not meet this numerical test in the preceding calendar year, the numerical standard ~~shall~~ must be applied to the current calendar year.

**Sec. A-3. 9-A MRSA §1-301, sub-§14, ¶A,** as amended by PL 1997, c. 727, Pt. B, §2, is further amended to read:

A. Except as provided in paragraph B, a "consumer loan" is a loan made by a person regularly engaged in the business of making loans in which:

~~(i) the~~ (1) The debtor is a person other than an organization;

~~(ii) the~~ (2) The debt is incurred primarily for a personal, family or household purpose;

~~(iii) either~~ (3) Either the debt is payable in installments or a finance charge is made; and

~~(iv) for~~ (4) For loans made by:

(a) A supervised financial organization, either the amount financed does not exceed ~~$25,000~~ $50,000, consistent with Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, or the debt is secured by manufactured housing or an interest in land; or

(b) A supervised lender other than a supervised financial organization, either the amount financed does not exceed ~~$35,000~~ $50,000, consistent with Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, or the debt is secured by manufactured housing or an interest in land.

The exempt transaction amount in divisions (a) and (b) are automatically adjusted to correspond with any inflation adjustment made to the exempt transaction amount referenced in the Federal Truth in Lending Act, Section 104, subsection (3) and any rules adopted pursuant to that Act.

**Sec. A-4. 9-A MRSA §1-301, sub-§17,** as amended by PL 2005, c. 274, §1, is repealed and the following enacted in its place:

**17.** "Creditor" means a person who both:

A. Regularly extends, whether in connection with loans, sales of property or services, or otherwise, consumer credit that is payable by agreement in more than 4 installments or for which the payment of a finance charge is or may be required; and

B. Is the person to whom the debt arising from the consumer credit transaction is initially payable on the face of the evidence of indebtedness or, if there is no such evidence of indebtedness, by agreement; except that, in the case of an open-end credit plan involving a credit card, the card issuer and any person who honors the credit card and offers a discount that is a finance charge are creditors.

For the purpose of the requirements imposed under Article 8-A for credit billing pursuant to 15 United States Code, Section 1666 et seq. and for open-end consumer credit pursuant to 15 United States Code, Section 1637(a)(5), (a)(6), (a)(7), (b)(1), (b)(2), (b)(3), (b)(8) and (b)(10), "creditor" also includes card issuers whether or not the amount due is payable by agreement in more than 4 installments or the payment of a finance charge is or may be required and the administrator shall by regulation apply these requirements to those card issuers, to the extent appropriate, even though the requirements are by their terms applicable only to creditors offering open-end credit plans.

For the purposes of this Title, "creditor" also includes any person who originates 2 or more mortgages referred to as high-cost mortgage loans under Article 8-A, section 8-506 in any 12-month period or any person who originates one or more such mortgage loans through a mortgage broker as defined in Article 8-A, section 8-506, subsection 1, paragraph J, or a loan broker as defined in Article 10.

For purposes of this Title, "creditor" also includes a private educational lender as that term is defined in 15 United States Code, Section 1650.

A person regularly extends consumer credit only if the person extended credit other than credit subject to high-cost mortgage loan requirements more than 25 times or more than 5 times for transactions secured by a dwelling in the preceding calendar year. If a person did not meet these numerical standards in the preceding calendar year, the numerical standards must be applied to the current calendar year.

**Sec. A-5. 9-A MRSA §2-202, sub-§7,** as amended by PL 1999, c. 184, §1, is further amended to read:

**7.** ~~With~~ Unless otherwise provided for in Article 8-A, with respect to consumer credit sales made pursuant to a credit card, other than a lender credit card, a creditor may not impose a finance charge if it is in excess of that set forth in the agreement between the consumer and the creditor.

**Sec. A-6. 9-A MRSA §2-402, sub-§5,** as amended by PL 2005, c. 484, §2, is further amended to read:

**5.** ~~With~~ Unless otherwise provided for in Article 8-A, with respect to loans made pursuant to a lender credit card, a creditor may not impose a finance charge if it is in excess of that set forth in the agreement between the consumer and the creditor. This subsection does not apply to open-end credit plans secured by a consumer's principal dwelling or by a 2nd or vacation home of the consumer.

**Sec. A-7. 9-A MRSA §2-501, sub-§3,** as amended by PL 1995, c. 84, §6, is further amended to read:

**3.** ~~Charges~~ Unless otherwise provided for in Article 8-A, charges permitted under this section and any other charges specifically excluded from the definition of "finance charge" in section 1-301, subsection 19, are permissible charges in addition to, and ex-

cluded from the calculation of, maximum finance charges set forth in Parts 2 and 4. Unless otherwise expressly prohibited by this Act, including prohibitions found in Article 8-A, and except on retail credit card accounts, a creditor may contract for and receive additional charges not authorized by this section or by section 1-301, subsection 19, if such additional charges, together with all other finance charges applicable to a consumer credit transaction, do not exceed the applicable maximum finance charge under this Act.

**Sec. A-8. 9-A MRSA §2-501, sub-§4,** as amended by PL 1995, c. 614, Pt. A, §4, is further amended to read:

**4.** ~~In~~ Unless otherwise provided for in Article 8-A, in addition to or in lieu of interest at a periodic rate or rates as provided in section 2-402, and in addition to any other charges permitted under this Act, a supervised financial organization or supervised lender may, if the agreement with the consumer governing an open-end credit plan involving the use of a lender credit card so provides, charge and collect as an additional finance charge or interest, in such manner or form as the plan may provide, one or more of the following:

A. A daily, weekly, monthly, annual or other periodic charge in such amount as the agreement may provide for the privileges made available to the consumer under the plan;

B. A transaction charge or charges in such amount or amounts as the agreement may provide for each separate purchase or loan under the plan;

C. A minimum charge for each daily, weekly, monthly, annual or other scheduled billing period under the plan during any portion of which there is an outstanding, unpaid indebtedness under the plan;

D. Reasonable fees for services rendered or for reimbursement of expenses incurred in good faith by the creditor or its agents in connection with the plan, or other reasonable fees incident to the application for and the opening, administration and termination of the plan, including, without limitation, commitment, application and processing fees, official fees and taxes, and filing fees, but excluding costs of collections after default, other than reasonable attorney's fees not in excess of 15% of the unpaid debt incurred in connection with a legal action brought by an attorney who is not a salaried employee of the creditor;

E. A late or delinquency charge upon any outstanding, unpaid installment payments or portions of those payments under the plan that are not paid in full within 15 days after the scheduled or deferred due date;

F. Return-payment charges;

G. Documentary evidence charges;

H. Stop-payment fees;

I. Over-the-limit charges; and

J. Automated teller machine charges or similar electronic or interchange fees or charges.

This subsection does not apply to open-end credit plans secured by a consumer's principal dwelling or by any 2nd or vacation home of the consumer.

**Sec. A-9. 9-A MRSA §3-204, sub-§2,** as amended by PL 1999, c. 150, §2, is further amended to read:

**2.** ~~A~~ Unless otherwise provided for in Article 8-A, a creditor may change the terms of an open-end credit account ~~whether or not the change is authorized by prior agreement~~. Except as provided in subsections 3 and 3-A, the creditor shall give to the consumer written notice of any change of terms relating to penalties, interest or other charges at least 30 days before the effective date of the change. ~~Except in the case of an unsecured open-end credit account involving the use of a credit card, a~~ A change of terms that would increase any penalty, interest or other charges may not affect outstanding balances incurred prior to the effective date of any such change unless:

A. The creditor includes in the notice of change an offer to finance by a separate loan arrangement the outstanding unpaid balance as of the effective date of the change at the same rate of interest with the same repayment schedule as applies to that open-end credit account;

B. The consumer may accept the offer of a separate loan arrangement with respect to the then existing unpaid balance anytime prior to 7 days before the change is to become effective;

C. The creditor has legal authority to make such a loan; and

D. No minimum finance charge is assessed nor prepayment penalty charged on the loan.

**Sec. A-10. 9-A MRSA §3-310, sub-§1, ¶D,** as amended by PL 1999, c. 150, §3, is further amended to read:

D. With respect to an open-end credit plan other than one described in paragraph B, the information required by 12 Code of Federal Regulations, ~~226.6(a)(2)~~ Section 226.6(a)(1)(ii) must be disclosed before the first transaction under the plan.

**Sec. A-11. 9-A MRSA §6-104, sub-§1, ¶H,** as amended by PL 1995, c. 309, §8 and affected by §29, is further amended to read:

H. Maintain a public file of all enforcement proceedings instituted and of their disposition, in-

cluding all assurances of voluntary compliance accepted and their terms and the pleadings and briefs in all actions in which the administrator is a party; ~~and~~

**Sec. A-12. 9-A MRSA §6-104, sub-§1, ¶I,** as enacted by PL 1995, c. 309, §9 and affected by §29, is amended to read:

I. Convene meetings of individuals representing various segments of the public and the consumer credit industry to advise and consult with the administrator concerning the exercise of powers under this Act and to make recommendations to the administrator. The administrator may authorize reimbursement of reasonable expenses incurred in attending the meetings~~.~~; and

**Sec. A-13. 9-A MRSA §6-104, sub-§1, ¶J** is enacted to read:

J. To the extent permitted in Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, Section 1042, enforce the provisions of Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203 or regulations issued under those provisions with respect to entities that are state-chartered, incorporated, licensed or otherwise authorized to do business under the laws of this State and secure remedies under provisions of Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203 or remedies otherwise provided under other provisions of law with respect to entities that are state-chartered, incorporated, licensed or otherwise authorized to do business under the laws of this State.

**Sec. A-14. 9-A MRSA Art. 8,** as amended, is repealed.

**Sec. A-15. 9-A MRSA Art. 8-A** is enacted to read:

## ARTICLE 8-A

## MAINE TRUTH-IN-LENDING

### §8-501. Short title

This Article may be known and cited as the "Maine Consumer Credit Code - Truth-in-Lending."

### §8-502. Findings and declaration of purpose

The Legislature finds that economic stabilization would be enhanced and the competition among the various financial institutions and other firms engaged in the extension of consumer credit would be strengthened by the informed use of credit. The informed use of credit results from an awareness of the cost thereof by consumers. It is the purpose of this Article to ensure a meaningful disclosure of credit terms so that the consumer will be able to compare more readily the various credit terms available to the consumer and avoid the uninformed use of credit and to protect the consumer against inaccurate and unfair credit billing and credit card practices.

### §8-503. Conformity with federal law

Unless the context otherwise indicates, any word or phrase that is not defined in this Article but that is defined in the Federal Truth in Lending Act, Title I of the federal Consumer Credit Protection Act, 15 United States Code, Section 1601 et seq. or its implementing regulation, Regulation Z, 12 Code of Federal Regulations, Section 226.1 et seq., has the meaning set forth in the Federal Truth in Lending Act and its implementing regulations.

### §8-504. Maine Consumer Credit Code - Truth-in-Lending

**1. Compliance with Federal Truth in Lending Act.** Notwithstanding any other law, a creditor shall comply with the Federal Truth in Lending Act, Title I of the federal Consumer Credit Protection Act, 15 United States Code, Section 1601 et seq. and its implementing regulations, Regulation Z, 12 Code of Federal Regulations, Section 226.1 et seq. and Regulation M, 12 Code of Federal Regulations, Section 213.1 et seq., including any final regulations issued on or before July 21, 2011.

**2. Rule-making authority.** Consistent with the purposes of Title X and Title XIV of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203 and with the purposes set forth in sections 1-102 and 8-502 and notwithstanding other law, the administrator may adopt rules substantially similar to or that afford more protection for consumers than those codified in 12 Code of Federal Regulations, Part 226 and 12 Code of Federal Regulations, Part 213. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. In adopting rules pursuant to this subsection, the administrator shall specifically consider whether there is a substantial impact on consumer protection before adopting rules affecting the following provisions of section 8-506:

A. The rate thresholds pertaining to high-cost mortgage loans in section 8-506, subsection 1, paragraph H;

B. The prepayment penalties for high-cost mortgage loans in section 8-506, subsection 2, paragraph D;

C. The assignee liability for high-cost mortgage loans in section 8-506, subsection 3;

D. The ability to repay in section 8-506, subsection 4;

E. The prohibition against flipping and the principles of tangible net benefit in section 8-506, subsection 5; or

F. The enhanced penalties for violations in section 8-506, subsection 6.

The rules may contain classifications, differentiations or other provisions and may provide for adjustments and exceptions for any class of transactions subject to this Title that in the judgment of the administrator are necessary or proper to effectuate the purposes of this Title, or to prevent circumvention or evasion of or to facilitate compliance with, the provisions of this Title.

**3. Compliance with rules prior to effective date.** A creditor may comply with any rules adopted by the administrator pursuant to subsection 2 prior to the effective date of those rules.

**§8-505. Enforcement**

**1. Enforcement under Article 6.** The administrator shall enforce this Article under the provisions of Article 6. When the Superintendent of Financial Institutions is acting as administrator, the superintendent may, in addition to the enforcement authority under Article 6, use any authority provided in Title 9-B for the supervision of financial institutions.

**2. Reimbursement.** The administrator may adopt by rule a reimbursement program such that creditors subject to an administrative order under section 6-108 may be ordered to make whatever adjustments are necessary to ensure that any person will not be required to pay a finance charge in excess of the finance charge actually disclosed or the dollar equivalent of the annual percentage rate actually disclosed, whichever is lower. In determining any readjustment, the administrator shall apply, with respect to the annual percentage rate, a tolerance allowed under the Federal Truth in Lending Act, 15 United States Code, Section 1607 and its implementing regulation, Regulation Z, 12 Code of Federal Regulations, Section 226.1 et seq. and, with respect to the finance charge, a corresponding numerical tolerance as generated by the tolerance allowed by the Federal Truth in Lending Act and its implementing regulations for the annual percentage rate. The administrator may order partial adjustment or partial payments over an extended period if the administrator determines that a partial adjustment or making partial payments over an extended period is necessary to avoid causing the creditor to become undercapitalized pursuant to the Federal Deposit Insurance Act.

**3. Criminal liability for willful and knowing violation.** Whoever willfully and knowingly gives false or inaccurate information or fails to provide information that the person is required to disclose under the provisions of this Article or any regulation issued thereunder, uses any chart or table authorized by the administrator under this Article in such a manner as to consistently understate the annual percentage rate determined under this Article or otherwise fails to comply with any requirement imposed under this Article is guilty of a Class D crime.

**4. Penalties inapplicable to governmental agencies.** A civil or criminal penalty provided under this Article for any violation thereof may not be imposed upon the United States or any agency thereof, or upon any state or political subdivision thereof, or any agency of any state or political subdivision thereof.

**5. Civil liability.** Except as otherwise provided for transactions subject to section 8-506, subsection 6, any creditor that fails to comply with the requirements imposed under this Article with respect to any person is liable to that person as provided for in the Federal Consumer Credit Protection Act, 15 United States Code, Section 1640.

**6. Liability of assignees.** Except as otherwise provided for transactions subject to section 8-506, subsection 3, any civil action for a violation of this Article that may be brought against a creditor may be maintained against any assignee of such creditor as provided for in the federal Consumer Credit Protection Act, 15 United States Code, Section 1641.

**7. Attorney General.** The Attorney General has jurisdiction to enforce this Article against mortgage brokers as defined in section 8-506, subsection 1, paragraph J and supervised lenders that are not supervised financial organizations through their general regulatory powers and through civil process. The administrator, through the Attorney General, may bring a civil action to restrain any person from violating this Article.

**§8-506. Enhanced restrictions on certain creditors**

In addition to the compliance requirements of section 8-504, subsection 1, unless otherwise required by rules adopted pursuant to section 8-504, subsection 2, a creditor shall comply with the following enhanced restrictions.

**1. Definitions.** The following definitions apply to the enhanced restrictions set forth in this section.

A. "Administrator" has the same meaning as set forth in section 1-301.

B. "Bona fide discount points" means an amount knowingly paid by a borrower for the express purpose of reducing, and that in fact does result in a bona fide reduction of, the interest rate applicable to a residential mortgage loan, as long as the undiscounted interest rate for the residential mortgage loan does not exceed the conventional mortgage rate by more than 2 percentage points for a residential mortgage loan secured by a first lien or by 3 1/2 percentage points for a residential mortgage loan secured by a subordinated lien.

C. "Borrower" means any natural person obligated to repay a loan, including a coborrower, cosigner or guarantor.

D. "Conventional mortgage rate" means the most recently published annual yield on conventional mortgages published by the Board of Governors of the Federal Reserve System, as published in statistical release H.15 or any superseding publication, as of the applicable time set forth in 12 Code of Federal Regulations, Section 226.32(a)(1)(i).

E. "Conventional prepayment penalty" means any prepayment penalty or fee that may be collected or charged in a residential mortgage loan and that is authorized by law other than this section, as long as the residential mortgage loan does not have an annual percentage rate that exceeds the conventional mortgage rate by more than 2 percentage points and does not permit any prepayment fees or penalties that exceed 2% of the amount prepaid.

F. "Creditor" has the same meaning as set forth in section 1-301, subsection 17. For purposes of this section, "creditor" also includes an entity defined as a lender as set forth in 24 Code of Federal Regulations, Section 3500.2, including a mortgage broker.

G. "Excluded points and fees" means, in connection with a residential mortgage loan, all bona fide fees paid to a federal or state government agency that insures payment of some portion of a residential mortgage loan plus an amount not to exceed 2% of the total loan amount attributable to bona fide discount points or a conventional prepayment penalty.

H. "High-cost mortgage loan" means a residential mortgage loan in which the terms of the loan meet or exceed one or more of the following thresholds:

(1) Rate threshold, which, for a residential mortgage loan, is the point at which the annual percentage rate equals or exceeds the rate set forth in 12 Code of Federal Regulations, Section 226.32(a)(1)(i) without regard to whether the residential mortgage loan may be considered a "residential mortgage transaction" or an extension of "open-end credit" as those terms are set forth in 12 Code of Federal Regulations, Section 226.2; or

(2) The total points and fees threshold, which is:

(a) For loans in which the total loan amount is $40,000 or more, the point at which the total points and fees payable in connection with the residential mortgage loan less any excluded points and fees exceed 5% of the total loan amount; and

(b) For loans in which the total loan amount is less than $40,000, the point at which the total points and fees payable in connection with the residential mortgage loan less any excluded points and fees exceed 6% of the total loan amount.

I. "Higher-priced mortgage loan" has the same meaning as set forth in the Federal Truth in Lending Act and its implementing regulation, Regulation Z, 12 Code of Federal Regulations, Section 226.35(a). "Higher-priced mortgage loan" also includes a residential mortgage loan that is a nontraditional mortgage as described in the "Interagency Guidance on Nontraditional Mortgage Product Risks" issued September 29, 2006 and published in 71 Federal Register, 58609 on October 4, 2006 and as updated from time to time, except that "higher-priced mortgage loan" does not include a mortgage that does not allow a borrower to defer repayment of principal or interest.

J. "Mortgage broker" has the same meaning as set forth in 24 Code of Federal Regulations, Section 3500.2, except as otherwise provided in this Article.

K. "Points and fees" has the same meaning as set forth in 12 Code of Federal Regulations, Section 226.32(b)(1). In addition, "points and fees" includes:

(1) The maximum prepayment fees and penalties that may be charged or collected under the terms of the loan documents;

(2) All prepayment fees and penalties that are incurred by the borrower if the loan refinances a previous loan made or currently held by the same creditor or an affiliate of the creditor; and

(3) All compensation paid directly or indirectly to a mortgage broker from any source, including a mortgage broker that originates a loan in its own name in a table-funded transaction.

For open-end loans, points and fees are calculated by adding the total points and fees known at or before closing, including the maximum prepayment penalties that may be charged or collected under the terms of the loan documents and the minimum additional fees the borrower would be required to pay to draw down an amount equal to the total credit line.

L. "Residential mortgage loan" means an extension of credit, including an open-end credit plan, in which:

(1) The loan does not exceed the maximum original principal obligation as set forth in and from time to time adjusted according to the provisions of 12 United States Code, Section 1454(a)(2);

(2) The loan is considered a federally related mortgage loan as set forth in 24 Code of Federal Regulations, Section 3500.2;

(3) The loan is not a reverse mortgage transaction or a loan made primarily for business, agricultural or commercial purposes;

(4) The loan is not a construction loan; and

(5) The loan is secured by the borrower's principal dwelling.

M. "Servicing" has the same meaning as set forth in 24 Code of Federal Regulations, Section 3500.2 and includes any other activities or responsibilities undertaken in connection with a residential mortgage loan by a person who acts as a servicer with respect to that residential mortgage loan, including collection and default management functions.

N. "Total loan amount" means the principal of a loan minus those points and fees that are included in the principal amount of the loan. For open-end loans, the total loan amount must be calculated using the total line of credit allowed under the residential mortgage loan at closing.

**2. High-cost mortgage loans; restrictions.** A high-cost mortgage loan is subject to the provisions applying to certain closed-end home mortgages covered by Regulation Z, 12 Code of Federal Regulations, Section 226.32 and the following restrictions.

A. In connection with a high-cost mortgage loan, a creditor may not directly or indirectly finance any points or fees.

B. In addition to the limitation on balloon payments found in Regulation Z, 12 Code of Federal Regulations, Section 226.32, a high-cost mortgage loan may not contain a scheduled payment that is more than twice as large as the average of earlier scheduled payments. This paragraph does not apply when the payment schedule is adjusted to the seasonal or irregular income of the borrower.

C. A creditor may not make a high-cost mortgage loan without first receiving certification from a counselor with a 3rd-party, nonprofit organization approved by the United States Department of Housing and Urban Development, a housing financing agency of this State or the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection that the borrower has received counseling on the advisability of the loan transaction.

D. A prepayment fee or penalty may not be included in the loan documents or charged under the terms of a high-cost mortgage loan.

**3. High-cost mortgage loans; assignee liability.** The following provisions apply to a claim made by a borrower against a purchaser or assignee of a high-cost mortgage loan.

A. Any person who purchases or is otherwise assigned a high-cost mortgage loan is subject to all affirmative claims and any defenses with respect to the loan that the borrower may assert against a creditor of the loan, except that this paragraph does not apply if the purchaser or assignee demonstrates by a preponderance of the evidence that it:

(1) Has in place, at the time of the purchase or assignment of the subject loan, policies that expressly prohibit the purchaser or assignee's purchase or acceptance of assignment of any high-cost mortgage loan;

(2) Requires by contract that a seller or assignor of residential high-cost mortgage loans to the purchaser or assignee represent and warrant to the purchaser or assignee that neither the seller or assignor will sell or assign any high-cost mortgage loans to the purchaser or assignee, nor that the seller or assignor is a beneficiary of a representation and warranty from a previous seller or assignor to that effect; and

(3) Exercises reasonable due diligence, at the time of purchase or assignment of residential mortgage loans or within a reasonable period of time after the purchase or assignment of such residential mortgage loans, intended by the purchaser or assignee to prevent the purchaser or assignee from purchasing or taking assignment of any high-cost mortgage loan. For purposes of this subparagraph, reasonable due diligence must provide for sampling and may not require loan-by-loan review.

B. Notwithstanding paragraph A, liability pursuant to this subsection may not accrue to a purchaser or assignee of a high-cost mortgage loan as a result of an alleged violation by a creditor of subsection 5.

**4. Ability to repay.** A creditor may not extend a high-cost mortgage loan or a higher-priced mortgage loan to a consumer based on the value of the consumer's collateral without regard to the consumer's repayment ability as of consummation, including the consumer's current and reasonably expected income, employment, assets other than the collateral, credit history, debt-to-income ratio, current obligations and mortgage-related obligations.

A. For purposes of this subsection, mortgage-related obligations are expected property taxes, premiums for mortgage-related insurance required by the creditor, such as insurance against loss of or damage to property or against liability arising out of the ownership or use of the property or insurance protecting the creditor against the consumer's default or other credit loss, and similar expenses.

B. Under this subsection, a creditor must verify the consumer's repayment ability as follows.

(1) A creditor must verify amounts of income or assets that it relies on to determine repayment ability, including expected income or assets, by the consumer's federal Internal Revenue Service Form W-2, tax returns, payroll receipts, financial institution records or other 3rd-party documents that provide reasonably reliable evidence of the consumer's income or assets. For the purposes of this subparagraph, "reasonably reliable evidence of the consumer's income or assets" includes, but is not limited to, statements from investment advisors, broker-dealers and others in a fiduciary relationship with the consumer as long as the statements reflect the consumer's actual income and not estimated, projected or anticipated income or a range of earnings for a consumer's type or class of employment.

(2) A creditor must verify the consumer's current obligations.

C. A creditor is presumed to have complied with this subsection with respect to a transaction if the creditor:

(1) Verifies the consumer's repayment ability as provided in paragraph B;

(2) Determines the consumer's repayment ability using the largest payment of principal and interest scheduled in the first 7 years following consummation and taking into account current obligations and mortgage-related obligations; and

(3) Assesses the consumer's repayment ability taking into account at least one of the following:

(a) The ratio of total debt obligations to income; and

(b) The income the consumer will have after paying debt obligations.

D. Notwithstanding paragraph C, no presumption of compliance is available for a transaction for which:

(1) The regular periodic payments for the first 7 years would cause the principal balance to increase; or

(2) The term of the loan is less than 7 years and the regular periodic payments when aggregated do not fully amortize the outstanding principal balance.

E. This subsection does not apply to a temporary or so-called "bridge" loan with a term of 12 months or less, such as a loan to purchase a new dwelling when the consumer plans to sell a current dwelling within 12 months.

**5. Flipping.** A creditor or a mortgage broker may not knowingly or intentionally engage in the act or practice of flipping a residential mortgage loan when making a high-cost mortgage loan or higher-priced mortgage loan. The administrator may adopt rules defining with reasonable specificity the requirements for compliance with this subsection. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. For the purposes of this subsection, "flipping a residential mortgage loan" means the making of a residential mortgage loan to a borrower that refinances an existing residential mortgage loan when the new loan does not have reasonable, tangible net benefit to the borrower considering all the circumstances, including, but not limited to, the terms of both the new and refinanced loans, the cost of the new loan and the borrower's circumstances.

**6. Special liability.** This subsection applies to any violation of this section in connection with the origination, brokering or servicing of a residential mortgage loan. This subsection does not apply to a purchaser or assignee of a residential mortgage loan except as permitted in subsection 3.

A. Any person who has been found in violation of this section with regard to residential mortgage loans may be liable to the borrower for the following:

(1) Actual damages, including consequential and incidental damages. The borrower may not be required to demonstrate reliance in order to receive actual damages;

(2) Punitive damages for violations of subsections 2 and 5, when the violation was malicious or reckless;

(3) Costs, including reasonable attorney's fees; and

(4) Statutory damages as follows:

(a) For violations described in subsection 2, statutory damages equal to 2 times the finance charge paid under the loan

and forfeiture of the remaining interest under the loan; and

(b) For any other violations of this section, statutory damages in the amount of $5,000 per violation.

B. A borrower may be granted injunctive, declaratory and other equitable relief that the court determines appropriate in an action to enforce compliance with this section.

C. The right of rescission granted under 15 United States Code, Chapter 41, Subchapter I, Part A for a violation of that law is available to a borrower acting only in an individual capacity by way of recoupment as a defense against a party foreclosing on a residential mortgage loan at any time during the term of the loan. Any recoupment claim asserted pursuant to this provision is limited to amounts required to reduce or extinguish the borrower's liability under the residential mortgage loan plus amounts required to recover costs, including reasonable attorney's fees. This paragraph may not be construed to limit recoupment rights available to the borrower under any other law.

D. The remedies provided in this subsection are not intended to be the exclusive remedies available to a borrower, nor must the borrower exhaust any administrative remedies provided under this subsection or any other applicable law before proceeding under this subsection.

E. Any person who knowingly violates a provision of this section is guilty of a Class E crime.

F. A creditor in a residential mortgage loan who, when acting in good faith, fails to comply with any provision of this section related to residential mortgage loans is deemed not to have violated this section if the creditor establishes that either:

(1) Within 30 days of the loan closing and prior to receiving any notice of the compliance failure, the creditor has made appropriate restitution to the borrower and appropriate adjustments have been made to the loan; or

(2) Within 60 days of the loan closing and prior to receiving any notice of the compliance failure, when the compliance failure was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid such errors, the borrower is notified of the compliance failure, appropriate restitution is made to the borrower and appropriate adjustments are made to the loan. Examples of a bona fide error include clerical, calculation, computer malfunction and programming and printing errors. An error of legal judgment with respect to a person's obligations under this section is not a bona fide error.

G. The remedies provided in this subsection are cumulative.

H. Notwithstanding any other provision of law, a residential mortgage loan agreement may not include any provision that waives any borrower's remedies available at law or equity, whether acting individually or on behalf of others similarly situated, or the borrower's rights to civil discovery or appeal. Any such provision is unenforceable and void as a matter of law.

I. Without regard to whether a borrower is acting individually or on behalf of others similarly situated, any provision of a residential mortgage loan agreement that allows a person to require a borrower to assert any claim or defense in a forum that is less convenient, more costly or more dilatory for the resolution of a dispute than a judicial forum established in this State where the borrower may otherwise properly bring a claim or defense or that limits in any way any claim or defense the borrower may have is unconscionable and void as a matter of law.

J. It is a violation of this section for any person to attempt in bad faith to avoid the application of this section by dividing any loan transaction into separate parts or structuring a residential mortgage loan transaction as an open-end loan for the purpose of evading the provisions of this section when the loan would have been a high-cost mortgage loan if the loan had been structured as a closed-end loan or by engaging in any other subterfuge with the intent of evading any provision of this section.

**7. Exemption for supervised financial organizations and the Maine State Housing Authority.** This section does not apply to any supervised financial organization as defined in section 1-301, subsection 38-A or to the Maine State Housing Authority.

**§8-507. Exemption from the Federal Truth in Lending Act**

**1. Preservation of federal exemption.** As required by the Federal Truth in Lending Act, 15 United States Code, Section 1633 and its implementing regulation, Regulation Z, 12 Code of Federal Regulations, Section 226.29, the administrator may take any action necessary to apply for or to preserve a determination by the Federal Reserve Board or its successor agency that under the laws of this State any class of credit transactions within this State is subject to requirements substantially similar to federal requirements and that there are adequate provisions for enforcement of such requirements.

**2. Application.** This Article does not apply to any class of credit transactions within this State that is subject to the requirements of the Federal Truth in Lending Act, Title I of the federal Consumer Credit Protection Act unless any such class of transactions has first been exempted by a regulation of the Board of Governors of the Federal Reserve Board and that exemption remains in effect.

**§8-508. Authority of administrator**

The administrator, by rule or order, shall prohibit acts or practices in connection with:

**1. Unfair or deceptive mortgage loans.** The making of a residential mortgage loan that the administrator finds unfair, deceptive or designed to evade the provisions of section 8-506; and

**2. Refinancing; abusive lending practices.** The refinancing of a residential mortgage loan that the administrator finds is associated with abusive lending practices or that is otherwise not in the interest of the borrowing public.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**§8-509. Credit card and debit card surcharge prohibition**

**1. Surcharge prohibited.** A seller in a sales transaction may not impose a surcharge on a cardholder who elects to use a credit card or debit card in lieu of payment by cash, check or similar means. For purposes of this section, "surcharge" means any means of increasing the regular price to a cardholder that is not imposed on a customer paying by cash, check or similar means. A discount or reduction from the regular price is not a surcharge.

**2. Surcharge permitted for governmental entity.** Notwithstanding subsection 1, a governmental entity may impose a surcharge for payments made with a credit card or debit card for taxes, fines, charges, utility fees, regulatory fees, license or permit fees or the provision of a specific service provided by that governmental entity if the surcharge:

A. Is disclosed clearly to the consumer prior to payment; and

B. Does not exceed the costs associated with providing the credit card or debit card service that are directly incurred by the governmental entity or assessed by an authorized 3rd-party payment service provider for a credit card or debit card transaction. If there is not a cost assessed by an authorized 3rd-party payment service provider for a debit card transaction, the governmental entity may not impose a surcharge associated with a debit card transaction.

A governmental entity shall disclose to the consumer that the surcharge may be avoided if the consumer makes payments by cash, check or other means not a credit card or debit card. A governmental entity is not subject to any liability to the issuer of a credit card or an authorized 3rd-party payment service provider for nonpayment of credit card charges by the consumer. As used in this subsection, "governmental entity" includes, but is not limited to, a county established or governed by Title 30-A, Part 1, a municipality as defined in Title 30-A, section 2001, subsection 8, a quasi-municipal corporation as defined in Title 30-A, section 2604, subsection 3, the Judicial Department as described in Title 4, the University of Maine System, the Maine Community College System and the Maine Maritime Academy.

**§8-510. Disclosure of lists of the names, addresses and account numbers of credit card holders**

**1. Disclosure prohibited.** Except as provided in subsection 2, it is unlawful for a person, business, corporation, partnership, agency, financial institution, credit card registration service or other entity to rent, sell, exchange or otherwise disclose or make available to another person or entity a list containing the names, addresses and account numbers of credit card holders without the express, written permission of the credit card holders.

**2. Exceptions.** The following disclosures of lists containing the names, addresses and account numbers of credit card holders are not prohibited:

A. Disclosure to or from a consumer reporting agency, as defined in Title 10, section 1312, subsection 4, as long as the transfer is for purposes of compliance with and in a manner consistent with the terms of the Fair Credit Reporting Act;

B. Disclosure between a parent corporation and a subsidiary or affiliate of that corporation or between subsidiaries or affiliates of a parent corporation;

C. Disclosure in connection with the sale or pledge, or negotiation of the sale or pledge, of any portion of a business or the assets of a business, as long as the party to whom disclosure is made maintains the confidentiality of the information disclosed;

D. Disclosure in connection with authorization, processing, billing, collection, charge-back, fraud prevention or credit card recovery; and

E. Disclosure pursuant to state or federal law or at the direction of a governmental entity pursuant to law or in response to a court order.

**3. Violation.** A violation of this section constitutes a violation of the Maine Consumer Credit Code and the Maine Unfair Trade Practices Act.

**§8-511. Recurring charges to credit card or charge card accounts**

If a sale of goods, services or insurance is charged to a credit card or charge card account on an annual basis without substantially contemporaneous authorizations by the consumer, the seller shall inform the consumer of the voluntary nature of the charge to the credit card or charge card account and of the steps necessary to prevent this charge at least 30 days prior to the annual charge. The card issuer may provide the notice on behalf of the seller. This section does not apply to insurance subject to notice and cancellation rights pursuant to section 4-204.

**Sec. A-16. 9-A MRSA §10-307-A** is enacted to read:

**§10-307-A. Application of truth in lending limits**

A loan broker and its mortgage loan originators shall comply with the provisions of the Federal Truth in Lending provisions of Article 8-A and any rules adopted in accordance with that Article.

**Sec. A-17. Application.** This Part applies to any application for consumer credit, including a residential mortgage loan, received by a creditor on or after the effective date of this Part.

## PART B

**Sec. B-1. 9-A MRSA §1-301, sub-§22-A,** as amended by PL 2005, c. 683, Pt. B, §2, is repealed.

**Sec. B-2. 9-A MRSA §1-301, sub-§24-B** is enacted to read:

**24-B.** "Mortgage loan originator" means an individual who for compensation or gain, or in the expectation of compensation or gain, takes a residential mortgage loan application or offers or negotiates terms of a residential mortgage loan. "Mortgage loan originator" does not include:

A. An individual engaged solely as a loan processor or underwriter except as otherwise provided in section 13-103, subsection 3, paragraph A;

B. A person or entity that only performs real estate brokerage activities and is licensed or registered in accordance with the laws of this State, unless the person or entity is compensated by a lender, a mortgage broker or other mortgage loan originator or by any agent of such lender, mortgage broker or other mortgage loan originator; or

C. A person or entity solely involved in extensions of credit relating to time-share plans, as that term is defined in 11 United States Code, Section 101(53D).

For the purposes of Articles 2, 3, 6, 9 and 10, mortgage loan originator does not include a registered mortgage loan originator as defined in section 13-102, subsection 12.

**Sec. B-3. 9-A MRSA §2-302, sub-§1,** as amended by PL 1989, c. 581, §4, is further amended to read:

**1.** The administrator shall receive and act on all applications for licenses to make supervised loans under this Act. Applications ~~shall~~ must be filed in the manner prescribed by the administrator and ~~shall~~ must contain the information the administrator requires by rule to make an evaluation of the financial responsibility, character and fitness of the applicant. ~~Initial~~ Except as set forth by regulation governing participation in the nationwide mortgage licensing system and registry for mortgage lender licensing, initial applications for a license ~~shall~~ must be accompanied by a $500 fee. ~~Renewal~~ and renewal applications ~~shall~~ must include a $200 fee. ~~Licenses shall be~~ Except as set forth by regulation governing participation in the nationwide mortgage licensing system and registry for mortgage lender licensing, licenses are granted for a 2-year period and ~~shall~~ must expire on September 30th. Initial and renewal applications by nonprofit organizations exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3), and engaged in the financing of housing for low-income people under a program designed specifically for that purpose ~~shall~~ must include a fee of $20.

**Sec. B-4. 9-A MRSA §2-302, sub-§1-A,** as amended by PL 2009, c. 243, §1, is repealed.

**Sec. B-5. 9-A MRSA §2-302, sub-§2,** as amended by PL 2005, c. 164, §3, is further amended to read:

**2.** A license to make supervised loans or ~~a registration certificate~~ as a mortgage loan ~~officer~~ originator may not be issued unless the administrator, upon investigation, finds that the financial responsibility, character and fitness of the applicant, and of the members thereof, if the applicant is a copartnership or association, and of the officers and directors thereof, if the applicant is a corporation, and the character and fitness of the ~~loan officers~~ mortgage loan originators thereof, are such as to warrant belief that the business will be operated honestly and fairly within the purposes of this Act. In determining the financial responsibility of an applicant proposing to engage in making insurance premium loans, the administrator shall consider the liabilities the lender may incur for erroneous cancellation of insurance.

A. Every applicant shall also, at the time of filing such application, file with the administrator, if the administrator so requires, a bond satisfactory to the administrator in an amount not to exceed $50,000. The terms of the bond must run concurrent with the period of time during which the license will be in effect. The bond must run to the State for the use of the State and of any person or persons who may have a cause of action against the licensee under this Act. The bond must be

conditional that the licensee will faithfully conform to and abide by the provisions of this Act and to all rules lawfully made by the administrator under this Act and will pay to the State and to any such person or persons any and all amounts of money that may become due or owing to the State or to such person or persons from the licensee under and by virtue of this Act during the period for which the bond is given.

B. As used in this section, the term "financial responsibility" means that the applicant has available for the operation of the licensed business net assets of at least $25,000 and upon issuance of a license, each licensee shall maintain net assets of at least $25,000 that are either used or readily available for use in the conduct of the business of each office of the licensee in which supervised loans are made.

D. In determining the financial responsibility of a nonprofit organization engaged in the financing of housing for low-income people under a program specifically designed for that purpose, the administrator may waive the requirement of a bond and availability of $25,000 of net assets, if the applicant submits appropriate additional evidence of financial responsibility.

**Sec. B-6. 9-A MRSA §2-302, sub-§5-A,** as enacted by PL 2005, c. 164, §5, is amended to read:

**5-A.** A licensee may conduct the business of making supervised loans only through a ~~loan officer~~ mortgage loan originator who possesses a current, valid ~~registration certificate~~ license. ~~A loan officer must be registered at the loan officer's principal licensed work location and may then work from any licensed location of the supervised lender. The registration of a loan officer is valid only when that person is employed or retained and supervised by a licensed supervised lender. When a loan officer ceases to be employed by a licensed supervised lender, the supervised lender shall promptly notify the administrator in writing.~~

**Sec. B-7. 9-A MRSA §2-303,** as amended by PL 2005, c. 164, §6, is further amended to read:

**§2-303. Revocation or suspension of license**

**1.** The administrator may file a complaint with the District Court to suspend or revoke a license to make or originate supervised loans ~~or a registration as a loan officer~~ if the administrator finds reason to believe, after investigation or hearing, or both, that:

A. The licensee ~~or registrant~~ has violated this Act or any rule or order made pursuant to this Act; or

B. Facts or conditions exist that would clearly have justified the administrator in refusing to grant a license ~~or registration~~ had these facts or conditions been known to exist at the time the application for the license ~~or registration~~ was made.

An affirmative finding by the District Court of either cause is sufficient to suspend or revoke the license ~~or registration~~.

**1-A.** The administrator may refuse to renew a license ~~or registration~~, after notice and opportunity for a hearing has been provided to the licensee ~~or registrant~~, for any of the reasons set forth in subsection 1.

**2.** No revocation or suspension of a license ~~or registration~~ impairs or affects the obligation of any preexisting lawful contract between the licensee ~~or registrant~~ and any debtor.

**3.** The administrator may reinstate a license, terminate a suspension or grant a new license ~~or registration~~ to a person whose license ~~or registration~~ has been revoked if no fact or condition then exists that clearly would have justified the administrator in refusing to grant a license ~~or registration~~.

**4.** No revocation, suspension, annulment or withdrawal of a license ~~or registration~~ is lawful unless, prior to the institution of proceedings by the administrator, the administrator gave notice by mail to the licensee ~~or registrant~~ of facts or conduct that warrant the intended action and the licensee ~~or registrant~~ was given an opportunity to show compliance with all lawful requirements for the retention of the license ~~or registration~~.

**Sec. B-8. 9-A MRSA §2-303-A,** as amended by PL 2005, c. 164, §7, is further amended to read:

**§2-303-A. Temporary suspension of license**

Notwithstanding Title 5, sections 10003 and 10004 and Title 10, section 8003, if the public interest or the protection of borrowers so requires, the administrator may, by order, suspend a license to make supervised loans or ~~registration~~ a license as a ~~loan officer~~ mortgage loan originator or postpone the effective date of such a license ~~or registration~~. Upon entry of the order, the administrator shall promptly notify the applicant~~,~~ or licensee ~~or registrant~~ that an order has been entered, of the reasons for the order and that, within 15 days after the receipt of a written request by the applicant~~,~~ or licensee ~~or registrant~~, the matter must be scheduled for hearing. Section 2-303 applies to all subsequent proceedings.

**Sec. B-9. 9-A MRSA §3-316,** as enacted by PL 2007, c. 466, Pt. B, §4 and affected by §5, is amended to read:

**§3-316. Real estate settlement procedures**

A creditor and its ~~loan officers~~ mortgage loan originators shall comply with the provisions of the federal Real Estate Settlement Procedures Act of 1974, 12 United States Code, Section 2601 et seq. and its

implementing regulation, Regulation X, 24 Code of Federal Regulations, Section 3500 et seq.

**Sec. B-10. 9-A MRSA §6-105-A, first ¶,** as enacted by PL 2007, c. 273, Pt. A, §2 and affected by §41, is amended to read:

For the purposes of participating in the establishment and implementation of a uniform multistate automated licensing system, referred to in this section as "the system," for loan brokers, supervised lenders that are not supervised financial organizations and individual ~~loan officers~~ mortgage loan originators thereof, the administrator may undertake the following actions.

**Sec. B-11. 9-A MRSA §6-105-A, sub-§2,** as enacted by PL 2007, c. 273, Pt. A, §2 and affected by §41, is amended to read:

**2.** The administrator may require a credit and background investigation of each applicant for a license as a loan broker, a supervised lender that is not a supervised financial organization or a ~~loan officer of a loan broker or a supervised lender,~~ mortgage loan originator thereof by means including fingerprint checks for state and national criminal histories, commencing at the time the State joins the system pursuant to this section. The cost of the investigations must be charged to the applicants. Information obtained or held by the administrator pursuant to this subsection is nonpublic pursuant to section 6-116 and not subject to disclosure.

**Sec. B-12. 9-A MRSA §9-311-A,** as enacted by PL 2007, c. 466, Pt. B, §8 and affected by §10, is amended to read:

**§9-311-A. Real estate settlement procedures**

A creditor and its ~~loan officers~~ mortgage loan originators shall comply with the provisions of the federal Real Estate Settlement Procedures Act of 1974, 12 United States Code, Section 2601 et seq. and its implementing regulation, Regulation X, 24 Code of Federal Regulations, Section 3500 et seq.

**Sec. B-13. 9-A MRSA §9-312,** as enacted by PL 2007, c. 273, Pt. A, §26 and affected by §41, is amended to read:

**§9-312. False information on application for credit**

A supervised lender, or any ~~loan officer~~ mortgage loan originator of a supervised lender, may not knowingly permit, encourage or assist a consumer to submit false information on any application for credit, nor may a supervised lender or ~~loan officer~~ mortgage loan originator of a supervised lender knowingly falsify such information on a consumer's application.

**Sec. B-14. 9-A MRSA §10-102, sub-§3,** as enacted by PL 2005, c. 164, §8, is repealed.

**Sec. B-15. 9-A MRSA §10-201,** as amended by PL 2009, c. 243, §3, is further amended to read:

**§10-201. Licensing and biennial relicensing**

~~A~~ Except as set forth by regulation governing participation in the nationwide mortgage licensing system and registry for mortgage lender licensing, a person desiring to engage or continue in business in this State as a loan broker shall apply to the administrator for a license under this article on or before January 31st of each even-numbered year. The application must be in a form prescribed by the administrator. The administrator may refuse the application if it contains erroneous or incomplete information. ~~At the time of application and on an ongoing basis during the term of any such license, the applicant shall apply to the administrator for registration of all loan officers employed or retained by the applicant. An application for registration as a loan officer must be filed in a manner prescribed by the administrator and include the name, address and work location of the loan officer and such additional information as is reasonably requested by the administrator. An applicant's registration of a loan officer within 90 days of the date that registration would otherwise be required does not constitute a violation of this section.~~ A license may not be issued unless the administrator, upon investigation, finds that the financial responsibility, character and fitness of the applicant and, where applicable, its partners, officers or directors and the character and fitness of its ~~loan officers~~ mortgage loan originators, warrant belief that the business will be operated honestly and fairly within the purposes of this Title. The administrator may adopt rules requiring that applicants, applicants' partners, officers or directors and employees of applicants satisfy initial and continuing educational requirements. The reasonable costs of meeting such educational requirements are assessed to applicants. Providers of initial and continuing education courses of study shall submit each course to the administrator for approval, and each submission must be accompanied by a $100 fee. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

~~The~~ Except as set forth by regulation governing participation in the nationwide mortgage licensing system and registry for mortgage lender licensing, the initial application for a license as a loan broker must include a fee of $600~~. The~~ and the biennial relicensing application must include a fee of $300. ~~Initial applicants and biennial relicensing applicants must pay an additional fee of up to $20 for registration of each loan officer, up to a maximum of $400 in total.~~ Notwithstanding other remedies available under this Title, applications received after the due date are subject to an additional fee of $100.

A licensee may conduct business only at or from a place of business for which the licensee holds a license

and not under any other name than that on the license. ~~A~~ Except as set forth by regulation governing participation in the nationwide mortgage licensing system and registry for mortgage lender licensing, a license fee of $300 is imposed for a license issued for a place of business other than that of the first licensed location of the licensee~~. A~~ and a biennial relicensing application for each such branch location must include a fee of $150.

A licensed loan broker may conduct business only through a ~~loan officer~~ mortgage loan originator who possesses a current, valid ~~registration~~ license. ~~A loan officer must be registered at the loan officer's principal licensed work location and may then work from any licensed location of the loan broker. The registration of a loan officer is valid only when that person is employed or retained and supervised by a licensed loan broker. When a loan officer ceases to be employed by a licensed loan broker, the loan broker shall promptly notify the administrator in writing.~~

**Sec. B-16. 9-A MRSA §10-307,** as amended by PL 2007, c. 466, Pt. B, §9 and affected by §10, is further amended to read:

**§10-307. Real estate settlement procedures**

A loan broker and its ~~loan officers~~ mortgage loan originators shall comply with the provisions of 12 United States Code, Section 2601 et seq., the federal Real Estate Settlement Procedures Act of 1974 and its implementing regulation, Regulation X, 24 Code of Federal Regulations, Section 3500 et seq.

**Sec. B-17. 9-A MRSA §10-308,** as enacted by PL 2007, c. 273, Pt. A, §32 and affected by §41, is amended to read:

**§10-308. False information on application for credit**

A loan broker or any ~~loan officer~~ mortgage loan originator of a loan broker may not knowingly permit, encourage or assist a consumer to submit false information on any application for credit, nor may a loan broker or ~~loan officer~~ mortgage loan originator of a loan broker knowingly falsify such information on a consumer's application.

**Sec. B-18. 9-A MRSA §10-401, first ¶,** as repealed and replaced by PL 2005, c. 683, Pt. B, §5, is amended to read:

Any loan broker or ~~loan officers~~ mortgage loan originators of any loan broker that violate any provision of this Title or any rule issued by the administrator, or that through any unfair, unconscionable or deceptive practice cause actual damage to a consumer, are subject to the following:

**Sec. B-19. 9-A MRSA §10-401, sub-§4,** as repealed and replaced by PL 2005, c. 683, Pt. B, §6, is amended to read:

**4.** A civil action by an aggrieved consumer in which that consumer has the right to recover actual damages from the loan broker or its ~~loan officers~~ mortgage loan originators in an amount determined by the court, plus costs of the action together with reasonable attorney's fees; and

**Sec. B-20. 9-A MRSA §13-110, sub-§2,** as enacted by PL 2009, c. 362, Pt. B, §1, is amended to read:

**2. Fees.** The payment of fees to apply for or renew licenses through the nationwide mortgage licensing system and registry, that fee being initially established in the amount of $20 to the administrator at application and $20 for renewal, subject to adjustment pursuant to rule or order as set forth under this section;

## PART C

**Sec. C-1. Evaluation of ways to streamline the State's foreclosure prevention outreach and housing counseling program.** The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, referred to in this Part as "the bureau," shall facilitate meetings and other communications among interested parties to evaluate and determine the ways in which the State's foreclosure prevention outreach and housing counseling program may be streamlined and made more efficient in accordance with this section.

1. The bureau shall invite participation from representatives of the following groups:

A. State-chartered banks;

B. State-chartered credit unions;

C. Nondepository licensed mortgage lenders;

D. Federally chartered financial institutions;

E. Loan servicers;

F. Attorneys who represent lenders;

G. Attorneys who represent homeowners;

H. Nonprofit housing counselors;

I. Homeowners;

J. The Department of Professional and Financial Regulation, Bureau of Financial Institutions; and

K. Two members of the Joint Standing Committee on Insurance and Financial Services, representing each of the 2 parties holding the largest number of seats in the Legislature.

The bureau may invite additional interested parties to attend and participate.

2. The bureau shall ensure that the interested parties evaluate, at a minimum, the following issues:

A. Whether the mailing of informational packages from the State should be delayed, from the

current requirement for mailing simultaneously with the notice of right to cure default pursuant to the Maine Revised Statutes, Title 14, section 6111, to a later time, such as after the homeowner is 60 days in default;

B. Whether the results of housing counselor efforts should be reported in a standardized format to make evaluation of those results more efficient;

C. Whether the informational package mailing process under paragraph A could be carried out by the lenders rather than by the bureau;

D. Whether lenders and servicers should be required to make available to regulators, counselors or consumers the names and contact information for individuals within the lenders' and servicers' companies who are authorized to approve loan modifications, short sales or other alternatives to foreclosure;

E. Whether joint obligors on a mortgage can be provided with a single informational packet under paragraph A, rather than the current requirement that every mortgagor receive that information;

F. Whether the current composition of the informational package under paragraph A can be improved to be clearer, more understandable to and more useable by homeowners;

G. How the outreach and counseling process can best be integrated, when necessary, into the judicial system's foreclosure mediation program pursuant to Title 14, section 6321-A; and

H. Any other issues, as appropriate.

3. The bureau shall provide notice of meetings to all interested parties and to members and staff of the Joint Standing Committee on Insurance and Financial Services.

4. The bureau shall report the findings of the interested parties, including any recommendations and suggested legislation, to the Joint Standing Committee on Insurance and Financial Services by December 7, 2011. The committee may submit a bill related to the suggested legislation to the Second Regular Session of the 125th Legislature.

## PART D

**Sec. D-1. 9-A MRSA §1-202, sub-§8, ¶A,** as amended by PL 2007, c. 471, §1 and affected by §18, is further amended to read:

A. With respect to advances of additional funds on the loan or credit sale made more than 30 days after the initial advance, this exclusion applies only to advances made:

(1) Pursuant to the terms of a construction financing agreement;

(2) To protect the security or to perform the covenants of the consumer;

(3) As negative amortization of principal under the terms of the financing agreement;

(4) From funds withheld at consummation pending the resolution of matters that otherwise would tend to delay or prevent closing, including, without limitation, remedy of title defects or repairs to meet appraisal standards; or

(5) Pursuant to the terms of a reverse mortgage transaction, as defined in ~~section 8-103, subsection 1-A, paragraph Y~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq., if the transaction is made pursuant to a commitment to purchase issued by, or is in a form approved for purchase by, any state or federal agency, instrumentality or government-sponsored enterprise, including, without limitation, the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;

**Sec. D-2. 9-A MRSA §1-202, sub-§10,** as enacted by PL 2005, c. 55, §3, is amended to read:

**10.** A no-interest loan or credit sale by a nonprofit organization that assists in building or renovating housing for those in need. The exclusion in this subsection does not apply to Article 6, Part 1; section 6-201; section 6-202; section 6-203, subsection 1; section 6-204; or Article ~~8~~ 8-A.

**Sec. D-3. 9-A MRSA §1-202, last ¶,** as amended by PL 1987, c. 396, §3, is further amended to read:

The exclusions set forth in subsection 1 relating to extensions of credit to consumers by governments or governmental agencies, instrumentalities or organizations, and in subsections 2, 4, 5, 7 and 8, ~~shall~~ do not apply to the Maine Consumer Credit Code, Truth-in-lending, Article ~~VIII~~ 8-A.

**Sec. D-4. 9-A MRSA §1-301, sub-§5,** as repealed and replaced by PL 1981, c. 243, §3, is amended to read:

**5.** "Amount financed" means the amount of credit of which the consumer has actual use and ~~shall be~~ is computed pursuant to section 2-501 and ~~section 8-206, subsection 1, paragraph B~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

**Sec. D-5. 9-A MRSA §1-301, sub-§§6-B and 6-C,** as enacted by PL 1987, c. 129, §16, are amended to read:

**6-B.** "Cardholder" means the same as defined in ~~section 8-103~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

**6-C.** "Card issuer" means the same as defined in ~~section 8-103~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

**Sec. D-6. 9-A MRSA §1-301, sub-§19, ¶A,** as repealed and replaced by PL 1987, c. 129, §24, is amended to read:

A. Except for charges specifically excluded by paragraph B, the term includes:

(1) Interest, time price differential and any amount payable under an add-on or discount system of additional charges;

(2) Service, transaction, activity and carrying charges and early withdrawal penalties on time deposit accounts, including any charge imposed on a checking or other deposit account to the extent that the charge exceeds the charge for a similar account without a credit feature;

(3) Points, loan fees, assumption fees, finder's fees and similar charges;

(4) Appraisal, investigation and credit report fees;

(5) Premiums or other charges for any guarantee or insurance protecting the creditor against the consumer's default or other credit loss;

(6) Charges imposed on a creditor by another person for purchasing or accepting a consumer's obligation, if the consumer is required to pay the charges in cash, as an addition to the obligation or as a deduction from the proceeds of the obligation;

(7) Premiums or other charges for credit life, accident, health or loss-of-income insurance or insurance against loss of or damage to property or against liability arising out of the ownership or use of property, written in connection with a credit transaction, unless the applicable requirements of section 2-501 and ~~section 8-105, subsections 2 and 3~~ Article 8-A are met; and

(8) Discounts for the purpose of inducing payment by a means other than the use of credit.

**Sec. D-7. 9-A MRSA §1-301, sub-§41,** as amended by PL 1981, c. 698, §18, is further amended to read:

**41.** "Provisions on disclosure" includes Article ~~8~~ 8-A, ~~regulations issued~~ rules adopted pursuant to that Article~~,~~ and the Federal Truth in Lending Act, as applicable.

**Sec. D-8. 9-A MRSA §2-307, sub-§2,** as amended by PL 1997, c. 727, Pt. B, §6, is further amended to read:

**2.** With respect to a supervised loan in which the amount financed is $2,800 or less, a lender may not take a security interest in the principal residence of the consumer. This subsection does not apply when the lender holds a first mortgage on the residence at the time the loan is made or when the loan is made pursuant to an open-end credit plan involving a commitment to advance amounts in excess of $2,800. Notwithstanding Title 14, ~~no~~ a judgment of foreclosure of a mortgage upon the principal residence of a consumer may not be entered on account of the consumer's failure to repay supervised loans under an open-end credit plan, unless the consumer's outstanding balance ~~described in section 8-205, subsection 2, paragraph I,~~ in the account at the end of the statement period has at some time exceeded $2,800 and the consumer has not paid the account in full subsequent to the date of the last periodic statement showing an outstanding balance in excess of $2,800.

**Sec. D-9. 9-A MRSA §2-509,** as amended by PL 2009, c. 362, Pt. C, §1, is further amended to read:

**§2-509. Right to prepay**

Subject to the provisions on rebate upon prepayment, section 2-510, the consumer may prepay, in full or in part, the unpaid balance of a consumer credit transaction at any time without penalty, except for minimum charges as permitted by law. Notwithstanding any other provision of this Title, a reasonable charge may be assessed upon a consumer related to prepayment of a consumer loan made by a supervised financial organization and secured by an interest in land, other than a ~~high rate, high fee~~ high-cost mortgage loan, as defined in ~~section 8-103, subsection 1-A, paragraph Q,~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq. if the charge is reasonably calculated to offset the cost of origination of the loan. The administrator shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. D-10. 9-A MRSA §3-206, sub-§1, ¶B,** as amended by PL 1981, c. 638, §3, is further amended to read:

B. The material disclosures required under Article ~~VIII~~ 8-A;

**Sec. D-11. 9-A MRSA §3-506,** as amended by PL 2005, c. 65, Pt. C, §4, is further amended to read:

**§3-506. Limitation**

This Part does not apply to any consumer credit transaction covered by ~~section 8-204~~ Article 8-A and subject to the right of rescission pursuant to the Fed-

eral Truth in Lending Act, 15 United States Code, Section 1601 et seq., nor does it apply to any sale, by any dealer or agent or ~~salesman~~ salesperson of a registered dealer, registered pursuant to Title 32, chapter 135, of stocks, bonds, debentures or securities representing stocks, bonds or debentures registered pursuant to Title 32, chapter 135 or expressly exempt from registration thereof.

**Sec. D-12. 9-A MRSA §6-113, sub-§1,** as amended by PL 1981, c. 243, §23, is further amended to read:

**1.** After demand, the administrator, through the Attorney General, may bring a civil action against a creditor for any violation listed in section 5-201 or for a violation of Article ~~VIII~~ 8-A. An action may relate to transactions with more than one consumer. If it is found that the creditor has made a violation so listed, the court shall order respondent to grant to each consumer affected the option to recover all excess charges, to have the contract reformed to conform to this Act or to rescind the contract. The court shall order amounts recovered or recoverable under this subsection paid to each consumer or set off against ~~his~~ the consumer's obligation. A consumer's action takes precedence over a prior or subsequent action by the administrator with respect to the claim of that consumer. When an action takes precedence over another action under this subsection, to the extent appropriate, the other action may be stayed while the precedent action is pending and may be dismissed if the precedent action is dismissed with prejudice or results in a final judgment granting or denying the claim asserted in the precedent action. A consumer whose action is dismissed or results in a final judgment denying the claim may not participate in any subsequent recovery on the claim by the administrator.

**Sec. D-13. 9-A MRSA §10-102, sub-§7,** as enacted by PL 2009, c. 248, §7, is amended to read:

**7.** "Refund anticipation loan interest rate" or "interest rate" means the interest rate ~~that must be disclosed pursuant to section 8-106, subsection 6~~ based on the creditor's reasonable estimate of the time the refund will be delivered.

**Sec. D-14. 9-A MRSA §10-310, sub-§1, ¶¶C and D,** as enacted by PL 2009, c. 248, §9, are amended to read:

C. At the time a person applies for a refund anticipation loan or refund anticipation check, the facilitator of a refund anticipation loan or refund anticipation check shall disclose, on a form separate from the application, the refund anticipation loan fee or refund anticipation check fee; the fee for tax preparation or any other fee; the time within which the proceeds of the refund anticipation loan or refund anticipation check will be paid if the loan or check is approved; and ~~the interest rate, calculated pursuant to section 8-106, subsection 6, if the person is applying for a refund anticipation loan~~, in the case of a refund anticipation loan, if it is the practice of the facilitator to demand repayment upon delivery of the refund, the annual percentage rate based on the facilitator's reasonable estimate of the time the refund will be delivered.

D. Prior to the consummation of the refund anticipation loan or refund anticipation check transaction, the facilitator of a refund anticipation loan or refund anticipation check shall also provide a copy of the completed loan or check application and agreement and, for a refund anticipation loan, the disclosures required by Article ~~8~~ 8-A.

**Sec. D-15. 9-A MRSA §11-106, sub-§1, ¶B,** as enacted by PL 1991, c. 787, is amended to read:

B. A "consumer credit sale" as defined in section 1-301, subsection 11; except that the following sections of the Maine Consumer Credit Code apply: section 1-107, waiver, agreement to forego rights, settlement of claims; section 1-111, record retention; section 1-201, territorial application; section 1-202, exclusions; section 1-203, jurisdiction and service of process; section 2-507, attorney's fees and collection costs; section 3-202, notice to consumer; section 3-203, notice of assignment; section 3-305, no assignment of earnings; section 3-306, authorization to confess judgment prohibited; section 3-307, certain negotiable instruments prohibited; section 3-309, referral sales; section 3-403, assignee subject to defenses; section 5-104, no garnishment before judgment; section 5-105, limitation on garnishment; section 5-106, no discharge from employment for garnishment; section 5-112, creditor's right to take possession after default; section 5-113, venue; section 5-114, stay of enforcement of judgment; section 5-115, misrepresentation; section 5-116, illegal, fraudulent or unconscionable conduct in attempted collection of debts; section 5-117, prohibited practices; section 5-201, effect of violations on rights of parties; section 5-202, refunds and penalties as setoff to obligation; section 5-301, violations; Article VI in its entirety, except that the term "original unpaid balances arising from consumer credit transactions" described in section 6-203, subsection 2 means "gross rental receipts from rental-purchase agreements" for purposes of administration of this Article; ~~section 8-104, regulations,~~ Article 8-A requirements related to model forms; and ~~section 8-402, regulation of~~ Federal Truth in Lending Act, 15 United States Code, Section 1666a requirements related to credit reports;

**Sec. D-16. 10 MRSA §1141, sub-§1,** as amended by PL 2007, c. 695, Pt. B, §2, is further amended to read:

**1. Credit card.** "Credit card" has the same meaning as "accepted credit card," as defined in ~~Title 9-A, section 8-103, subsection 1-A, paragraph A~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

**Sec. D-17. 10 MRSA §1141, sub-§2,** as amended by PL 2007, c. 273, Pt. C, §10, is further amended to read:

**2. Credit card issuer.** "Credit card issuer" has the same meaning as "card issuer," as defined in ~~Title 9-A, section 8-103, subsection 1-A, paragraph H~~ the Federal Truth in Lending Act, 15 United States Code, Section 1601 et seq.

**Sec. D-18. 30-A MRSA §3962, sub-§2,** as amended by PL 1993, c. 59, §2, is further amended to read:

**2. Delivery to consumer.** At the time of the pawn transaction, the pawnbroker shall deliver to the consumer a signed, written disclosure complying with the truth-in-lending provisions of the Maine Consumer Credit Code, Title 9-A, Article 8-A, containing the items required by subsection 1 and the name and address of the pawnbroker.

**Sec. D-19. 30-A MRSA §3964-A, sub-§3,** as amended by PL 1995, c. 309, §27 and affected by §29, is further amended to read:

**3. Model forms.** The Director of Consumer Credit Regulation may issue model disclosure forms and clauses to facilitate compliance with the disclosure and computational requirements of this subchapter, pursuant to the truth-in-lending provisions of the Maine Consumer Credit Code, Title 9-A, Article 8-A.

**Sec. D-20. 32 MRSA §6192, sub-§6,** as enacted by PL 2007, c. 596, §1, is amended to read:

**6. Foreclosure reconveyance.** "Foreclosure reconveyance" means a transaction involving:

A. The transfer of title to a residence in foreclosure, either by transfer of interest from the foreclosed homeowner or by creation of a mortgage or other lien or encumbrance during the foreclosure process that allows the acquirer to obtain title to the property by redeeming the property as a junior lienholder; and

B. The subsequent conveyance, or promise of a subsequent conveyance, of an interest back to the foreclosed homeowner by the acquirer or a person acting in participation with the acquirer that allows the foreclosed homeowner to possess either the residence in foreclosure or other real property. For the purposes of this paragraph, "interest" includes, but is not limited to, an interest in a contract for deed, a land installment contract, a bond for deed, a purchase agreement, an option to purchase or a lease.

"Foreclosure reconveyance" does not include a supervised loan subject to Title 9-A, Article ~~8~~ 8-A or the federal Truth in Lending Act made by a supervised lender or supervised financial organization to refinance any existing mortgage.

**Sec. D-21. 32 MRSA §6198, sub-§1, ¶E,** as amended by PL 2009, c. 362, Pt. C, §4, is further amended to read:

E. The foreclosure purchaser complies with the requirements for disclosure, loan terms and conduct in Title 9-A, ~~sections 8-206-A, 8-206-I and 8-206-J~~ Article 8-A for any foreclosure reconveyance in which the foreclosed homeowner obtains a vendee interest in a contract for deed, land installment contract or bond for deed, regardless of whether the terms of the contract for deed, land installment contract or bond for deed meet the annual percentage rate or points and fees requirements for a covered loan.

**Sec. D-22. 33 MRSA §482, sub-§3,** as enacted by PL 1983, c. 368, is amended to read:

**3. Other disclosures.** Disclosures made by the vendor pursuant to Title 9-A, Article ~~VIII~~ 8-A, Truth-in-Lending, ~~shall be~~ are deemed to comply with subsection 1, paragraphs D to I.

**Sec. D-23. 33 MRSA §524,** as enacted by PL 1999, c. 145, §1, is amended to read:

**§524. Duty of lender**

The lender shall cause, at or before loan closing, disbursement of loan funds to the settlement agent; however, in the case of any loan when a right of rescission applies and has not been exercised, the lender shall cause disbursement of loan funds to the settlement agent prior to noon of the first business day after the expiration of the rescission period required under the federal Truth-in-Lending Act, 15 United States Code, Section 1601, et seq. and the state truth-in-lending provisions, Title 9-A, ~~article VIII~~ Article 8-A, as applicable.

**Sec. D-24. 33 MRSA §525,** as enacted by PL 1999, c. 145, §1, is amended to read:

**§525. Duty of settlement agent**

The settlement agent shall cause recordation of any deed, mortgage or other documents required to be recorded and shall cause disbursement of settlement proceeds within 2 business days of settlement or, when any right of rescission applies pursuant to the federal Truth-in-Lending Act, 15 United States Code, Section 1601 et seq. or the state truth-in-lending provisions, Title 9-A, ~~article VIII~~ Article 8-A, as applicable, at the

time that the settlement agent reasonably determines that such right of rescission has not been exercised.

**Sec. D-25. 35-A MRSA §10155, sub-§2,** as enacted by PL 2009, c. 591, §1, is amended to read:

**2. Consumer disclosure; truth in lending.** A PACE agreement entered into pursuant to a PACE program must provide consumer disclosure consistent with the principles of truth in lending as specified in rules adopted by the trust. In adopting such rules, the trust shall seek advice from the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection and consumer credit industry stakeholders. Notwithstanding Title 9-A, section 1-202, PACE mortgages are not subject to the Maine Consumer Credit Code, Article ~~8~~ 8-A.

See title page for effective date.

## CHAPTER 428

## H.P. 673 - L.D. 914

### An Act To Make Certain Synthetic Cannabinoids Illegal

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

**Sec. 1. 17-A MRSA §1101, sub-§1-A** is enacted to read:

**1-A.** "HU-210" is the synthetic cannabinoid [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol].

**Sec. 2. 17-A MRSA §1101, sub-§1-B** is enacted to read:

**1-B.** "HU-211" is the synthetic cannabinoid (dexanabinol, (6aS, 10aS)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol).

**Sec. 3. 17-A MRSA §1101, sub-§3-A** is enacted to read:

**3-A.** "JWH-018" is the synthetic cannabinoid 1-Pentyl-3-(1-naphthoyl)indole.

**Sec. 4. 17-A MRSA §1101, sub-§3-B** is enacted to read:

**3-B.** "JWH-073" is the synthetic cannabinoid 1-Butyl-3-(1-naphthoyl)indole.

**Sec. 5. 17-A MRSA §1102, sub-§4, ¶D,** as amended by PL 2005, c. 430, §2 and affected by §10, is further amended to read:

D. Butyl nitrite or isobutyl nitrite; ~~and~~

**Sec. 6. 17-A MRSA §1102, sub-§4, ¶E,** as enacted by PL 2005, c. 430, §3 and affected by §10, is amended to read:

E. A methamphetamine precursor drug~~.~~; and

**Sec. 7. 17-A MRSA §1102, sub-§4, ¶F** is enacted to read:

F. JWH-018, JWH-073, HU-210 and HU-211.

**Sec. 8. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF**

**State Board of Corrections Investment Fund Z075**

Initiative: Provides funds to support the cost of an anticipated increase in the number of incarcerations related to synthetic cannabinoids.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $3,132 |
| GENERAL FUND TOTAL | $0 | $3,132 |

| CORRECTIONS, STATE BOARD OF DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $3,132 |
| DEPARTMENT TOTAL - ALL FUNDS | $0 | $3,132 |

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides funds for an anticipated increase in the cost of court-appointed counsel as a result of adding synthetic cannabinoids to the list of schedule Z drugs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $3,110 |
| GENERAL FUND TOTAL | $0 | $3,110 |

| INDIGENT LEGAL SERVICES, MAINE COMMISSION ON DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| GENERAL FUND | $0 | $3,110 |

| | | |
|---|---|---|
| **DEPARTMENT TOTAL - ALL FUNDS** | **$0** | **$3,110** |
| **SECTION TOTALS** | **2011-12** | **2012-13** |
| **GENERAL FUND** | **$0** | **$6,242** |
| **SECTION TOTAL - ALL FUNDS** | **$0** | **$6,242** |

**Sec. 9. Effective date.** This Act takes effect July 1, 2012.

Effective July 1, 2012.

## CHAPTER 429

## H.P. 970 - L.D. 1324

### An Act To Create Consistency and Fairness in Maine's Bottle Bill

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

**Sec. 1. 32 MRSA §1865, sub-§3,** as amended by PL 2003, c. 499, §4, is further amended to read:

**3. Label registration.** An initiator of deposit shall register the container label of any beverage offered for sale in the ~~state~~ State on which it initiates a deposit. Registration must be on forms or in an electronic format provided by the department and must include the universal product code for each combination of beverage and container manufactured. The initiator of deposit shall renew a label registration annually and whenever that label is revised by altering the universal product code or whenever the container on which it appears is changed in size, composition or glass color. The initiator of deposit shall also include as part of the registration the method of collection for that type of container, identification of a collection agent, identification of all of the parties to a commingling agreement that applies to the container and proof of the collection agreement. The department may charge a fee for registration and registration renewals under this subsection. Rules adopted pursuant to this subsection that establish fees are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and subject to review by the joint standing committee of the Legislature having jurisdiction over ~~business and economic development~~ environmental and natural resources matters.

**Sec. 2. 32 MRSA §1866, sub-§4, ¶C,** as enacted by PL 2003, c. 499, §6, is amended to read:

C. The reimbursement that the initiator of the deposit is obligated to pay the dealer or redemption center pursuant to paragraph A or B must be reduced by 1/2¢ for any returned container that is subject to a qualified commingling agreement that allows the dealer or redemption center to commingle beverage containers of like product group, material and size. A commingling agreement is qualified for purposes of this paragraph if the department determines that 50% or more of the beverage containers of like product group, material and size for which the deposits are being initiated in the State are covered by the commingling agreement or that the initiators of deposit covered by the commingling agreement are initiators of deposit for wine containers who each sell no more than 100,000 gallons of wine or 500,000 beverage containers that contain wine in a calendar year. Once the initiator of deposit has established a qualified commingling agreement for containers of a like product group, material and size, the department shall allow additional brands to be included from a different product group if they are of like material. The State, through the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, shall make every reasonable effort to enter into a qualified commingling agreement under this ~~subparagraph~~ paragraph with every other initiator of ~~deposits~~ deposit for beverage containers that are of like product group, size and material as the beverage containers for which the State is the initiator of deposit.

**Sec. 3. 32 MRSA §1866, sub-§11** is enacted to read:

**11. Private right of action; containers not originally sold in the State.** An initiator of deposit may maintain a civil action in Superior Court against a person, other than a local redemption center licensed in accordance with section 1871-A, that tenders to a redemption center or retailer more than 48 empty beverage containers that the person knows or has reason to know were not originally sold in this State as filled beverage containers. If the initiator of deposit prevails in any action, the initiator of deposit is entitled to an award of reasonable attorney's fees and court costs, including expert witness fees.

**Sec. 4. 32 MRSA §1871-A, sub-§1,** as corrected by RR 2001, c. 2, Pt. A, §41, is amended to read:

**1. Procedures; licensing fees.** The department shall adopt rules establishing the requirements and procedures for issuance of licenses and annual renewals under this section, including a fee structure. Initial rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Rules adopted effective after calendar

year 2003 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and are subject to review by the joint standing committee of the Legislature having jurisdiction over ~~business and economic development~~ environmental and natural resources matters.

**Sec. 5. 32 MRSA §1872, sub-§2,** as enacted by PL 1989, c. 585, Pt. D, §§9 and 11, is amended to read:

**2. Penalty.** ~~Following the 1st year warning period, a~~ A violation of this section is a civil violation for which a forfeiture of ~~$20~~ $100 per container in excess of 48 beverage containers may be adjudged.

**Sec. 6. 32 MRSA §1872, sub-§3-A** is enacted to read:

**3-A. Private right of action; containers not originally sold in the State.** An initiator of deposit may maintain a civil action in Superior Court against a person, other than a local redemption center licensed in accordance with section 1871-A, in possession of more than 48 beverage containers that the person knows or has reason to know were not originally sold in this State as filled beverage containers. If the initiator of deposit prevails in any action, the initiator of deposit is entitled to an award of reasonable attorney's fees and court costs, including expert witness fees.

**Sec. 7. 38 MRSA §2201, first ¶,** as amended by PL 1995, c. 465, Pt. A, §72 and affected by Pt. C, §2, is further amended to read:

The Maine Solid Waste Management Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support programs administered by the State Planning Office and the Department of Environmental Protection. The fund must be segregated into 2 subsidiary accounts. The first subsidiary account, called operations, receives all fees established and received under article 1. The 2nd subsidiary account, called administration, receives all fees established under this article and under Title 36, chapter 719~~,~~ and all funds recovered by the department as reimbursement for departmental expenses incurred to abate imminent threats to public health, safety and welfare posed by the illegal disposal of solid waste ~~and all unclaimed deposits returned to the State under Title 32, chapter 28~~.

**Sec. 8. Rulemaking; commingling agreements; plastic bags; redemption center locations.** By January 15, 2012, the Department of Agriculture, Food and Rural Resources shall undertake rulemaking in accordance with this section. The rulemaking must be in accordance with the Maine Revised Statutes, Title 5, chapter 375, and rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**1. Commingling agreements.** The department shall amend its rules regarding commingling agreements in accordance with Title 32, section 1866, subsection 4, paragraph C.

**2. Plastic bags.** The department shall adopt rules regarding the size and gauge of plastic bags used by a dealer or redemption center as provided for in Title 32, section 1866, subsection 5.

**3. Redemption center locations.** The department shall adopt rules regarding the licensing of redemption centers in accordance with the population requirements in Title 32, section 1871-A, subsection 3.

**Sec. 9. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 32, section 1866, subsection 4, paragraph C takes effect July 1, 2012.

See title page for effective date, unless otherwise indicated.

## CHAPTER 430

## H.P. 334 - L.D. 441

## An Act To Reform Telecommunications Taxation

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

**Sec. 1. 36 MRSA §457,** as amended by PL 2009, c. 213, Pt. P, §1 and affected by §3, is further amended to read:

**§457. State telecommunications excise tax**

**1. Definitions.** As used in this ~~section~~ subchapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Telecommunications business" means a person engaged in the activity of providing interactive 2-way communication services for compensation.

B. "~~Telecommunications personal property~~ Qualified telecommunications equipment" means ~~personal property~~ equipment used for the transmission of any interactive 2-way communications, including voice, image, data and information, via a medium such as wires, cables, microwaves, radio waves, light waves or any combination of those or similar media. "~~Telecommunications personal property~~ Qualified telecommunications equipment" includes ~~qualifying property~~ equipment used to provide telegraph service. "~~Telecommunications personal property~~ Qualified telecommunications equipment" does not include ~~property~~ equipment used solely to provide value-added nonvoice services in which computer proc-

essing applications are used to act on the form, content, code and protocol of the information to be transmitted, unless those services are provided under a tariff approved by the Public Utilities Commission. "~~Telecommunications personal property~~ Qualified telecommunications equipment" does not include single or multiline standard telephone instruments. Notwithstanding section 551, "~~telecommunications personal property~~ qualified telecommunications equipment" includes any interest of a telecommunications business in poles.

C. "Distribution facilities" means facilities used primarily to transport communications between fixed locations, including but not limited to cables, wires, wireless transmitters and utility poles.

**2. Tax imposed.** ~~A state tax is imposed on telecommunications personal property at the rate provided in this subsection times the just value of the property. Just value and ownership of the property must be determined as of the April 1st preceding the assessment. The rate of tax is:~~

~~A. For assessments made in 2004, 26 mills;~~

~~B. For assessments made in 2005, 25 mills;~~

~~C. For assessments made in 2006, 24 mills;~~

~~D. For assessments made in 2007, 23 mills;~~

~~E. For assessments made in 2008, 22 mills;~~

~~F. For assessments made in 2009, 22 mills;~~

~~G. For assessments made in 2010, 22 mills;~~

~~H. For assessments made in 2011, 22 mills;~~

~~I. For assessments made in 2012, 19 mills; and~~

~~J. For assessments made in 2013 and subsequent years, 18 mills.~~

**2-A. Excise tax levied.** An excise tax is levied on a telecommunications business at the rate provided in this subsection times the just value of the qualified telecommunications equipment for the privilege of operating within the State as follows:

A. Just value of the qualified telecommunications equipment must be determined pursuant to section 701-A as of the April 1st preceding the assessment; and

B. The rate of tax is 19.2 mills for assessments made in 2012. For assessments made in 2013 and subsequent years, the State Tax Assessor shall apply the tax rate of the municipality or unorganized territory in which the qualified telecommunications equipment is located to the just value of the equipment as adjusted by the municipality's or unorganized territory's certified assessment ratio.

**3-A. Returns to State Tax Assessor prior to July 1, 2012.** ~~Each~~ Prior to July 1, 2012, each telecommunications business owning or leasing ~~telecommunications personal property~~ qualified telecommunications equipment that on the first day of April in any year is situated, whether permanently or temporarily, within this State shall, on or before the 20th day of April in that year, return to the State Tax Assessor a complete list of such ~~property~~ equipment on a form to be furnished by the State Tax Assessor.

**3-B. Returns to State Tax Assessor beginning July 1, 2012.** Beginning July 1, 2012, each telecommunications business owning or leasing qualified telecommunications equipment on April 1, 2012 and annually thereafter shall, on or before December 31, 2012 and annually thereafter, return to the State Tax Assessor a complete list of such equipment and each municipality or unorganized territory where any such equipment is situated on the first day of April on a form to be furnished by the State Tax Assessor.

**4. Assessment.** The State Tax Assessor shall assess a tax on ~~telecommunications personal property~~ qualified telecommunications equipment owned or leased by a telecommunications business. ~~Telecommunications personal property~~ Qualified telecommunications equipment owned or leased by a person that is not a telecommunications business must be assessed a tax by the municipal assessor in the municipality in which the ~~property~~ equipment is located on April 1st of the taxable year. The date of assessment of ~~telecommunications personal property~~ qualified telecommunications equipment by municipalities must be consistent with ~~other~~ property subject to property taxation by the municipalities.

**5-B. Procedure.** The excise tax on ~~telecommunications personal property~~ qualified telecommunications equipment of a telecommunications business must be assessed and paid in accordance with this subsection.

A. ~~The~~ Prior to July 2012, the State Tax Assessor shall make the assessment by May 30th of each year. After July 1, 2012, the State Tax Assessor shall make the assessment by March 30, 2013 and by March 30th annually thereafter.

C. The tax assessment must be paid no later than the August 15th following the date of assessment.

**7. Collection.** Taxes assessed under this section by the State Tax Assessor must be enforced as generally provided by this Title. Taxes assessed under this section by municipal assessors must be enforced in the same way as ~~other~~ locally assessed personal property taxes.

**9. Appeal.** A taxpayer receiving an assessment under this section may appeal a decision of the State Tax Assessor in the manner set forth in section 151.

**Sec. 2. 36 MRSA §458,** as enacted by PL 1987, c. 507, §1, is amended to read:

**§458. Continuation of exemption**

~~Telecommunications personal property~~ Qualified telecommunications equipment subject to taxation under this chapter ~~shall continue~~ must be assessed through application of a state excise tax in lieu of a state property tax and continues to be exempt from ordinary local property taxation as formerly provided under section 2696. It is the intent of the Legislature that this section not be considered a new property tax exemption requiring state reimbursement under the Constitution of Maine, Article IV, Part Third, Section 23.

**Sec. 3. Rules.** The Department of Administrative and Financial Services, Bureau of Revenue Services shall adopt routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to implement the provisions of this Act. In developing rules, the bureau must include provisions for reporting the location of the qualified telecommunications equipment, which include a method for allowing a telecommunications business to apportion the values of distribution facilities among municipalities. The bureau shall establish a method of valuing qualified telecommunications equipment and procedures for the declaration of value of the qualified telecommunications equipment established in Title 36, Part 2 consistent with methods in place on January 1, 2011. In establishing a method of valuing qualified telecommunications equipment, the bureau may develop average age and depreciation formulas for classes of equipment.

**Sec. 4. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 36, chapter 103, subchapter 2, in the subchapter headnote, the words "assessment of state property taxes" are amended to read "assessment of state property and excise taxes" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

## CHAPTER 431

## H.P. 70 - L.D. 82

### An Act To Amend the Laws Governing County Jail Budgeting for York County

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

**Sec. 1. 30-A MRSA §701, sub-§2-A,** as amended by PL 2009, c. 1, Pt. Q, §1, is further amended to read:

**2-A. Tax assessment for correctional services.** The counties shall annually collect no more and no less than ~~$62,452,804~~ $62,172,371 from municipalities for the provision of correctional services, excluding debt service, in accordance with this subsection.

The assessment to municipalities within each county may not be greater or less than the fiscal year 2007-08 county assessment for correctional-related expenditures, which is:

A. A sum of $4,287,340 in Androscoggin County;

B. A sum of $2,316,666 in Aroostook County;

C. A sum of $11,575,602 in Cumberland County;

D. A sum of $1,621,201 in Franklin County;

E. A sum of $1,670,136 in Hancock County;

F. A sum of $5,588,343 in Kennebec County;

G. A sum of $3,188,700 in Knox County;

H. A sum of $3,018,361 in Lincoln County;

I. A sum of $1,228,757 in Oxford County;

J. A sum of $5,919,118 in Penobscot County;

K. A sum of $878,940 in Piscataquis County;

L. A sum of $2,295,849 in Sagadahoc County;

M. A sum of $5,363,665 in Somerset County;

N. A sum of $2,832,353 in Waldo County;

O. A sum of $2,000,525 in Washington County; and

P. A sum of ~~$8,667,248~~ $8,386,815 in York County.

Notwithstanding this subsection, the county assessment for correctional services-related expenditures in Somerset County must be set at the fiscal year 2009-10 level when the new Somerset County Jail is open and operating at a level sufficient to sustain the average daily number of inmates from Somerset County.

For the purposes of this subsection, "correctional services" includes the management services, personal services, contractual services, commodity purchases, capital expenditures and all other costs, or portions thereof, necessary to maintain and operate correctional services.

**Sec. 2. Effective date.** This Act takes effect July 1, 2013.

Effective July 1, 2013.

# CHAPTER 432

## H.P. 442 - L.D. 559

## An Act To Protect Owners of Private Property against Trespass

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

**Whereas,** approximately 90% of the land used by the public for outdoor recreational activities is privately owned; and

**Whereas,** this legislation needs to take effect prior to the next hunting season to enhance landowner relations; 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. 12 MRSA §11227, sub-§2,** as enacted by PL 2009, c. 70, §1, is amended to read:

**2. Placement of bait.** A person may not place or hunt over bait ~~unless the~~ without the oral or written permission of the landowner or the landowner's agent. The bait site ~~is~~ must be plainly labeled with a 2-inch-by-4-inch tag identifying the name and address of the person establishing the bait site. This subsection does not apply to bear baiting, which is governed by section 11301.

A. A person who violates this subsection commits a civil violation for which a fine of not less than $100 or more than $500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

**Sec. 2. 12 MRSA §11228** is enacted to read:

**§11228. Hunting with dogs**

**1. Collar required.** A person may not hunt with a dog in pursuit of bear, coyote or bobcat unless the dog has a collar that legibly provides the name, telephone number and address of the owner of that dog.

A. A person who violates this subsection commits a civil violation for which a fine of not less than $100 or more than $500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

**2. Limit on number of dogs.** A person or persons may not use more than 6 dogs at any one time to hunt coyotes or bobcats. A person who violates this subsection commits a Class E crime.

**3. Night hunting with dogs.** A person may not use a dog to hunt coyotes during the period from 30 minutes after sunset to 30 minutes before sunrise. A person who violates this subsection commits a Class E crime.

**Sec. 3. 12 MRSA §11301, sub-§1,** as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §156 and affected by §422, is further amended to read:

**1. Bear baiting.** A person may not use bait to hunt or trap black bear, unless:

A. The bait is placed at least 50 yards from a travel way that is accessible by a conventional 2-wheel-drive or 4-wheel-drive vehicle;

B. The stand, blind or bait area is plainly labeled with a 2-inch-by-4-inch tag with the name and address of the baiter;

C. The bait is placed more than 500 yards from a site permitted or licensed for the disposal of solid waste or a campground;

D. The bait is placed more than 500 yards from an occupied dwelling, unless written permission is granted by the owner or lessee;

E. The bait is placed not more than 30 days before the opening day of the season and not after October 31st;

F. The bait areas will be cleaned up by November 10th, as defined by the state litter laws; and

G. The person hunting from a stand or blind of another person has permission of the owner of that stand or blind.

A person may not use bait to hunt or trap black bear without the oral or written permission of the landowner.

**Sec. 4. 17-A MRSA §402, sub-§4, ¶B,** as enacted by PL 1995, c. 529, §2, is amended to read:

B. Paint markings mean that access is prohibited without permission of the landowner or the landowner's agent. Paint markings must consist of 2 painted horizontal lines per tree, post or other object.

(1) Each line must be a minimum of 2 inches high and at least as long as the width of the object, but need not be more than 8 inches long.

(2) Lines must be painted on the side of the tree, post or other object that is visible to a person approaching the restricted property and must be painted within an area 3 feet to 6 feet above ground level.

(3) The paint must be silver or aluminum colored.

This paragraph is repealed September 12, 2012.

**Sec. 5. 17-A MRSA §402, sub-§4, ¶B-1** is enacted to read:

B-1. Paint markings made pursuant to this paragraph mean that access is prohibited without permission of the landowner or the landowner's agent. Paint markings made pursuant to this paragraph must consist of a conspicuous vertical line at least one inch in width and at least 8 inches in length and must be placed so that the bottoms of the marks are not less than 3 feet from the ground or more than 5 feet from the ground at locations that are readily visible to any person approaching the property and no more than 100 feet apart. Paint markings may be placed on trees, posts or stones as described in this paragraph. The Department of Conservation, Bureau of Forestry shall adopt rules to determine the color and type of paint that may be used to post property pursuant to this paragraph. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

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

Effective July 6, 2011.

## CHAPTER 433

## H.P. 200 - L.D. 247

### An Act To Amend the Gift Card Laws

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

**Sec. 1. 33 MRSA §1953, sub-§1, ¶G,** as amended by PL 2007, c. 696, §1, is further amended to read:

G. A gift obligation or stored-value card, 2 years after December 31st of the year in which the obligation or the most recent transaction involving the obligation or stored-value card occurred, whichever is later, including the initial issuance and any subsequent addition of value to the obligation or stored-value card. ~~A period of limitation may not be imposed on the owner's right to redeem the gift obligation or stored value card. The amount unclaimed is 60% of the gift obligation's or stored-value card's face value. Notwithstanding section 1956, fees or charges may not be imposed on gift obligations or stored value cards, except that the issuer may charge a transaction fee for the initial issuance and for each occurrence of adding value to an existing gift obligation or stored value card. These transaction fees must be disclosed in a separate writing prior to the initial issuance or referenced on the gift obligation or stored value card. Beginning November 1, 2008, if the gift obligation or stored value card, other than a prepaid telephone service card, a gift obligation or nonreloadable stored value card with an initial value of $5 or less or a stored value card that is not purchased but provided as a promotion or as a refund for merchandise returned without a receipt, is redeemed in person and a balance of less than $5 remains following redemption, at the consumer's request the merchant redeeming the gift obligation or stored value card must refund the balance in cash to the consumer. This paragraph does not apply to prefunded bank cards;~~

(1) The amount unclaimed is 60% of the gift obligation's or stored-value card's face value.

(2) A gift obligation or stored-value card sold on or after December 31, 2011 is not presumed abandoned if the gift obligation or stored-value card was sold by a single issuer who in the past calendar year sold no more than $250,000 in face value of gift obligations or stored-value cards. Sales of gift obligations and stored-value cards are considered sales by a single issuer if the sales were by businesses that operate either:

(a) Under common ownership or control with another business or businesses in the State; or

(b) As franchised outlets of a parent business.

(3) A period of limitation may not be imposed on the owner's right to redeem the gift obligation or stored-value card.

(4) Notwithstanding section 1956, fees or charges may not be imposed on gift obligations or stored-value cards, except that the issuer may charge a transaction fee for the initial issuance and for each occurrence of adding value to an existing gift obligation or stored-value card. These transaction fees must be disclosed in a separate writing prior to the initial issuance or referenced on the gift obligation or stored-value card.

(5) Beginning November 1, 2008, if the gift obligation or stored-value card is redeemed in person and a balance of less than $5 remains

following redemption, at the consumer's request the merchant redeeming the gift obligation or stored-value card must refund the balance in cash to the consumer. This subparagraph does not apply to a prepaid telephone service card, a gift obligation or nonreloadable stored-value card with an initial value of $5 or less or a stored-value card that is not purchased but provided as a promotion or as a refund for merchandise returned without a receipt,

(6) This paragraph does not apply to prefunded bank cards;

See title page for effective date.

## CHAPTER 434

## H.P. 141 - L.D. 164

### An Act To Extend the Dental Care Access Credit for Dentists Who Practice in Underserved Areas of the State

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

**Sec. 1. 36 MRSA §5219-DD, sub-§2,** as enacted by PL 2009, c. 141, §2, is amended to read:

**2. Credit.** An eligible dentist determined to be eligible before January 1, 2012 is allowed a credit for each taxable year, not to exceed $15,000, against the taxes due under this Part. For dentists determined to be eligible on or after January 1, 2012, an eligible dentist is allowed a credit for each taxable year, not to exceed $12,000, against the taxes due under this Part. The credit may be claimed in the first year that the eligible dentist meets the conditions of eligibility for at least 6 months and each of the 4 subsequent years. The credit is not refundable.

**Sec. 2. 36 MRSA §5219-DD, sub-§3,** as enacted by PL 2009, c. 141, §2, is amended to read:

**3. Eligibility limitation; certification.** The oral health program shall certify up to 5 eligible dentists in each year in 2009 ~~and~~, 2010 and 2011 and up to ~~5~~ 6 additional eligible dentists in ~~2010~~ each year from 2012 through 2015. Additional dentists may not be certified after ~~2010~~ 2015. The oral health program shall monitor certified dentists to ensure that they continue to be eligible for the credit under this section and shall decertify any dentist who ceases to meet the conditions of eligibility. The oral health program shall notify the bureau whenever a dentist is certified or decertified. A decertified dentist ceases to be eligible for the credit under this section beginning with the tax year during which the dentist is decertified.

**Sec. 3. 36 MRSA §5219-DD, sub-§6,** as enacted by PL 2009, c. 141, §2, is amended to read:

**6. Repeal.** This section is repealed December 31, ~~2015~~ 2020.

See title page for effective date.

## CHAPTER 435

## H.P. 215 - L.D. 262

### An Act To Expand Eligibility of Certain Municipal Landfills To Participate in the State's Remediation and Closure Program

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

**Sec. 1. 38 MRSA §1310-F, sub-§1-B,** as repealed and replaced by PL 1997, c. 479, §1, is amended to read:

**1-B. Closure cost-share fraction.** Subject to the availability of funds, the commissioner shall issue grants or payments for the following percentages of landfill closure costs incurred by municipalities.

A. The state cost share is 75% of closure costs incurred before July 1, 1994.

B. The state cost share is 50% of landfill cover costs and 75% of other closure costs incurred on or after July 1, 1994 and before January 1, 1996.

C. The state cost share is 30% of landfill cover costs and 75% of other closure costs incurred on or after January 1, 1996 and before January 1, 2000.

D. Notwithstanding paragraphs B and C, the state cost share is 75% of closure costs, including landfill cover costs, incurred on or after July 1, 1994 and before January 1, 2000, if:

(1) The costs are incurred pursuant to a written agreement between the municipality and the department executed before July 1, 1994; or

(2) The commissioner determines that the closure work was delayed for reasons beyond the control of the municipality and the costs are identified in and incurred pursuant to a written agreement between the municipality and the department.

E. Notwithstanding paragraphs B, C and D, the state cost share is 75% of closure costs, including landfill cover costs, incurred on or after July 1, 1994 and before December 31, 2015, if:

(1) The commissioner originally issued a license on or before September 1, 1989 for operation of the landfill and found that the landfill met the design requirements and environmental protection standards at the time of licensing; and

(2) The commissioner has since determined that the landfill or portion of the landfill must be closed based on the finding that the landfill is contaminating groundwater and that corrective actions have not been successful.

The state cost share is 0% of landfill closure costs incurred on or after January 1, 2000, except that the commissioner may issue grants or payments as provided in paragraph E or for 30% of those costs if incurred pursuant to an alternative closure ~~schedule~~ commitment executed before January 1, 2000, and if specifically identified in a department order or license, schedule of compliance or consent agreement.

As used in this subsection, "landfill cover costs" means the cost of materials and the cost of placement of materials associated with the physical construction of that portion of a cover over a landfill that meets the minimum landfill cover permeability of 1 x 10 (-5)cm./sec. and the thickness standards of 40 Code of Federal Regulations, Part 258, Section 258.60(a).

See title page for effective date.

## CHAPTER 436

## H.P. 580 - L.D. 773

### An Act To Further Restrict the Availability of Methamphetamine and Amphetamine Pills

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

**Sec. 1. 17-A MRSA §1105-A, sub-§1, ¶G,** as amended by PL 2001, c. 667, Pt. D, §24 and affected by §36, is further amended to read:

G. At the time of the offense, the person trafficks in methamphetamine or amphetamine in a quantity of 300 or more pills, capsules, tablets or units or 100 grams or more. Violation of this paragraph is a Class A crime;

See title page for effective date.

## CHAPTER 437

## H.P. 729 - L.D. 993

### An Act To Provide Limited Reciprocity for Nonresidents Operating Snowmobiles in This State

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

**Sec. 1. 12 MRSA §13104, sub-§15** is enacted to read:

**15. Reciprocity.** The commissioner may allow a nonresident to operate in this State a snowmobile that is not registered in this State during one 3-consecutive-day period, 2 days of which are weekend days, annually if:

A. The nonresident's snowmobile has a valid registration from another state; and

B. The nonresident's state of residency allows a snowmobile registered in Maine to be operated in that state for a period of time of at least 3 consecutive days without being registered in that state.

This subsection may not be construed to authorize the operation of a snowmobile in a manner contrary to this chapter except as provided in this subsection.

This subsection is repealed October 1, 2013.

See title page for effective date.

## CHAPTER 438

## S.P. 200 - L.D. 619

### An Act To Allow School Administrative Units and Educational Advisory Organizations To Participate in the State's Group Health Plan

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

**Sec. 1. 5 MRSA §285, sub-§1, ¶I,** as amended by PL 2001, c. 667, Pt. E, §2 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

I. Any licensed foster parent caring for a child or children in the foster parent's residence whose care is reimbursed through the Department of Health and Human Services for the period during

which the child or children are in that foster parent's care; ~~and~~

**Sec. 2. 5 MRSA §285, sub-§1, ¶J,** as enacted by PL 2001, c. 667, Pt. E, §3 and amended by PL 2007, c. 58, §3, is further amended to read:

J. Legislative employees that are recipients of retirement allowances from the Maine Public Employees Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42~~.~~; and

**Sec. 3. 5 MRSA §285, sub-§1, ¶K** is enacted to read:

K. Any employee of a school administrative unit as defined in Title 20-A, section 1, subsection 26 or of an educational advisory organization as described in Title 30-A, section 5724, subsection 9.

**Sec. 4. 5 MRSA §285, sub-§1-B,** as repealed and replaced by PL 2005, c. 636, Pt. A, §1, is amended to read:

**1-B. Ineligibility.** Except as provided in subsection 1, paragraph K and subsection 11-A, members of the Maine Municipal Association~~, members of the Maine Education Association~~ and employees of counties and municipalities and instrumentalities thereof, including quasi-municipal corporations, are not eligible to participate in the group health plan under this section.

See title page for effective date.

## CHAPTER 439

## H.P. 1010 - L.D. 1371

### An Act To Promote Fair and Efficient Resolutions in Tax Disputes

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

**Sec. 1. 36 MRSA §143, first ¶,** as amended by PL 1999, c. 708, §7, is further amended to read:

The State Tax Assessor may compromise a tax liability arising under this Title upon the grounds of doubt as to liability or doubt as to collectibility, or both. Upon acceptance by the assessor of an offer in compromise, the liability of the taxpayer in question is conclusively settled and neither the taxpayer nor the assessor may reopen the case except by reason of falsification or concealment of assets by the taxpayer, fraud or mutual mistake of a material fact ~~or if, in the opinion of the assessor, justice requires~~. The decision of the assessor to reject an offer in compromise is not subject to review under section 151. The assessor's authority to compromise a tax liability pursuant to this section is separate from and in addition to the assessor's authority to cancel or abate a tax liability pursuant to section 142.

**Sec. 2. 36 MRSA §151,** as amended by PL 2003, c. 242, §1, is repealed and the following enacted in its place:

**§151. Review of decisions of State Tax Assessor**

**1. Petition for reconsideration.** A person who is subject to an assessment by the State Tax Assessor or entitled by law to receive notice of a determination of the assessor and who is aggrieved as a result of that action may request in writing, within 60 days after receipt of notice of the assessment or the determination, reconsideration by the assessor of the assessment or the determination. If a person receives notice of an assessment and does not file a petition for reconsideration within the specified time period, a review is not available in Superior Court regardless of whether the taxpayer subsequently makes payment and requests a refund.

**2. Reconsideration by division.** If a petition for reconsideration is filed within the specified time period, the assessor shall reconsider the assessment or the determination as provided in this subsection.

A. Upon receipt by the assessor, all petitions for reconsideration must be forwarded for review and response to the division in the bureau from which the determination issued.

B. Within 90 days of receipt of the petition for reconsideration by the responding division, the division shall approve or deny, in whole or in part, the relief requested. Prior to rendering its decision and during the 90 days, the division may attempt to resolve issues with the petitioner through informal discussion and settlement negotiations with the objective of narrowing the issues for an appeals conference or court review, and may concede or settle individual issues based on the facts and the law, including the hazards of litigation. By mutual consent of the division and the petitioner, the 90 days may be extended for good cause, such as to allow further factual investigation or litigation of an issue by that or another taxpayer pending in court.

C. If the matter between the division and the petitioner is not resolved within the 90-day period, and any extension thereof, the matter must be forwarded to the appeals office.

D. A reconsideration by the division is not an adjudicatory proceeding within the meaning of that term in the Maine Administrative Procedure Act.

**Sec. 3. 36 MRSA §151-B** is enacted to read:

**§151-B. Independent Appeals Office**

**1. Office established.** There is established within the bureau the Independent Appeals Office, referred to in this chapter as "the appeals office."

**2. Composition of appeals office; Chief Appeals Officer.** The appeals office consists of the Chief Appeals Officer hired by the Commissioner of Administrative and Financial Services and other appeals officers and at least one administrative staff person hired by the commissioner or the Chief Appeals Officer. The commissioner shall designate the Chief Appeals Officer, who shall manage the work of the appeals officers, including the designation of an appeals officer to preside over each appeal forwarded to the appeals office under section 151, subsection 2, paragraph C. The Chief Appeals Officer, other appeals officers and staff of the appeals office are employees of the bureau. Each appeals officer must be a citizen of the United States and have substantial knowledge of tax law. The position of Chief Appeals Officer may not exceed the salary range of the former Director of the Appellate Division, unless the commissioner adjusts the other positions within the appeals office so that the total personal services cost of the appeals office does not exceed the total personal services cost of the former Appellate Division.

**3. Appeals.** An appeal of a decision arising from a petition for reconsideration filed pursuant to section 151, subsection 1 must be conducted pursuant to this subsection.

A. If requested by the petitioner in the petition for reconsideration, the appeals office shall hold an appeals conference to receive additional information and to hear arguments regarding the protested assessment or determination. The petitioner shall pay a processing fee of $100 for each petition that proceeds to an appeals conference, except that this fee is waived if the total amount in controversy is less than $5,000 or when good cause, as determined by the Chief Appeals Officer, for waiver is shown.

The appeals office shall provide the petitioner with at least 10 working days' notice of the date, time and place of the appeals conference. The appeals conference may be held with fewer than 10 working days' notice if a mutually convenient time and place can be arranged.

B. An appeals officer shall preside over the appeals conference. The appeals officer has all the authority of the assessor with respect to the conduct of proceedings of the appeals conference, including, but not limited to, the power to question any person who testifies and to direct the course of the appeal.

C. If the petitioner does not include a request for an appeals conference in the petition, the appeals officer shall determine the matter based on written submissions by the petitioner and the division within the bureau making the original determination.

D. Both the petitioner and the responding division may submit the following to the appeals officer whether or not an appeals conference has been requested: written testimony in the form of an affidavit; documentary evidence; and written legal argument or written factual argument, or both. In addition, if an appeals conference is held, both the petitioner and the responding division may present oral testimony or oral legal argument, or both. The appeals officer need not observe the rules of evidence observed by courts, but shall observe the rules of privilege recognized by law. If the appeals officer considers it appropriate, the appeals officer may encourage the petitioner and the responding division to resolve disputed issues through settlement or stipulation. The appeals officer may limit the issues to be heard or vary any procedure adopted for the conduct of the appeals conference if the parties agree to that limitation.

E. Except when otherwise provided by law, the petitioner has the burden of proving, by a preponderance of the evidence, that the assessor has erred in applying or interpreting the relevant law.

F. The appeals officer shall exercise independent judgment. The appeals officer may not have any ex parte communications with any person, including the petitioner, the responding division, the assessor or any other employee of the bureau except those employees in the appeals office; however, the appeals officer may have ex parte communication limited to questions that involve ministerial or administrative matters that do not address the substance of the issues or position taken by the petitioner or the responding division.

G. The appeals officer shall render a decision based upon the evidence and argument presented to the appeals officer by parties to the proceeding. The decision must be in written form and must state findings of fact and conclusions of law. The decision of the appeals officer is deemed the assessor's determination on reconsideration and is not subject to review or revision by the assessor or any employee of the bureau outside of the appeals office. Notice of the final decision or order to the petitioner must be made in accordance with section 111, subsection 2. Notice of the final decision or order must be made to the responding division via the state interoffice mail system.

H. The appeal proceeding, with or without the appeals conference, is not an adjudicatory proceeding within the meaning of that term in the Maine Administrative Procedure Act.

**4. Denial of appeal.** If the requested appeal involves a denial or deemed denial of a refund claim, a refund claim with respect to which a conference has been requested under section 5280 or an assessment that is paid in full or part and the appeals office fails to mail to the petitioner a decision on the appeal within 9 months after the petition for reconsideration was filed, the petitioner may elect but is not obligated to deem the appeal denied. The petitioner elects to deem the appeal denied by filing in Superior Court a petition for review of the deemed denial. The deemed denial constitutes final agency action and is subject to court review as provided in subsection 6. The petitioner may not make the deemed denial election after either the appeals officer's decision has been received by the petitioner or the expiration of 9 years following the filing of the reconsideration petition, whichever occurs first. Notwithstanding any other provision of law, a claim for credit or refund of any tax imposed under this Title is deemed denied 10 years after it was filed if the claim has not previously been allowed or denied as final agency action. A deemed denial constitutes final agency action.

**5. Review by court.** The decision of the appeals officer on the petition for appeal constitutes the assessor's final determination and final agency action, which is subject to review by the Superior Court in accordance with the Maine Administrative Procedure Act, except that Title 5, sections 11006 and 11007 do not apply. Upon petition filed by the taxpayer, the Superior Court shall conduct a de novo hearing and make a de novo determination of the merits of the case. The taxpayer may raise on appeal in Superior Court any facts, arguments or issues that relate to the assessor's decision on the petition for reconsideration, regardless of whether the facts, arguments or issues were raised during the reconsideration proceeding being appealed, as long as the facts, arguments or issues are not barred by any other provision of law. The Superior Court shall make its own determination as to all questions of fact or law, regardless of whether the questions of fact or law were raised during the petition for reconsideration proceeding. The Superior Court shall enter such orders and decrees as the case may require. The burden of proof is on the taxpayer, except as otherwise provided by law.

**6. Report.** Beginning in 2013 and annually thereafter, the Chief Appeals Officer shall prepare and submit a report by January 1st on the activities of the Independent Appeals Office to the Governor, the assessor and the joint standing committee of the Legislature having jurisdiction over taxation matters.

**Sec. 4. 36 MRSA §151-C** is enacted to read:

**§151-C. Taxpayer advocate**

**1. Appointment.** The Commissioner of Administrative and Financial Services shall hire the taxpayer advocate. The taxpayer advocate need not be an attorney.

**2. Duties and responsibilities.** The duties and responsibilities of the taxpayer advocate are to:

A. Assist taxpayers in resolving problems with the bureau;

B. Identify areas in which taxpayers have problems in dealings with the bureau;

C. Propose changes in the administrative practices of the bureau to mitigate problems identified under paragraph B; and

D. Identify legislative changes that may be appropriate to mitigate problems identified under paragraph B.

**3. Annual report.** Beginning in 2012, the taxpayer advocate shall prepare and submit by August 1st an annual report of activities of the taxpayer advocate to the Governor, the assessor and the joint standing committee of the Legislature having jurisdiction over taxation matters.

**4. Investigation.** The taxpayer advocate may investigate complaints affecting taxpayers generally or any particular taxpayer or group of taxpayers and, when appropriate, make recommendations to the assessor with respect to these complaints. The assessor shall provide a formal response to all recommendations submitted to the assessor by the taxpayer advocate within 3 months after submission to the assessor.

**5. Response.** The assessor shall establish procedures to provide for a formal response to all recommendations submitted to the assessor by the taxpayer advocate.

**Sec. 5. 36 MRSA §191, sub-§2, ¶PP,** as corrected by RR 2009, c. 2, §107, is amended to read:

PP. The disclosure to the Department of Conservation of information contained on the commercial forestry excise tax return filed pursuant to section 2726, such as the landowner name, address and acreage, to facilitate the administration of chapter 367; ~~and~~

**Sec. 6. 36 MRSA §191, sub-§2, ¶QQ,** as reallocated by RR 2009, c. 2, §108, is amended to read:

QQ. The disclosure of registration, reporting and payment information to the Department of Agriculture, Food and Rural Resources necessary for the administration of Title 32, chapter 28~~.~~;

**Sec. 7. 36 MRSA §191, sub-§2, ¶RR** is enacted to read:

RR. The production in court on behalf of the assessor or any other party to an action or proceeding under this Title, or the production pursuant to a discovery request under the Maine Rules of

Civil Procedure or a request under the freedom of access laws, of any reconsideration decision or other document setting forth or discussing the assessor's practice, interpretation of law or application of the law to particular facts, in redacted format so as not to reveal information from which the taxpayer may be identified. A person requesting the production of any such document shall pay, at the time the request is made, all direct and indirect costs associated with the redacting of information from which the taxpayer or other interested party may be identified, plus an additional fee of $100 per request; and

**Sec. 8. 36 MRSA §191, sub-§2, ¶SS** is enacted to read:

SS. The disclosure by the assessor to the taxpayer advocate under section 151-C of information related to a petition for reconsideration filed by a taxpayer pursuant to section 151. The taxpayer advocate is prohibited from disclosing information obtained pursuant to this paragraph other than to the particular taxpayer to whom the information pertains.

**Sec. 9. Creation of Independent Appeals Office; elimination of appellate division; transition provisions.** The following provisions govern the transition of the appellate division within the Department of Administrative and Financial Services, Bureau of Revenue Services to the Independent Appeals Office within the Department of Administrative and Financial Services, Bureau of Revenue Services.

1. The appellate division is eliminated and the Independent Appeals Office is created as of July 1, 2012.

2. The Commissioner of Administrative and Financial Services shall hire the qualified appeals officers and designate the Chief Appeals Officer pursuant to the Maine Revised Statutes, Title 36, section 151-B no later than July 1, 2012. The number of appeals officers hired must be the same number as reconsideration hearing officer positions in the appellate division authorized as of July 1, 2011. The appeals officers have the same rate of compensation as the former reconsideration hearing officers.

3. To the extent not inconsistent with the provisions of Title 36, section 151-B, all existing rules, regulations and procedures in effect, in operation or adopted in or by the appellate division are hereby declared in effect and continue in effect until rescinded, revised or amended by the proper authority.

4. To the extent not inconsistent with the provisions of Title 36, section 151-B, all existing contracts, agreements and compacts currently in effect in the appellate division continue in effect.

5. All records, property and equipment previously belonging to or allocated for the use of the appellate division become part of the property of the Independent Appeals Office.

6. All existing forms, licenses, letterheads and similar items bearing the name of or referring to "the appellate division" may be used by the Independent Appeals Office until existing supplies of those items are exhausted.

7. Any funds appropriated for use by the appellate division must be transferred for use by the Independent Appeals Office.

**Sec. 10. Creation of taxpayer advocate; elimination of taxpayer advocate in Bureau of Revenue Services; transition provisions.** The following provisions govern the creation of the position of the taxpayer advocate and the elimination of the taxpayer advocate position within the Department of Administrative and Financial Services, Bureau of Revenue Services.

1. The Commissioner of Administrative and Financial Services shall hire the taxpayer advocate pursuant to the Maine Revised Statutes, Title 36, section 151-C no later than July 1, 2012. The level of compensation for the taxpayer advocate must be the same as for the former taxpayer advocate in the bureau.

2. To the extent not inconsistent with the provisions of Title 36, section 151-C, all existing rules, regulations and procedures in effect, in operation or adopted in or by the taxpayer advocate in the bureau are hereby declared in effect and continue in effect until rescinded, revised or amended by the proper authority.

3. To the extent not inconsistent with the provisions of Title 36, section 151-C, all existing contracts, agreements and compacts currently in effect for the taxpayer advocate in the bureau continue in effect.

4. All records, property and equipment previously belonging to or allocated for the use of the taxpayer advocate in the bureau become part of the property of the independent taxpayer advocate.

5. Any funds appropriated for use by the taxpayer advocate in the bureau must be transferred for use by the independent taxpayer advocate.

**Sec. 11. Cost administration.** The Commissioner of Administrative and Financial Services, the State Tax Assessor and the Chief Appeals Officer pursuant to the Maine Revised Statutes, Title 36, section 151-B, subsection 2 shall manage the implementation of this Act to ensure that this Act is implemented within existing resources. The following principles govern costs associated with this Act.

1. The Independent Appeals Office established in Title 36, section 151-B may have no greater cost than

the appellate division of the Department of Administrative and Financial Services, Bureau of Revenue Services prior to enactment of this Act and all positions within the Independent Appeals Office must have equivalent salary ranges as the positions in the appellate division prior to enactment of this Act. The Commissioner of Administrative and Financial Services shall take any steps necessary to ensure that the total costs associated with the Independent Appeals Office are no greater than the costs that would have been associated with the appellate division prior to enactment of this Act.

2. The funding associated with the current taxpayer advocate of the Department of Administrative and Financial Services, Bureau of Revenue Services must be used to fund the new taxpayer advocate hired by the Commissioner of Administrative and Financial Services and the new taxpayer advocate must have the same salary range as the current taxpayer advocate. The commissioner shall take any steps necessary to ensure that the costs associated with the new taxpayer advocate do not exceed the costs associated with the current taxpayer advocate prior to enactment of this Act.

3. No additional positions within the Department of the Attorney General or the Department of Administrative and Financial Services, Bureau of Revenue Services may be created as a result of this Act.

**Sec. 12. Effective date.** This Act takes effect July 1, 2012, except that the Commissioner of Administrative and Financial Services is authorized to hire the Chief Appeals Officer pursuant to the Maine Revised Statutes, Title 36, section 151-B and the taxpayer advocate pursuant to Title 36, section 151-C prior to July 1, 2012 as long as those appointments do not take effect until July 1, 2012.

Effective July 1, 2012, unless otherwise indicated.

## CHAPTER 440

## S.P. 88 - L.D. 299

### An Act Regarding the Southern Maine Veterans Memorial Cemetery

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

**Sec. 1. Fundraising.** The Town of Springvale is authorized to seek and accept funds, gifts and other donations to be used solely to carry out the provisions of this Act.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**Veterans Services 0110**

Initiative: Provides funding for 2 Groundskeeper II positions at the Southern Maine Veterans Memorial Cemetery. Reorganizes one seasonal Equipment Operator I position to full-time and establishes one Office Associate II position, both of which are unfunded.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 3.500 |
| Personal Services | $0 | $150,000 |
| GENERAL FUND TOTAL | $0 | $150,000 |

See title page for effective date.

## CHAPTER 441

## S.P. 198 - L.D. 617

### An Act To Modify the Process Regarding the Return of Unfit Tobacco Products

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

**Sec. 1. 36 MRSA §4366-A, sub-§4-A,** as amended by PL 2007, c. 438, §95, is further amended to read:

**4-A. Redemption of stamps before July 1, 2012.** ~~The~~ Before July 1, 2012, the assessor shall redeem any unused, uncancelled stamps presented within one year of the date of purchase by a licensed distributor at a price equal to the amount paid for them. Credit for uncancelled stamps is allowed only on full, unopened rolls unless the distributor ceases business as a distributor and returns the license issued under section 4362-A. The assessor may also redeem, at face value, cigarette tax stamps affixed to packages of cigarettes that have become unsalable if application is made within 90 days of the return of the unsalable cigarettes to the manufacturer.

**Sec. 2. 36 MRSA §4366-A, sub-§4-B** is enacted to read:

**4-B. Redemption of stamps beginning July 1, 2012.** Beginning July 1, 2012, the assessor shall redeem any unused, uncancelled stamps presented within one year of the date of purchase by a licensed distributor at a price equal to the amount paid for them. Credit for uncancelled stamps is allowed only on full, unopened rolls unless the distributor ceases business as a distributor and returns the license issued under section 4362-A. The assessor may also redeem,

at face value, cigarette tax stamps affixed to packages of cigarettes that have become unsalable if application is made within 90 days of the return of the unsalable cigarettes to the manufacturer or of the destruction of the unsalable cigarettes by the distributor. The assessor may either witness the destruction of the unsalable cigarettes or may accept another form of proof that the unsalable cigarettes have been destroyed by the distributor or returned to the manufacturer.

**Sec. 3. 36 MRSA §4404, 2nd ¶,** as amended by PL 2007, c. 438, §102, is further amended to read:

~~The~~ Before July 1, 2012, the return must include further information as the assessor may prescribe and must show a credit for any tobacco products exempted as provided in section 4403. Records must be maintained to substantiate the exemption. Tax previously paid on tobacco products that are returned to a manufacturer because the product has become unfit for use, sale or consumption may be taken as a credit on a subsequent return upon receipt of the credit notice from the original supplier.

**Sec. 4. 36 MRSA §4404,** as amended by PL 2009, c. 213, Pt. H, §2, is further amended by adding after the 2nd paragraph a new paragraph to read:

Beginning July 1, 2012, the return must include further information as the assessor may prescribe and must show a credit for any tobacco products exempted as provided in section 4403. Records must be maintained to substantiate the exemption. Tax previously paid on tobacco products that are returned to a manufacturer or a distributor because the product has become unfit for use, sale or consumption and for tobacco products that are returned to a distributor that are subsequently destroyed by the distributor may be taken as a credit on a subsequent return. The assessor may either witness the destruction of the product or may accept another form of proof that the product has been destroyed by the distributor or returned to the manufacturer.

See title page for effective date.

## CHAPTER 442

## H.P. 555 - L.D. 748

### An Act To Improve Driver Education Licensing

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

**Sec. 1. 29-A MRSA §1354, sub-§5-A, ¶B,** as enacted by PL 1995, c. 505, §15 and affected by §22, is amended to read:

B. The fee for a driver education teacher or instructor license is ~~$80~~ $100.

**Sec. 2. 29-A MRSA §1354, sub-§5-A, ¶C,** as enacted by PL 1995, c. 505, §15 and affected by §22, is amended to read:

C. ~~Each license issued pursuant to this section~~ A driver education school license expires one year from the date of issuance. The fee for the renewal of a driver education school license is $125. A driver education teacher or instructor license expires 2 years from the date of issuance. The fee for the renewal of a driver education teacher or instructor license is ~~$80~~ $100.

See title page for effective date.

## CHAPTER 443

## H.P. 828 - L.D. 1116

### An Act To Restore Market-based Competition for Pharmacy Benefits Management Services

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

**Sec. 1. 22 MRSA §1711-E, sub-§1, ¶G,** as enacted by PL 2005, c. 589, §1, is amended to read:

G. "Pharmacy benefits manager" has the same meaning as in ~~section 2699, subsection 1, paragraph F~~ Title 24-A, section 1913, subsection 1, paragraph A.

**Sec. 2. 22 MRSA c. 603, sub-c. 4,** as amended, is repealed.

**Sec. 3. 22 MRSA §8702, sub-§8-B,** as amended by PL 2007, c. 695, Pt. A, §26, is further amended to read:

**8-B. Pharmacy benefits manager.** "Pharmacy benefits manager" ~~means an entity that performs pharmacy benefits management as defined in section 2699, subsection 1, paragraph E~~ has the same meaning as in Title 24-A, section 1913, subsection 1, paragraph A.

**Sec. 4. 24-A MRSA §1913,** as enacted by PL 2009, c. 581, §4, is repealed and the following enacted in its place:

**§1913. Registration of pharmacy benefits managers**

Beginning April 1, 2011, a person may not act as a pharmacy benefits manager in this State without first paying the registration fee required under section 601, subsection 28.

**1. Definitions.** As used in this section, the following terms have the following meanings.

A. "Pharmacy benefits manager" means a person or entity that contracts with a plan sponsor, health care service plan, health maintenance organization or insurer to manage or administer a contract, agreement or arrangement between a carrier or administrator and a pharmacy, as defined in Title 32, section 13702-A, subsection 24, in which the pharmacy agrees to provide services to a health plan enrollee whose plan benefits include incentives for the enrollee to use the services of that pharmacy.

**2. Rules.** The superintendent may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to administer and enforce the registration requirements of this section.

**3. Enforcement.** The superintendent may enforce this section under sections 220 and 223 and other provisions of this Title.

**Sec. 5. 24-A MRSA §4317, sub-§3,** as enacted by PL 2009, c. 519, §1 and affected by §2, is amended to read:

**3. Exception.** ~~This section does~~ Subsections 1 and 2 do not apply to any medical assistance or public health programs administered by the Department of Health and Human Services, including, but not limited to, the Medicaid program and the elderly low-cost drug program under Title 22, section 254-D.

**Sec. 6. 24-A MRSA §4317, sub-§§4 to 11** is enacted to read:

**4. Participation in contracts**. A pharmacy benefits manager may not require a pharmacist or pharmacy to participate in one network in order to participate in another network. The pharmacy benefits manager may not exclude an otherwise qualified pharmacist or pharmacy from participation in one network solely because the pharmacist or pharmacy declined to participate in another network managed by the pharmacy benefits manager.

**5. Prohibition.** The written contract between a carrier and a pharmacy benefits manager may not provide that the pharmacist or pharmacy is responsible for the actions of the insurer or a pharmacy benefits manager.

**6. Pharmacy benefits manager duties.** All contracts must provide that, when the pharmacy benefits manager receives payment for the services of a pharmacist or pharmacy, the pharmacy benefits manager shall distribute the funds in accordance with the time frames provided in Title 22, section 2699-A.

**7. Complaints, grievances and appeals.** A pharmacy benefits manager may not terminate the contract of or penalize a pharmacist or pharmacy solely as a result of the pharmacist's or pharmacy's filing of a complaint, grievance or appeal. This subsection is not intended to restrict the pharmacy's and pharmacy benefits manager's ability to enter into agreements that allow for mutual termination without cause.

**8. Denial or limitation of benefits.** A pharmacy's benefits manager may not terminate the contract of or penalize a pharmacist or pharmacy for expressing disagreement with a carrier's decision to deny or limit benefits to an enrollee or because the pharmacist or pharmacy assists the enrollee to seek reconsideration of the carrier's decision or because the pharmacist or pharmacy discusses alternative medications.

**9. Written notice required.** At least 60 days before a pharmacy's benefits manager terminates a pharmacy's or pharmacist's participation in the pharmacy benefits manager's plan or network, the pharmacy benefits manager shall give the pharmacy or pharmacist a written explanation of the reason for the termination, unless the termination is based on:

A. The loss of the pharmacy's license or the pharmacist's license to practice pharmacy or cancellation of professional liability insurance; or

B. A finding of fraud.

At least 60 days before a pharmacy or pharmacist terminates its participation in a pharmacy benefits manager's plan or network, the pharmacy or pharmacist shall give the pharmacy benefits manager a written explanation of the reason for the termination.

**10. Audits.** Notwithstanding any other provision of law, when an on-site audit of the records of a pharmacy is conducted by a pharmacy benefits manager, the audit must be conducted in accordance with the following criteria.

A. A finding of overpayment or underpayment must be based on the actual overpayment or underpayment and not a projection based on the number of patients served having a similar diagnosis or on the number of similar orders or refills for similar drugs, unless the projected overpayment or denial is a part of a settlement agreed to by the pharmacy or pharmacist.

B. The auditor may not use extrapolation in calculating recoupments or penalties.

C. Any audit that involves clinical or professional judgment must be conducted by or in consultation with a pharmacist.

D. Each entity conducting an audit shall establish an appeals process under which a pharmacy may appeal an unfavorable preliminary audit report to the entity.

E. This subsection does not apply to any audit, review or investigation that is initiated based on or involves suspected or alleged fraud, willful misrepresentation or abuse.

**11. Audit information and reports.** A preliminary audit report must be delivered to the pharmacy within 60 days after the conclusion of the audit under subsection 10. A pharmacy must be allowed at least 30 days following receipt of the preliminary audit to provide documentation to address any discrepancy found in the audit. A final audit report must be delivered to the pharmacy within 90 days after receipt of the preliminary audit report or final appeal, whichever is later. A charge-back, recoupment or other penalty may not be assessed until the appeal process provided by the pharmacy benefits manager has been exhausted and the final report issued. Except as provided by state or federal law, audit information may not be shared. Auditors may have access only to previous audit reports on a particular pharmacy conducted by that same entity.

See title page for effective date.

## CHAPTER 444

## S.P. 277 - L.D. 873

### An Act To Promote the Establishment of an Adult Day Health Care Program for Veterans in Lewiston

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

**Sec. 1. 22 MRSA c. 1689** is enacted to read:

### CHAPTER 1689

### VETERANS' ADULT DAY HEALTH CARE PROGRAMS

**§9001. Definition**

For purposes of this chapter, "veterans' adult day health care program" or "program" means a therapeutically oriented outpatient day program that provides health maintenance and rehabilitative services to participants eligible for services under Title 37-B, chapter 11; that provides individualized care delivered by an interdisciplinary health care team and support staff, with an emphasis on helping participants and their caregivers to develop the knowledge and skills necessary to manage care requirements in the program; and that is principally targeted for complex medical or functional needs of veterans and other eligible participants. "Veterans' adult day health care program" does not include a program for adults provided by a licensed residential facility, a day activity program licensed by the department or an adult day care program as defined in section 8601.

**§9002. Rules**

The department shall adopt rules for veterans' adult day health care programs, which must include, but may not be limited to, rules pertaining to the health and safety of the eligible participants and staff, the quality of the program provided, the administration of medication and licensing procedures. Reimbursement to the provider of veterans' adult day health care must be at the rate of 65% of the MaineCare reimbursement for nursing facility care. The department shall use as guidance for the rules those established by the United States Department of Veterans Affairs, 38 Code of Federal Regulations, Part 52.

**§9003. License**

**1. License required.** Beginning October 1, 2011, a person may not operate a veterans' adult day health care program in this State without having obtained a license from the department.

**2. Fee.** The department shall by rule establish a reasonable fee for a program license.

**§9004. Fire safety**

**1. Inspection required.** A license may not be issued by the department for a veterans' adult day health care program until the department has received from the Commissioner of Public Safety a written statement signed by one of the officials designated under Title 25, section 2360, 2391 or 2392 to make fire safety inspections indicating that the program's facility is in compliance with the applicable fire safety provisions in subsection 2 and Title 25, section 2452.

**2. Life Safety Code.** The written statement under subsection 1 must be furnished annually to the department and must indicate that the veterans' adult day health care program's facility is in compliance with the requirements of the National Fire Protection Association Life Safety Code that are specified in:

A. The provisions relating to family day care homes, if the veterans' adult day health care program has no more than 6 adults per session;

B. The provisions relating to group day care homes, if the veterans' adult day health care program has at least 7 but no more than 12 adults per session; or

C. The provisions relating to child day care, if the veterans' adult day health care program has 13 or more adults per session.

**3. Fees.** The department shall establish and pay reasonable fees to the Department of Public Safety or a municipal official for each inspection under this section. Fees collected by the Department of Public Safety under this subsection must be deposited into a special revenue account to defray expenses in carrying out this section. Any balance of fees may not lapse but must be carried forward as a continuing account to be expended for the same purposes in the following fiscal years.

**§9005. Prohibited employment**

**1. Criminal history record information.** A veterans' adult day health care program shall obtain criminal history record information about applicants for positions as unlicensed assistive personnel as defined in section 1717, subsection 1, paragraph D and may not hire an individual who:

A. Has worked as a certified nursing assistant and has been the subject of a notation by the state survey agency for a substantiated complaint of abuse, neglect or misappropriation of property in a health care setting that was entered on the Maine Registry of Certified Nursing Assistants;

B. Has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; or

C. Has a prior criminal conviction within the last 10 years of:

(1) A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or

(2) A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.

**Sec. 2. Initial veterans' adult day health care program.** The Department of Health and Human Services shall give initial consideration for licensure of a veterans' adult day health care program under the Maine Revised Statutes, Title 22, chapter 1689 to an applicant who proposes to establish a program in the Lewiston area.

See title page for effective date.

## CHAPTER 445

## H.P. 955 - L.D. 1303

### An Act To Increase the Fee Paid to a Funeral Home To Transport a Body at the Request of the State Medical Examiner

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

**Sec. 1. 22 MRSA §3024, 4th ¶,** as amended by PL 2001, c. 222, §3, is further amended to read:

The Chief Medical Examiner may authorize any other expenses necessary to carry out the Chief Medical Examiner's duties. The Chief Medical Examiner shall reimburse a funeral establishment that transports a body to Augusta at the request of the Office of Chief Medical Examiner at the following rates: for up to and including the first 25 miles, $120; for the next 25 miles, $2 per mile traveled while actually transporting a body; and for miles in excess of 50, $1.75 per mile traveled while actually transporting a body.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Chief Medical Examiner - Office of 0412**

Initiative: Provides funds to increase the reimbursement rate paid to a funeral home for transporting a body to the State Medical Examiner.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $35,000 |
| GENERAL FUND TOTAL | $0 | $35,000 |

**Sec. 3. Effective date.** This Act takes effect July 1, 2012.

Effective July 1, 2012.

## CHAPTER 446

## S.P. 466 - L.D. 1488

### An Act To Create Innovative Public School Zones and Innovative Public School Districts

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

**Sec. 1. 20-A MRSA c. 114-A** is enacted to read:

**CHAPTER 114-A**

**FUND FOR THE EFFICIENT DELIVERY OF EDUCATIONAL SERVICES**

**§2651. Fund for the Efficient Delivery of Educational Services**

**1. Fund created.** The Fund for the Efficient Delivery of Educational Services, referred to in this chapter as "the fund" is created to assist in financing the cost of local and regional initiatives to improve educational opportunity and student achievement through more efficient delivery of educational services. The fund is a dedicated, nonlapsing account within the department.

**2. Use of fund.** The department shall award grants from the fund to school administrative units, municipalities, counties and groups of 2 or more such entities to fund the costs of implementing changes in governance, administrative structures or policies that result in the creation of consolidated school administrative units; purchasing alliances; innovative, autonomous public schools, innovative public school districts or innovative public school zones; regional delivery of educational services; or collaborations of municipal-school service delivery or support systems, with the purpose of improving educational opportunity and student achievement. Grants must be used to implement changes that will be sustained by the school administrative unit, municipality or county without the need for additional grants from the fund or other sources.

**3. Grant criteria.** Grants must be awarded on a competitive basis, in accordance with procedures and criteria set forth in rules adopted by the department. The rules must give priority to projects that:

A. Involve 2 or more school administrative units, municipalities, counties or a combination of these entities;

B. Are sufficiently developed to be implemented in a short period of time after the award of the grant;

C. Expand access to professional development, training and support for teachers and school administrators; more fully integrate educational technology and expand access to online and digital learning opportunities; improve management and use of data to enhance instruction and increase student achievement; broaden access to opportunities for career and technical education; expand access to early college opportunities for high school students; or increase student choice; or

D. Implement projects that have demonstrated significant and sustainable savings in the cost of delivering educational services and improving student achievement.

**4. Sources of money.** The fund consists of amounts appropriated or allocated by the State and any gifts or grants made to the department for the purpose of deposit in the fund.

**5. Rules.** Rules adopted by the department to implement this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 20-A MRSA §6213** is enacted to read:

**§6213. Innovative public school zones and innovative public school districts**

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

A. "Innovative, autonomous public school" or "school" means an innovative, autonomous public school established pursuant to section 6212.

B. "Innovation plan" means a plan for the creation and operation of an innovative, autonomous public school or innovative zone or district as described in subsections 2, 3 and 4.

C. "Innovative public school district" or "district" means a school administrative unit in which all schools operated by the school administrative unit are innovative, autonomous public schools included in an innovation plan approved pursuant to this section and implemented by the school board.

D. "Innovative public school zone" or "zone" means 2 or more innovative, autonomous public schools operated by a school administrative unit that share common interests, such as their geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education and in which a school board implements an innovation plan approved pursuant to this section.

E. "Public school" has the same meaning as in section 1, subsection 24.

**2. School-initiated innovation plan.** A public school or a group of 2 or more public schools in a school administrative unit may submit to its school board an innovation plan. The school board may approve an instruction design, a school calendar, a staff selection process and a method for assessing professional development to be used in an innovative, autonomous public school that is not in conflict with applicable statutory and regulatory requirements.

A. A school board shall receive and review each innovation plan submitted pursuant to this subsection. The school board shall either approve or disapprove the innovation plan within 60 days after receiving the plan.

B. If the school board rejects the innovation plan, it shall provide to the public school or public schools that submitted the plan a written explanation of the basis for its decision. A public school or public schools may submit an amended innovation plan at any time.

C. If the school board approves the plan, it shall proceed to seek the commissioner's approval of the public school or public schools as an innovative, autonomous public school, an innovative public school zone or an innovative public school district pursuant to subsection 9.

**3. Board-initiated innovation plan.** A school board may initiate and collaborate with one or more public schools within the school administrative unit to create one or more innovation plans. In creating an innovation plan, the school board shall ensure that

each public school that would be affected by the plan has the opportunity to participate collaboratively in the creation and implementation of the plan.

**4. Innovation plan.** An innovation plan must include the following information:

A. A statement of the mission of the school, zone or district and why designation as a school, zone or district would enhance the ability of the school, zone or district to achieve its mission;

B. A description of the innovations the school, zone or district would implement, which may include, but are not limited to, innovations in school staffing, curriculum and assessment; school calendar; use of financial and other resources; and the recruitment, employment, evaluation and compensation of teachers, administrators and other staff employed by the school;

C. An identification of the improvements in academic performance that the school, zone or district expects to achieve in implementing the innovations;

D. A listing of the programs, policies and practices within the school, zone or district that would be affected by the innovations identified by the school, zone or district and the manner in which they would alter current programs, policies and practices. The programs, policies or practices may include, but are not limited to:

(1) A description of any research-based educational program to be implemented;

(2) The length of the school day and the school year;

(3) The student promotion and graduation policies;

(4) The assessment plan;

(5) The budget; and

(6) The staffing plan.

E. A description of any statutory requirements applicable to public schools or school administrative unit policy requirements that would need to be waived for the school, zone or district to implement the identified innovations;

F. An identification of the improvements in academic performance that the school, zone or district expects to achieve in implementing the innovations;

G. An identification of the strategic partnerships, including partnerships with business, industry, postsecondary education institutions, nonprofit educational organizations and other educational entities, that the school, zone or district expects to develop in implementing its identified innovation;

H. An estimate of the cost savings and increased efficiencies, if any, the school, zone or district expects to achieve in implementing the identified innovations;

I. A description of the strategies that the school, zone or district expects to implement in the future to secure and maintain the resources necessary to sustain the identified innovations;

J. A provision for the continuation and assignment of collective bargaining agreements as they apply to the school, zone or district for the duration of those agreements and the continuation of representational rights;

K. A provision for the continuation of continuing contract rights under section 13201; and

L. Any additional information required by the school board.

**5. Additional information.** An innovation plan, whether submitted by one or more public schools or created by a school board through collaboration with one or more public schools, must include the following information:

A. A description of how innovations in the schools in the zone or district would be integrated to achieve results that would be less likely to be accomplished by each school working alone; and

B. An estimate of any economies of scale that would be achieved by innovations implemented jointly by the schools within the zone or district.

**6. Prohibited acts.** An employee of a public school or school administrative unit may not be discriminated against by the school board, the superintendent or any other administrator of the school administrative unit or by any employee organization, officer of the organization or member of the organization for exercising or not exercising the rights provided for under this section. An employee of a school administrative unit or an officer or member of an employee organization may not impede, restrain or coerce an employee of a public school or school administrative unit to keep that employee from exercising the rights provided for under this section or cause an employer to impede, restrain or coerce an employee to keep that employee from exercising the rights provided for under this section.

A person may not directly or indirectly interfere with, intimidate, restrain, coerce or discriminate against a public employee or a group of public employees in the free exercise of their rights pursuant to Title 26, chapter 9-A to voluntarily join, form and participate in the activities of organizations of their own choosing for the purposes of representation and collective bargaining or in the free exercise of any other right under Title 26.

**7. Innovations.** In considering or creating an innovation plan, each school board may consider innovations in the following areas:

A. Curriculum and academic standards and assessments;

B. Accountability measures, including, but not limited to, expanding the use of a variety of accountability measures to more accurately present a complete measure of student learning and accomplishment. The accountability measures adopted may include, but are not limited to:

(1) Use of graduation or exit examinations;

(2) Use of end-of-course examinations;

(3) Use of formative assessments that measure student growth over time;

(4) Use of multiple measures of student achievement;

(5) Measuring the percentage of students continuing on to postsecondary education; and

(6) Measuring the percentage of students simultaneously obtaining a high school diploma and an associate's degree or a career and technical education certificate from a postsecondary educational institution;

C. Provision of services, including, but not limited to, special education services; services for gifted and talented students; services for students with limited English proficiency; educational services for students at risk of academic failure, expulsion or dropping out; and support services provided by the Department of Health and Human Services or the Department of Corrections to a state ward or to a state agency client;

D. Teacher recruitment, training, preparation and professional development;

E. Teacher employment;

F. Performance expectations and evaluation procedures for teachers and principals;

G. Compensation for teachers, principals and other school personnel, including, but not limited to, performance pay plans, total compensation plans and innovations with regard to retirement and other benefits;

H. School governance and the roles, responsibilities and expectations of principals; and

I. Preparation and counseling of students for transition to postsecondary education or the workforce.

**8. Gifts, grants and donations.** A school, zone or district may seek and accept public and private gifts, grants and donations to offset the costs of developing and implementing an innovation plan. Any gift, grant or donation received pursuant to this subsection must be approved by the school board prior to the receipt of the gift, grant or donation.

**9. Commissioner's approval.** A school board shall submit school, zone or district innovation plans approved pursuant to subsection 4, paragraph J to the commissioner.

A. Within 60 days after receiving an innovation plan for a school, zone or district, the commissioner shall approve the innovation plan unless the commissioner concludes that the plan:

(1) Is likely to result in a decrease in academic achievement in the innovative school, zone or district; or

(2) Is not fiscally feasible.

B. If the commissioner does not approve the innovation plan, the commissioner shall provide to the school board a written explanation of the basis for the decision. The school board may submit an amended innovation plan for the commissioner's approval at any time.

Nothing in this subsection may prevent or may be construed to prevent the commissioner from approving an innovation plan to create an innovative public school district when the innovation plan is created by a school board for a school administrative unit that operates only one innovative, autonomous public school.

**10. Commissioner's waiver.** Upon approval of an innovation plan for a school, zone or district, the commissioner shall waive requirements of any statutes or rules specified in the approved innovation plan as they pertain to the innovative school, zone or district, except that the commissioner may not waive requirements pertaining to:

A. School administrative unit employee participation in the Maine Public Employees Retirement System;

B. The standards established by the school board for awarding a high school diploma as set forth in chapter 207-A, subchapter 3;

C. The statewide assessment program established under this chapter to measure student achievement of the content standards in the system of learning results set forth in this chapter and in department rules implementing this chapter and other curricular requirements established by the school board;

D. The applicable federal statutes and regulations pertaining to student assessment as required by the federal No Child Left Behind Act of 2001, 20 United States Code, Chapter 70; and

E. The legal obligations and duties that a school administrative unit implementing an innovation plan owes to its employees prior to the formation of a district or zone, including but not limited to those obligations and duties arising under federal or state law, collective bargaining agreements and individual employment contracts, including but not limited to:

(1) Continued recognition of all bargaining agents that represent any bargaining units of employees who are employed by a school administrative unit implementing an innovation plan; and

(2) Assumption and continued observance of all collective bargaining agreements between such bargaining agents and a school administrative unit implementing an innovation plan.

Except as otherwise provided in this subsection, the commissioner may not waive any requirements of any law or rule specified in the approved innovation plan for an innovative school, zone or district if the law or rule relates to the implementation of or requirements for any program or grant for which the school administrative unit is receiving funds appropriated or allocated for the support of public school activities. The commissioner may waive any requirements of any law or rule that relates to the implementation of or requirements for any program or grant only if the funding for the program or grant is no longer allocated to the school administrative unit.

**11. State subsidy.** Designation as a school, zone or district may not affect the allocation of state subsidy for the school administrative unit as calculated pursuant to chapter 606-B.

**12. Revisions to innovation plan; changes to waivers.** If the school board, in collaboration with one or more public schools pursuant to subsection 3, revises an innovation plan as provided in subsection 9, paragraph B, the school board may request additional waivers or changes to existing waivers of the requirements of laws and rules as necessary to accommodate the revisions to the innovation plan, and the commissioner shall grant the request unless the commissioner concludes that the waivers or changes to existing waivers would be likely to result in a decrease in academic achievement in the school, zone or district, or would not be fiscally feasible.

A. In requesting a new waiver or a change to an existing waiver, the school board must demonstrate the consent of a majority of the teachers and a majority of the administrators employed at each school that is affected by the new or changed waiver.

B. Except as otherwise provided in this section, a waiver from the requirements of a law or rule that is granted pursuant to this section continues to apply to a school, zone or district as long as the school, zone or district continues to be designated as a school, zone or district.

**13. Exemption from school district reorganization requirements.** Notwithstanding chapter 103-A, a school administrative unit that has been approved by the commissioner as an innovative public school district is exempt from the requirements to reorganize as a regional school unit or as a member entity of an alternative organizational structure and may not be assessed a penalty as a nonconforming school administrative unit pursuant to section 15696.

**14. Performance review.** Three years after the commissioner approves an innovation plan for a school, zone or district, and every 3 years thereafter, the school board shall review the level of performance of the school, zone or district and determine whether the school, zone or district is achieving or making adequate progress toward achieving the academic performance results identified in the innovation plan of the school, zone or district. The school board, in collaboration with the school, zone or district, may revise the innovation plan as necessary to improve or continue to improve academic performance at the school, zone or district. Any revisions to the innovation plan require the consent of a majority of the teachers and a majority of the administrators employed at each affected school.

A. Following review of a school's performance, if the school board finds that the academic performance of students enrolled in the school is not improving at a sufficient rate, the school board may revoke the designation of the school as an innovative, autonomous public school.

B. Following review of the performance of a zone or district, if a school board finds that the academic performance of students enrolled in one or more of the schools included in the zone or district is not improving at a sufficient rate, the school board may remove the underperforming school or schools from the zone or district or may revoke the designation of the zone or district as an innovative public school zone or innovative public school district.

**15. Annual report.** By March 1, 2012, and each year thereafter, the commissioner shall submit to the Governor and to the joint standing committee of the Legislature having jurisdiction over education matters a report concerning the schools, zones and districts. At a minimum, the report must include:

A. The number of school administrative units designated as innovative districts in the preceding academic year and the total number of innovative districts in the State;

B. The number of innovative, autonomous public schools, and the number of innovative public

school zones and innovative public school districts, including the number of schools in each zone and district and the number of students served in the schools and zones, expressed as a total number and as a percentage of the students enrolled in the district;

C. An overview of the innovations implemented in each school, zone and district;

D. An overview of the academic performance of the students served in schools, zones and districts, including a comparison between the academic performance of the students before and after implementation of the innovations;

E. Any recommendations for legislative changes based on the innovations implemented or to further enhance the ability of school administrative units and school boards to implement innovations; and

F. Any information requested by the Governor or a member of the joint standing committee of the Legislature having jurisdiction over education matters.

The commissioner shall promptly post the annual report submitted pursuant to this section on the department's publicly accessible website.

**Sec. 3. 26 MRSA §962, sub-§7, ¶A,** as amended by PL 2005, c. 662, Pt. A, §43 and PL 2007, c. 58, §3, is further amended to read:

A. Any officer, board, commission, council, committee or other persons or body acting on behalf of:

(1) Any municipality or any subdivision of a municipality;

(2) Any school, water, sewer, fire or other district;

(3) The Maine Turnpike Authority;

(5) Any county or subdivision of a county;

(6) The Maine Public Employees Retirement System; ~~or~~

(7) The Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; or

(8) Any innovative, autonomous public school, innovative public school district or innovative public school zone created and operated under Title 20-A, section 6212 or 6213;

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**Fund for the Efficient Delivery of Educational Services Z005**

Initiative: Provides a base allocation for grants to improve educational opportunities and student achievement through more efficient delivery of educational services.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $500 | $500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $500 | $500 |

See title page for effective date.

## CHAPTER 447

## H.P. 1147 - L.D. 1562

### An Act To Prohibit the Sale or Possession of So-called Bath Salts Containing Dangerous Synthetic Drugs

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

**Whereas,** certain synthetic hallucinogenic drugs marketed as bath salts are powerful stimulant drugs that are suspected to have been designed to avoid prosecution and are commonly available on the Internet; and

**Whereas,** there exists a perception that these so-called bath salts pose a safer alternative to other drugs that are illegal but use of these bath salts is known to produce a number of severe side effects, including organ failure, and death; and

**Whereas,** prohibiting the use and possession of these so-called bath salts is an urgent public safety matter; 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. 22 MRSA §§2390 to 2394** are enacted to read:

**§2390. Unlawful possession of certain synthetic hallucinogenic drugs**

**1. Unlawful possession.** It is unlawful for a person to possess certain synthetic hallucinogenic drugs if the person intentionally or knowingly possesses what that person knows or believes to be a certain synthetic hallucinogenic drug, which is in fact a certain synthetic hallucinogenic drug, and the drug is:

A. 3, 4 - methylenedioxymethcathinone, MDMC;

B. 3, 4 - methylenedioxypyrovalerone, MDPV;

C. 4 - methylmethcathinone, 4-MMC;

D. 4 - methoxymethcathinone, bk-PMMA, PMMC;

E. 3 - fluoromethcathinone, FMC;

F. 4 - fluoromethcathinone, FMC;

G. Napthylpyrovalerone, NRG-1; and

H. Beta-keto-N-methylbenzodioxolylpropylamine.

**2. Penalties.** The following penalties apply.

A. A person who violates this section commits a civil violation for which a fine of not more than $350 may be adjudged.

B. A person who violates this section after having been previously adjudicated of violating this section commits a civil violation for which a fine of not more than $500 may be adjudged.

C. A person who violates this section after having been previously adjudicated of violating this section 2 or more times commits a Class E crime.

**3. Repeal.** This section is repealed June 15, 2013.

**§2391. Unlawful trafficking in certain synthetic hallucinogenic drugs**

**1. Unlawful trafficking.** It is unlawful for a person to traffick in certain synthetic hallucinogenic drugs if the person intentionally or knowingly trafficks in what the person knows or believes to be a certain synthetic hallucinogenic drug, which is in fact a certain synthetic hallucinogenic drug listed in section 2390. For purposes of this section, "traffick" has the same meaning as in Title 17-A, section 1101, subsection 17.

**2. Penalties.** The following penalties apply.

A. A person who violates this section commits a Class E crime.

B. A person who violates this section after having been previously adjudicated of violating this section commits a Class D crime.

**3. Use of a motor vehicle.** If a person uses a motor vehicle to facilitate the trafficking in a certain synthetic hallucinogenic drug listed in section 2390, the court may, in addition to other authorized penalties, suspend the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license for a period not to exceed 5 years. A suspension may not begin until after any period of incarceration is served. If the court suspends a person's driver's license or permit, privilege to operate a motor vehicle or right to apply for or obtain a license, the court shall notify the Secretary of State of the suspension and the court shall take physical custody of the person's license or permit. The Secretary of State may not reinstate the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license unless the person demonstrates that, after having been released and discharged from any period of incarceration that may have been ordered, the person has served the period of suspension ordered by the court.

**4. Repeal.** This section is repealed June 15, 2013.

**§2392. Aggravated trafficking in certain synthetic hallucinogenic drugs**

**1. Unlawful aggravated trafficking.** A person is guilty of aggravated trafficking in certain synthetic hallucinogenic drugs if the person violates section 2391 and:

A. The person trafficks in a certain synthetic hallucinogenic drug with a child who is in fact less than 18 years of age;

B. At the time of the offense, the person has one or more prior adjudications for any violation under this chapter or for engaging in substantially similar conduct in another jurisdiction;

C. At the time of the offense, the person possesses a firearm in the furtherance of the offense, uses a firearm, carries a firearm or is armed with a firearm;

D. At the time of the offense, the person is on a school bus or within 1,000 feet of the real property comprising a private or public elementary or secondary school or a safe zone as defined in Title 17-A, section 1101, subsection 23. For purposes of this paragraph, "school bus" has the same meaning as defined in Title 29-A, section 2301, subsection 5; or

E. At the time of the offense, the person enlists or solicits the aid of or conspires with a child who is in fact less than 18 years of age to traffick in a certain synthetic hallucinogenic drug.

**2. Penalty.** Violation of this section is a Class C crime.

**3. Use of a motor vehicle.** If a person uses a motor vehicle to facilitate the aggravated trafficking in a certain synthetic hallucinogenic drug, the court may, in addition to other authorized penalties, suspend the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license for a period not to exceed 5 years. A suspension may not begin until after any period of incarceration is served. If the court suspends a person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license, the court shall notify the Secretary of State of the suspension and the court shall take physical custody of the person's license or permit. The Secretary of State may not reinstate the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license unless the person demonstrates that, after having been released and discharged from any period of incarceration that may have been ordered, the person has served the period of suspension ordered by the court.

**4. Repeal.** This section is repealed June 15, 2013.

**§2393. Unlawfully furnishing certain synthetic hallucinogenic drugs**

**1. Unlawful furnishing.** It is unlawful for a person to furnish certain synthetic hallucinogenic drugs if the person intentionally or knowingly furnishes what the person knows or believes to be a certain synthetic hallucinogenic drug, which is in fact a certain synthetic hallucinogenic drug listed in section 2390.

**2. Penalties.** The following penalties apply.

A. A person who violates this section commits a Class E crime.

B. A person who violates this section after having been previously adjudicated as violating this section commits a Class D crime.

**3. Use of a motor vehicle.** If a person uses a motor vehicle to facilitate the unlawful furnishing of a certain synthetic hallucinogenic drug, the court may, in addition to other authorized penalties, suspend the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license for a period not to exceed 5 years. A suspension may not begin until after any period of incarceration is served. If the court suspends a person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license, the court shall notify the Secretary of State of the suspension and the court shall take physical custody of the person's license. The Secretary of State may not reinstate the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license unless the person demonstrates that, after having been released and discharged from any period of incarceration that may have been ordered, the person has served the period of suspension ordered by the court.

**4. Repeal.** This section is repealed June 15, 2013.

**§2394. Aggravated furnishing of certain synthetic hallucinogenic drugs**

**1. Aggravated furnishing.** A person is guilty of aggravated furnishing of certain synthetic hallucinogenic drugs if the person violates section 2393 and:

A. The person furnishes a certain synthetic hallucinogenic drug to a child who is in fact less than 18 years of age;

B. At the time of the offense, the person has one or more prior adjudications for any violation under this chapter or for engaging in substantially similar conduct in another jurisdiction;

C. At the time of the offense, the person possesses a firearm in the furtherance of the offense, uses a firearm, carries a firearm or is armed with a firearm;

D. At the time of the offense, the person is on a school bus or within 1,000 feet of the real property comprising a private or public elementary or secondary school or a safe zone as defined in Title 17-A, section 1101, subsection 23. For purposes of this paragraph, "school bus" has the same meaning as defined in Title 29-A, section 2301, subsection 5; or

E. At the time of the offense, the person enlists or solicits the aid of or conspires with a child who is in fact less than 18 years of age to furnish a certain synthetic hallucinogenic drug.

**2. Penalty.** Violation of this section is a Class D crime.

**3. Use of a motor vehicle.** If a person uses a motor vehicle to facilitate the aggravated furnishing of a certain synthetic hallucinogenic drug, the court may, in addition to other authorized penalties, suspend the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license for a period not to exceed 5 years. A suspension may not begin until after any period of incarceration is served. If the court suspends a person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license, the court shall notify the Secretary of State of the suspension and the court shall take physical custody of the person's license or permit. The Secretary of State may not reinstate the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license unless the person demonstrates that, after having been released and discharged from any period of incarceration that may have been or-

dered, the person has served the period of suspension ordered by the court.

**4. Repeal.** This section is repealed June 15, 2013.

**Sec. 2. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 22, chapter 558, in the chapter headnote, the words "marijuana, scheduled drugs, imitation scheduled drugs and hypodermic apparatuses" are amended to read "marijuana, scheduled drugs, imitation scheduled drugs, certain synthetic hallucinogenic drugs and hypodermic apparatuses" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

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

Effective July 6, 2011.

## CHAPTER 448

## H.P. 835 - L.D. 1123

### An Act To Amend the Motor Vehicle Laws

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

**Sec. 1. 29-A MRSA §1768, sub-§8** is enacted to read:

**8. Performance of inspections, issuance of inspection certificate by a person with a suspended or revoked inspection mechanic license.** A person commits a Class E crime if, at a time when the person's inspection mechanic license is suspended or revoked pursuant to section 1763, the person:

A. Performs a state motor vehicle inspection or federally approved motor vehicle inspection in order for a certificate of inspection or report to be issued by a 3rd party; or

B. Issues a state or federally approved certificate of inspection or report.

**Sec. 2. 29-A MRSA §2054, sub-§2, ¶C,** as amended by PL 2009, c. 251, §10, is further amended to read:

C. The use of amber lights on vehicles is governed by the following.

(1) A vehicle engaged in highway maintenance or in emergency rescue operations by civil defense and public safety agencies and a public utility emergency service vehicle may be equipped with auxiliary lights that emit an amber light.

(1-A) A Department of Labor motor vehicle operated by a workplace safety inspector may be equipped with auxiliary lights that emit an amber light.

(2) A wrecker must be equipped with a flashing light mounted on top of the vehicle in such a manner as to emit an amber light over a 360` angle. The light must be in use on a public way or a place where public traffic may reasonably be anticipated when servicing, freeing, loading, unloading or towing a vehicle.

(3) A vehicle engaged in snow removal or sanding operations on a public way must be equipped with and display an auxiliary light that provides visible light coverage over a 360` range. The light must emit an amber beam of light and be equipped with a blinking or strobe light function and have sufficient intensity to be visible at 500 feet in normal daylight. When the left wing of a plow is in operation and extends over the center of the road, an auxiliary light must show the extreme end of the left wing. That light may be attached to the vehicle so that the beam of light points at the left wing. The light illuminating the left wing may be controlled by a separate switch or by the regular lighting system and must be in operation at all times when the vehicle is used for plowing snow on public ways.

(4) A vehicle equipped and used for plowing snow on other than public ways may be equipped with an auxiliary rotary flashing light that must be mounted on top of the vehicle in such a manner as to emit an amber beam of light over a 360` angle, or an amber strobe, or combination of strobes, that emits at a minimum a beam of 50 candlepower and provides visible light coverage over a 360` range. The light may be in use on a public way only when the vehicle is entering the public way in the course of plowing private driveways and other off-highway locations.

(5) A rural mail vehicle may be equipped with auxiliary lights.

(a) The lights used to the front must be white or amber, or any shade between white and amber.

(b) The lights used to the rear must be amber or red, or any shade between amber and red.

(c) The lights, whether used to the front or rear, must be mounted at the same level and as widely spaced laterally as possible.

(d) The lights, whether used to the front or rear, must flash simultaneously.

(e) The lights must be visible from a distance of at least 500 feet in normal daylight.

(6) A vehicle used or provided by a contract security company to assist in traffic control and direction at construction or maintenance sites on a public way may be equipped with amber auxiliary lights.

(7) A Department of Public Safety vehicle operated by a motor carrier inspector or motor vehicle inspector may be equipped with auxiliary lights that emit an amber light.

(8) A vehicle used by an animal control officer appointed pursuant to Title 7, section 3947 may be equipped with auxiliary lights that emit a flashing amber light.

(9) A refuse, garbage or trash business vehicle used by an individual to transport refuse, garbage and trash may be equipped with auxiliary lights that emit a flashing amber light.

(10) A vehicle used by an individual to transport and deliver newspapers may be equipped with auxiliary lights that emit a flashing amber light.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF**

**State Board of Corrections Investment Fund Z075**

Initiative: Provides funds to the State Board of Corrections for the costs associated with establishing a new Class E offense.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $3,132 |
| GENERAL FUND TOTAL | $0 | $3,132 |

**Sec. 4. Effective date.** That section of this Act that enacts the Maine Revised Statutes, Title 29-A, section 1768, subsection 8 takes effect July 1, 2012.

See title page for effective date, unless otherwise indicated.

## CHAPTER 449

## S.P. 485 - L.D. 1524

### An Act To Amend the Laws Relating to the Maine Public Employees Retirement System

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

**Sec. 1. 5 MRSA §17057, sub-§4,** as corrected by RR 2009, c. 2, §3, is amended to read:

**4. Investment activity information.** Disclosure of private market investment activity of the retirement system~~, pursuant to the innovation finance program,~~ is governed by this subsection.

A. Documentary material, data or information in the possession of the retirement system that consists of trade secrets or commercial or financial information that relates to ~~the investments~~ actual or potential private market investments of the retirement system ~~pursuant to the innovation finance program under Title 10, section 1026-T~~ is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3 if, in the sole discretion of the retirement system, the disclosure of the material, data or information may:

(1) Impair the retirement system's ability to obtain such material, data or information in the future; ~~or~~

(2) Cause substantial harm to the competitive position of the retirement system or of the person or entity from whom the information was obtained~~.~~; or

(3) Result in the potential violation of state and federal laws and regulations relating to insider trading.

B. The following information concerning any ~~venture capital~~ fund in which the retirement system is invested ~~pursuant to the innovation finance program under Title 10, section 1026-T~~ is not exempt from disclosure:

(1) The retirement system's total commitment to the ~~venture capital~~ fund;

(2) The date of the commitment to the ~~venture capital~~ fund;

(3) Contributions and distributions made to or received from ~~an innovation finance program~~ the fund;

(4) The market value of the investment;

(5) The name of the ~~venture capital~~ fund; and

(6) The interim internal rate of return of the ~~venture capital~~ fund.

C. For purposes of this subsection, "private market investment" means:

(1) Direct investments in land, timber, mineral rights, private company equity or private company debt;

(2) Indirect investments in limited partnerships, limited liability corporations or other entities that may invest in the investments described in subparagraph (1);

(3) Investments in unregistered securities or funds offered under exemptions provided in Section 144(A) of the Securities Act of 1933, as amended, or Section 3(c)1 or 3(c)7 of the Investment Company Act of 1940, as amended; or

(4) Investments or potential investments of the retirement system pursuant to the state innovation finance program authorized under Title 10, section 1026-T.

**Sec. 2. 5 MRSA §17057, sub-§§5 and 6** are enacted to read:

**5. Personnel records of Maine Public Employees Retirement System staff.** The following records are confidential and not open to public inspection and are not public records as defined in Title 1, section 402, subsection 3:

A. Papers relating to applications, examinations or evaluations of applicants. Except as provided in this subsection, applications, resumes, letters and notes of reference, working papers, research materials, records, examinations and any other documents or records and the information they contain, solicited or prepared either by the applicant or the retirement system for use in the examination or evaluation of applicants for positions as retirement system employees, are confidential.

(1) Notwithstanding any confidentiality provision to the contrary, applications, resumes and letters and notes of reference, other than those letters and notes of reference expressly submitted in confidence, pertaining to the applicant hired are public records after the applicant is hired, except that personal contact information is not a public record as provided in Title 1, section 402, subsection 3, paragraph O.

(2) Telephone numbers are not public records if they are designated as "unlisted" or "unpublished" in an application, resume or letter or note of reference.

(3) This paragraph does not preclude a union representative from access to personnel records, consistent with paragraph D, that may be necessary for the bargaining agent to carry out collective bargaining responsibilities. Any records available to union representatives that are otherwise covered by this paragraph remain confidential and are not open to public inspection;

B. Personal information. Records containing the following information are confidential, except that the records may be examined by the employee to whom they relate when the examination is permitted or required by law:

(1) Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;

(2) Performance evaluations and personal references submitted in confidence;

(3) Information pertaining to the creditworthiness of a named employee;

(4) Information pertaining to the personal history, general character or conduct of members of the employee's immediate family;

(5) Personal information pertaining to the employee's race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, marital status and sexual orientation; social security number; personal contact information as provided in Title 1, section 402, subsection 3, paragraph O; and personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance; and

(6) Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action is no longer confidential after the decision is completed if it imposes or upholds discipline. If an arbitrator completely overturns or removes disciplinary action from an employee personnel file, the final written decision is public except that the employee's name must be deleted from the final written decision and kept confidential. If the employee whose name was deleted from the final written decision discloses that the employee is the person who is the subject of the final written decision, the entire final written decision, with regard to that employee, is public.

For purposes of this subparagraph, "final written decision" means:

(a) The final written administrative decision that is not appealed pursuant to a grievance arbitration procedure; or

(b) If the final written administrative decision is appealed to arbitration, the final written decision of a neutral arbitrator.

A final written administrative decision that is appealed to arbitration is no longer confidential 120 days after a written request for the decision is made to the employer if the final written decision of the neutral arbitrator is not issued and released before the expiration of the 120 days.

This paragraph does not preclude a union representative from having access to personnel records that are necessary for the bargaining agent to carry out collective bargaining responsibilities. Any records available to union representatives that are otherwise covered by this paragraph remain confidential and are not open for public inspection;

C. Other information to which access by the general public is prohibited by law; and

D. Certain information for grievance and other proceedings. The retirement system may release specific information designated confidential by this paragraph to be used in negotiations, mediation, fact finding, arbitration, grievance proceedings and other proceedings in which the retirement system is a party. For the purpose of this paragraph, "other proceedings" means unemployment compensation proceedings, workers' compensation proceedings, human rights proceedings and labor relations proceedings.

**6. Treatment of confidential information.** Confidential information provided under subsection 5 is governed by the following.

A. Only the information that is necessary and directly related to the proceeding may be released.

B. The proceeding for which the confidential information is provided must be private and not open to the public if possible. If the proceeding is open to the public, the confidential information may not be disclosed except exclusively in the presence of the fact finder, the parties and counsel of record and the employee who is the subject of the proceeding and provisions are made to ensure that there is no public access to the confidential information.

C. The retirement system may use this confidential information in proceedings and provide copies to an employee organization if that organization is a party to the proceedings and the information is directly related to those proceedings as defined by the applicable collective bargaining agreement. Confidential personnel records in the possession of the retirement system are not open to public inspection and are not public records.

**Sec. 3. 5 MRSA §17652, sub-§1,** as amended by PL 2009, c. 474, §15, is further amended to read:

**1. Elected and appointed officials.** Membership in the State Employee and Teacher Retirement Program is optional for elected officials or officials appointed for a fixed term. A person must make an election at the time of initial hire whether to be a member of the program. Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

**Sec. 4. 5 MRSA §17652, sub-§3,** as amended by PL 2009, c. 474, §15, is further amended to read:

**3. Certain employees of the Maine Community College System.** Notwithstanding section 17651, membership in the State Employee and Teacher Retirement Program is optional for employees of the Maine Community College System who are eligible to participate in a retirement plan pursuant to Title 20-A, section 12722. A person must make an election at the time of initial hire whether to be a member of the program. Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

**Sec. 5. 5 MRSA §17652, sub-§4,** as amended by PL 2009, c. 474, §15, is further amended to read:

**4. Limitation on election to join State Employee and Teacher Retirement Program.** Notwithstanding any other law, confidential employees of the Maine Community College System who are not represented in a collective bargaining unit may join the State Employee and Teacher Retirement Program under this section only upon the written authorization of the Board of Trustees of the Maine Community College System. The board of trustees shall authorize the person to join the State Employee and Teacher Retirement Program when the Maine Community College System Office or other Maine Community College System entity that employs the individual seeking to join has identified and designated the funds necessary to pay for the cost of that person's joining the program. A person must make an election at the time of initial hire whether to be a member of the program. Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

**Sec. 6. 5 MRSA §17652, sub-§6,** as amended by PL 2009, c. 474, §15, is further amended to read:

**6. Substitute teachers.** Notwithstanding section 17651, membership in the State Employee and Teacher Retirement Program is optional for substitute teachers. A person must make an election at the time of initial hire whether to be a member of the program. Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

**Sec. 7. 5 MRSA §17705-A, sub-§1,** as amended by PL 2007, c. 491, §112, is further amended to read:

**1. Conditions for refund.** If the service of any member has terminated, except by death or by retirement under this Part, ~~or if an optional member withdraws from a retirement program of the Maine Public Employees Retirement System,~~ the member must be paid the amount of the member's accumulated contributions under the following conditions:

A. The member must have properly applied for a refund of accumulated contributions;

B. Payment must be made after termination of service and not less than 22 days nor more than 60 days after receipt of the application and receipt of the last payroll upon which the name of the member appears;

C. An application for refund is void if the member filing the application returns to membership in any retirement program administered by the retirement system before issuance of the payment;

D. Except when inclusion of a portion of employer contributions is required by paragraph E, only accumulated contributions made by the member or picked up by the employer may be refunded to that member under this subsection; and

E. The amount of the refund of accumulated contributions related to a member's compensation for service rendered as a part-time, seasonal or temporary employee after December 31, 1991 must be at least equal to 7.5% of the member's compensation for that service plus interest as provided by section 17156.

**Sec. 8. 5 MRSA §17706-A, sub-§1,** as amended by PL 2009, c. 474, §20, is further amended to read:

**1. Conditions for refund.** The retirement system may make an automatic refund of contributions to a member who has not properly applied for a refund as provided in section 17705-A and who has terminated service, except by death or by retirement under this Part, ~~or who as an optional member has withdrawn from a retirement program of the Maine Public Employees Retirement System,~~ and who has not met the minimum creditable service requirement for eligibility to receive a service retirement benefit at the applicable age under the following conditions:

A. The member account has been inactive for 3 or more years;

B. Except when inclusion of a portion of employer contributions is required by this subsection, only accumulated contributions made by the member or picked up by the employer may be refunded to that member under this subsection;

C. The amount of the refund of accumulated contributions related to a member's compensation for service rendered as a part-time, seasonal or temporary employee after December 31, 1991 must be at least equal to 7.5% of the member's compensation for that service plus interest as provided by section 17156; and

D. A member who receives an automatic refund under this subsection may, within 30 days of the issuance of the refund, return the full refunded amount to the retirement system. Upon receipt, the retirement system shall restore the accumulated contributions to the member's credit.

Pursuant to the Code, Section 401(a)(31)(B), the amount of an automatic refund under this section for a member who has not reached normal retirement age may not exceed $1,000.

**Sec. 9. 5 MRSA §17952, first ¶,** as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

A qualifying member may designate a beneficiary to receive benefits upon the qualifying member's death by filing a written designation of beneficiary with the executive director. The last designation of any beneficiary revokes all previous designations. In order to be in effect, the written designation must be received by the retirement system office or be postmarked before the qualifying member's death.

**Sec. 10. 5 MRSA §18058, sub-§1,** as amended by PL 2009, c. 474, §24, is further amended to read:

**1. Employees insured.** ~~All employees~~ Each employee shall complete an application for insurance coverage within 31 days of becoming eligible. Each employee who completes an application and is found eligible for basic insurance under this subchapter ~~are automatically~~ is insured for the ~~amounts~~ amount of basic coverage applicable under this subchapter, beginning on the first day of the month following one month of employment after the employee becomes eligible. ~~Each employee shall complete an application for insurance coverage within 31 days of becoming eligible.~~

A. The employee shall indicate the types of coverage elected.

B. If ~~an application is completed in a timely manner, any~~ the employee elects coverage within 31 days of the employee's first becoming eligible and elects coverage in addition to basic, that additional coverage becomes effective on the first day of the month following one month of employment after the employee becomes eligible.

C. If ~~an application is not completed~~ the employee does not elect coverage within 31 days of the employee's first becoming eligible, the employee may subsequently apply for ~~supplemental and dependent~~ insurance coverage but must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

**Sec. 11. 5 MRSA §18058, sub-§2, ¶D,** as enacted by PL 2007, c. 17, §1 and affected by §3, is repealed.

**Sec. 12. 5 MRSA §18058, sub-§5** is enacted to read:

**5. Employee on leave of absence.** Insurance coverage for an employee on an authorized leave of absence is governed as follows.

A. An employee who, during a period of an unpaid leave of absence, continues to pay premiums due for the period of the leave continues to be covered. Coverage for an employee who, during the period of the leave, does not pay the premiums due ceases at the end of the period covered by the last premium paid.

B. Notwithstanding paragraph A, an employee who, during a period of unpaid military leave of absence, does not continue coverage while on unpaid military leave must be reinstated to the levels of coverage in effect immediately prior to the unpaid military leave. A request for reinstatement by the employee must be made within 31 days of the employee's return to work following unpaid military leave. An employee who wants to be reinstated and who does not apply for reinstatement within 31 days of the employee's return to work from unpaid military leave must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

**Sec. 13. 5 MRSA §18251, sub-§3,** as amended by PL 2009, c. 474, §28, is further amended to read:

**3. Optional membership.** Membership in the Participating Local District Retirement Program is optional for the following employees of a participating local district:

A. A person in the service of a participating local district on the date of establishment for that participating local district. Once such a person joins the Participating Local District Retirement Program, membership ceases to be optional for that person under this paragraph;

B. An elected official or an official appointed for a fixed term. Special provisions apply to certain officials as follows:

(1) Membership of trustees of a water district is governed by Title 35-A, section 6410, subsection 8;

(2) Membership of trustees of a sanitary district is governed by Title 38, section 1104; and

(3) Membership of trustees of a sewer district is governed by Title 38, section 1252;

C. A chief administrative officer of a participating local district, whether appointed for a fixed term or appointed with tenure; and

D. A person whose membership is optional under section 18252, 18252-A or 18801.

A person must make an election at the time of initial hire, or on the date of first eligibility to participate, whichever occurs earlier, whether to be a member of the program. Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

**Sec. 14. 5 MRSA §18252, first ¶,** as amended by PL 2009, c. 474, §31, is further amended to read:

A person who is or would be covered by the United States Social Security Act as a result of employment by a participating local district with Social Security coverage may elect to be a member in the Participating Local District Retirement Program. A person must make an election at the time of initial hire or on the date of first eligibility to participate, whichever occurs earlier, whether to be a member of the program. Once an election is made under this section, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

**Sec. 15. 5 MRSA §18252-A, sub-§1, ¶A,** as amended by PL 2009, c. 474, §32, is further amended to read:

A. A person hired by a participating local district, or rehired following a break in service, after the date on which the employer provides a plan under section 18252-B must elect at the time of initial hiring or rehiring whether to be a member under the Participating Local District Retirement Program or to be covered under a plan provided by the employer under section 18252-B. Once an election is made under this paragraph, the election is irrevocable with respect to all subsequent em-

ployment with the same employer when membership in the program is not mandatory.

**Sec. 16. 5 MRSA §18253, sub-§2,** as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**2. Purchase of previously rendered creditable service.** ~~A~~ Notwithstanding any law to the contrary, a member of a participating local district who has served in any participating local district or in any local district, and who did not make an election to decline membership while employed with that district, may purchase, by mutual agreement between the participating local district and the person concerned, service credit for the service previously rendered, upon proper certification that:

A. The service had been rendered; and

B. The current employer will assume the liability incurred by the granting of the service credit for the previous time served.

**Sec. 17. 5 MRSA §18253, sub-§3,** as amended by PL 2007, c. 491, §202, is further amended to read:

**3. Former employee.** Notwithstanding anything to the contrary, a participating local district may grant service credit for creditable service to any former employee who is currently a member of the Participating Local District Retirement Program, as long as the former employee did not make an election to decline membership while employed with that district. The entire actuarial cost of granting the service credit must be fully funded by the district granting the service credit.

**Sec. 18. 5 MRSA §18306-A, sub-§1,** as amended by PL 2007, c. 491, §218 and c. 695, Pt. A, §9, is further amended to read:

**1. Conditions for refund.** If the service of any member has terminated, except by death or by retirement under this Part, ~~or if an optional member withdraws from the Participating Local District Retirement Program,~~ or if an employee of a district that withdraws from participation under section 18203 wishes to have accumulated contributions refunded, the member or employee must be paid the amount of the member's accumulated contributions under the following conditions:

A. The member must have properly applied for a refund of accumulated contributions;

B. Payment must be made after termination of service and not less than 22 days nor more than 60 days after receipt of the application and receipt of the last payroll upon which the name of the member appears;

C. An application for refund is void if the member filing the application returns to membership in any retirement program administered by the retirement system before issuance of the payment;

D. Except when inclusion of a portion of employer contributions is required by paragraph E, only accumulated contributions made by the member or picked up by the employer may be refunded to that member under this section; and

E. The amount of the refund of accumulated contributions related to a member's compensation for service rendered as a part-time, seasonal or temporary employee after December 31, 1991 must be at least equal to 7.5% of the member's compensation for that service plus interest as provided by section 17156.

**Sec. 19. 5 MRSA §18307-A, sub-§1,** as amended by PL 2009, c. 474, §40, is further amended to read:

**1. Conditions for refund.** The retirement system may make an automatic refund of contributions to a member who has not properly applied for a refund as provided in section 18306-A and who has terminated service, except by death or by retirement under this Part~~, or who as an optional member has withdrawn from a retirement program of the Maine Public Employees Retirement System,~~ and who has not met the minimum creditable service requirement for eligibility to receive a service retirement benefit at the applicable age under the following conditions:

A. The member account has been inactive for 3 or more years;

B. Except when inclusion of a portion of employer contributions is required by this subsection, only accumulated contributions made by the member or picked up by the employer may be refunded to that member under this subsection;

C. The amount of the refund of accumulated contributions related to a member's compensation for service rendered as a part-time, seasonal or temporary employee after December 31, 1991 must be at least equal to 7.5% of the member's compensation for that service plus interest as provided by section 17156; and

D. A member who receives an automatic refund under this subsection may, within 30 days of the issuance of the refund, return the full refunded amount to the retirement system. Upon receipt, the retirement system shall restore the accumulated contributions to the member's credit.

Pursuant to the Code, Section 401(a)(31)(B), the amount of an automatic refund under this subsection for a member who has not reached normal retirement age may not exceed $1,000.

**Sec. 20. 5 MRSA §18552, first ¶,** as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

A qualifying member may designate a beneficiary to receive benefits upon the qualifying member's death by filing a written designation of beneficiary with the executive director. The last designation of any beneficiary revokes all previous designations. In order to be in effect, the written designation must be received by the retirement system office or be postmarked before the qualifying member's death.

**Sec. 21. 5 MRSA §18658, sub-§1,** as amended by PL 1993, c. 386, §5, is further amended to read:

**1. Employees insured.** ~~All employees~~ Each employee shall complete an application for insurance coverage within 31 days of becoming eligible. Each employee who completes an application and is found eligible for basic insurance under this subchapter ~~are automatically~~ is insured for the ~~amounts~~ amount of basic coverage applicable under this subchapter, beginning on the first day of the month following one month of employment after the employee becomes eligible. ~~Each employee shall complete an application for insurance coverage within 31 days of becoming eligible.~~

A. The employee shall indicate the types of coverage elected.

B. If ~~an application is completed in a timely manner~~ the employee elects coverage within 31 days of the employee's first becoming eligible, ~~any~~ and elects coverage in addition to basic, that additional coverage becomes effective on the first day of the month following one month of employment after the employee becomes eligible.

C. If ~~an application is not completed~~ the employee does not elect coverage within 31 days of the employee's first becoming eligible, the employee may subsequently apply for ~~supplemental and dependent~~ insurance coverage but must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

**Sec. 22. 5 MRSA §18658, sub-§2, ¶D,** as enacted by PL 2007, c. 17, §2 and affected by §3, is repealed.

**Sec. 23. 5 MRSA §18658, sub-§5** is enacted to read:

**5. Employee on leave of absence.** Insurance coverage for an employee on an authorized leave of absence is governed as follows.

A. An employee who, during a period of an unpaid leave of absence, continues to pay premiums due for the period of the leave continues to be covered. Coverage for an employee who, during the period of the leave, does not pay the premiums due ceases at the end of the period covered by the last premium paid.

B. Notwithstanding paragraph A, an employee who, during a period of unpaid military leave of absence, does not continue coverage while on unpaid military leave must be reinstated to the levels of coverage in effect immediately prior to the unpaid military leave. A request for reinstatement by the employee must be made within 31 days of the employee's return to work following unpaid military leave. An employee who wants to be reinstated and who does not apply for reinstatement within 31 days of the employee's return to work from unpaid military leave must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

See title page for effective date.

## CHAPTER 450

## H.P. 1155 - L.D. 1573

### An Act To Allow Retired Dentists To Obtain a License To Practice in Nonprofit Clinics

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

**Sec. 1. 32 MRSA §1084,** as amended by PL 2003, c. 669, §4, is further amended by adding at the end a new paragraph to read:

The board may issue a limited biennial license to a dentist who has retired from the regular practice of dentistry for the purposes of permitting the dentist to practice solely in a nonprofit dental clinic without any remuneration for work performed at the clinic. The applicant must furnish proof satisfactory to the board that the applicant has been licensed to practice dentistry in this State and is in good standing with the board or, if the applicant was licensed to practice dentistry in another state or a Canadian province, that the applicant's professional education is no less than is required in this State and the applicant is in good standing and not subject to disciplinary action in the state or Canadian province in which the license was granted. The fee for a limited biennial license and renewal of a limited biennial license is $75.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Allocates one-time funds to update the licensing system for the new license type.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,500 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,500 | $0 |

**Dental Examiners - Board of 0384**

Initiative: Allocates one-time funds for the costs associated with rulemaking.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $2,500 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $2,500 | $0 |

| PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF<br>DEPARTMENT TOTALS | 2011-12 | 2012-13 |
|---|---|---|
| OTHER SPECIAL REVENUE FUNDS | $5,000 | $0 |
| DEPARTMENT TOTAL - ALL FUNDS | $5,000 | $0 |

See title page for effective date.

## CHAPTER 451
## H.P. 1168 - L.D. 1583

### An Act To Provide Oversight in Certain Negotiations

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

**Sec. 1. 24-A MRSA §4303, sub-§15** is enacted to read:

**15. Prohibition on "most favored nation" clauses.** Participation agreements between carriers and providers are governed by this subsection.

A. A participation agreement between a carrier and a provider may not include a provision, commonly referred to as a "most favored nation" clause, that:

(1) Prohibits, or grants the carrier an option to prohibit, the provider from entering into a participation agreement with another carrier to provide services at a lower price than the payment specified in the participation agreement;

(2) Requires, or grants the carrier an option to require, the provider to accept a lower payment in the event the provider agrees to provide services to any other carrier at a lower price;

(3) Requires, or grants the carrier an option of, termination or renegotiation of the existing participation agreement in the event the provider agrees to provide services to any other carrier at a lower price; or

(4) Requires the provider to disclose its reimbursement rates from other carriers.

B. The superintendent may grant a waiver to paragraph A on application by either a carrier or a provider. A carrier or provider requesting a waiver for more than one participation agreement must file a separate application for each requested waiver. The superintendent may grant a waiver only after issuing a finding that the inclusion in the participation agreement of a most favored nation clause as described in paragraph A is not anticompetitive. A carrier or provider requesting a waiver may request a hearing on the application for a waiver in accordance with section 229. The findings and decision of the superintendent are final agency actions for the purposes of Title 5, chapter 375, subchapter 7 and, notwithstanding section 236, subsection 2, may be appealed regardless of whether a hearing was held. The superintendent's review under this paragraph is limited to the most favored nation clause, and any decision under this paragraph is for purposes of this subsection only and may not be construed as a finding or decision regarding the legality of the provision under other applicable law.

C. Prior to the issuance of the superintendent's findings and decision on an application for a waiver pursuant to this subsection, any contract, proposal or draft legal instrument submitted to the superintendent in an application for a waiver is not a public record for the purposes of Title 1, chapter 13, except that the name and business address of the parties to an application for a waiver are public information. After the issuance of the superintendent's findings and decision, the superintendent may disclose any information that the superintendent determines is not proprietary information. For the purposes of this paragraph, "proprietary information" means information that is a trade secret or production, commercial or financial information the disclosure of which would

impair the competitive position of the carrier or provider submitting the information and would make available information not otherwise publicly available.

D. A carrier may not discriminate or retaliate against a provider for filing or opposing an application for a waiver under this subsection.

E. A provider may not discriminate or retaliate against a carrier for filing or opposing an application for a waiver under this subsection.

F. For the purposes of this subsection, the factors the superintendent may consider in determining whether to grant a waiver based on a finding that the inclusion of a most favored nation clause as described in paragraph A is not anticompetitive include, but are not limited to:

(1) Any reduction or limit on competition among carriers or providers;

(2) The impact on quality and availability of health care services, including the geographic distribution of providers;

(3) The size of the provider and the type of any specialty;

(4) The market share of the carrier and the provider;

(5) The impact on the price and stability of health insurance and health care services to consumers; and

(6) The impact on reimbursement rates in the provider marketplace.

**Sec. 2. Application.** This Act applies to any contract executed or renewed on or after January 1, 2012.

See title page for effective date.

## CHAPTER 452

## H.P. 1185 - L.D. 1587

### An Act To Provide Further Improvements to Maine's Health Insurance Law

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

**Sec. 1. 24-A MRSA §3957, sub-§2,** as enacted by PL 2011, c. 90, Pt. B, §8, is amended to read:

**2. Maximum assessment.** The board shall assess each insurer an amount not to exceed $4 per month per covered person enrolled in medical insurance insured, reinsured or administered by the insurer. An insurer may not be assessed on policies or contracts insuring federal or state employees except for policies or contracts insuring Legislators and their dependents. For policies or contracts insuring Legislators and their dependents, Legislators shall pay the amount of the assessment to the insurer.

**Sec. 2. 24-A MRSA §3957, sub-§5, ¶D** is enacted to read:

D. An insurer may not be assessed on policies or contracts insuring federal or state employees, except for policies or contracts insuring Legislators and their dependents. Any assessment required under this subsection on policies or contracts insuring Legislators and their dependents must be paid as provided in subsection 2.

**Sec. 3. Payroll deduction.** In consultation with the Legislative Council and the insurer or 3rd-party administrator for the group health plan provided in accordance with the Maine Revised Statutes, Title 5, section 285, the State shall collect any assessment required to be paid by Legislators pursuant to Title 24-A, section 6957, subsection 2 or subsection 5 through payroll deduction.

See title page for effective date.

## CHAPTER 453

## S.P. 235 - L.D. 742

### An Act To Amend the Maine Historic Preservation Tax Credit

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

**Sec. 1. 27 MRSA §511, sub-§5, ¶B,** as enacted by PL 2007, c. 539, Pt. WW, §1, is amended to read:

B. By January 15, 2013, the Maine Historic Preservation Commission shall review the tax credit provided under Title 36, section 5219-BB and shall make recommendations to the joint standing committee of the Legislature having jurisdiction over taxation matters regarding specific proposals for funding the credit. By January 15, ~~2013~~ 2015 and every 2 years thereafter, the Maine Historic Preservation Commission shall analyze the use of tax credits provided under Title 36, section 5219-BB as an incentive for rehabilitation of historic structures and economic development, analyze tax and other revenues generated by the rehabilitation to determine in relation to the cost of the credit if they exceed the costs of the credit and report the results of its analysis to the joint standing committee of the Legislature having jurisdiction over taxation matters with recommendations as to whether the credits under Title 36, section

5219-BB should be extended, repealed or amended. The recommendations must include specific proposals for funding the credit after fiscal year 2014-15 and appropriate transition provisions in order that projects in the development or planning states are not adversely affected. The joint standing committee may submit legislation related to the report.

**Sec. 2. 30-A MRSA §4722, sub-§1, ¶DD,** as enacted by PL 2009, c. 361, §4 and affected by §37, is amended to read:

DD. Certify affordable housing projects for the purpose of the income tax credit increase under Title 36, section 5219-BB, subsection 3; administer and enforce the affordability requirements set forth in this paragraph; and perform other functions described in this paragraph and necessary to the powers and duties described in this paragraph.

(1) For purposes of this paragraph, unless the context otherwise indicates, the following terms have the following meanings.

(a) "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 60% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412, 50 Stat. 888, Section 8, as amended.

(b) "Affordable housing project" means a project in which:

(i) At least 50% of the aggregate square feet of the completed project is housing of which at least 50% of the aggregate square feet of the completed housing creates new affordable housing; or

(ii) At least 33% of the aggregate square feet of the completed project creates new affordable housing.

(2) An affordable housing project for which the owner of the property received the income tax credit increase under Title 36, section 5219-BB, subsection 3 must remain an affordable housing project for 30 years from the date the affordable housing project is placed in service. If the property does not remain an affordable housing project for 30 years from the date the affordable housing project is placed in service, the owner of the property shall pay to the Maine State Housing Authority for application to the Housing Opportunities for Maine Fund established under section 4853 an amount equal to the income tax credit increase allowed under Title 36, section 5219-BB, subsection 3, plus interest on that amount at the rate of 7% per annum from the date the property is placed in service until the date of payment of all amounts due. The affordability requirements and the repayment obligation in this subparagraph must be set forth in a restrictive covenant executed by the owner of the property and the affordable housing project for the benefit of and enforceable by the Maine State Housing Authority and recorded in the appropriate registry of deeds before the owner of the property claims the income tax credit increase under Title 36, section 5219-BB, subsection 3.

(3) If the repayment obligation in subparagraph (2) is not fully satisfied after written notice is sent by certified mail or registered mail to the owner of the property at the owner's last known address, the Maine State Housing Authority may file a notice of lien in the registry of deeds of the county in which the real property subject to the lien is located. The notice of lien must specify the amount and interest due, the name and last known address of the owner, a description of the property subject to the lien and the Maine State Housing Authority's address and the name and address of its attorney, if any. The Maine State Housing Authority shall send a copy of the notice of lien filed in the registry by certified mail or registered mail to the owner of the property at the owner's last known address and to any person who has a security interest, mortgage, lien, encumbrance or other interest in the property that is properly recorded in the registry of deeds in which the property is located. The lien arises and becomes perfected at the time the notice is filed in the appropriate registry of deeds in accordance with this subparagraph. The lien constitutes a lien on all property with respect to which the owner receives the income tax credit increase under Title 36, ~~Section~~ section 5219-BB, subsection 3 and the proceeds of any disposition of the property that occurs after notice to the owner of the repayment obligation. The lien is prior to any mortgage and security interest, lien, restrictive covenant or other encumbrance recorded, filed or otherwise perfected after the notice of lien is filed in the appropriate registry of deeds. The lien may be enforced by a turnover or sale order in accordance with Title 14, section 3131 or any other manner in which a judgment lien may be enforced under the law. The lien must be in the amount of the income tax credit increase allowed under Title 36, section

5219-BB, subsection 3, plus interest on that amount at the rate of 7% per annum from the date the property is placed in service until the date of payment of all amounts due. Upon receipt of payment of all amounts due under the lien, the Maine State Housing Authority shall execute a discharge lien for filing in the registry or offices in which the notice of lien was filed.

(4) Annually by every August 1st until and including August 1, ~~2013~~ 2023, the Maine State Housing Authority shall review the report issued pursuant to Title 27, section 511, subsection 5, paragraph A to determine the percentage of the total aggregate square feet of completed projects that constitutes new affordable housing, rehabilitated and developed using:

(a) Either of the income tax credits under Title 36, section 5219-BB, subsection 2; and

(b) The income tax credit increase under Title 36, section 5219-BB, subsection 3.

If the total aggregate square feet of new affordable housing does not equal or exceed 30% of the total aggregate square feet of rehabilitated and developed completed projects eligible for a credit under Title 36, section 5219-BB, the Maine State Housing Authority and Maine Historic Preservation Commission shall notify the State Tax Assessor of this fact.

**Sec. 3. 30-A MRSA §4863, sub-§2, ¶A,** as enacted by PL 2009, c. 372, Pt. E, §1, is amended to read:

A. All money transferred to the fund pursuant to Title 36, section 4641-B, subsection ~~4-A~~ 4-B;

**Sec. 4. 36 MRSA §2531** is enacted to read:

**§2531. Credit for rehabilitation of historic properties**

A taxpayer is allowed a credit against the tax otherwise due under this chapter as determined under section 5219-BB.

**Sec. 5. 36 MRSA §4641-B, sub-§4-A,** as enacted by PL 2009, c. 372, Pt. E, §3, is repealed.

**Sec. 6. 36 MRSA §4641-B, sub-§4-B** is enacted to read:

**4-B. Distribution of State's share of proceeds.** The State Tax Assessor shall pay all net receipts received pursuant to this section to the Treasurer of State and shall at the same time provide the Treasurer of State with documentation showing the amount of revenues derived from the tax imposed by section 4641-A, subsection 1 and the amount of revenues derived from the tax imposed by section 4641-A, subsection 2.

A. In fiscal year 2011-12, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first credit $3,830,000 of the revenues available under this subparagraph to the General Fund, after which the Treasurer of State shall pay any remaining revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

B. In fiscal year 2012-13, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State

Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first credit $3,950,000 of the revenues available under this subparagraph to the General Fund, after which the Treasurer of State shall pay any remaining revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

C. In fiscal year 2013-14, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first credit $245,160 of the revenues available under this subparagraph to the General Fund, after which the Treasurer of State shall pay any remaining revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

D. In fiscal year 2014-15, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first credit $1,879,560 of the revenues available under this subparagraph to the General Fund, after which the Treasurer of State shall pay any remaining revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

E. In fiscal year 2015-16 and each fiscal year thereafter, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State

Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis, the Treasurer of State shall credit 50% of the revenues to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

F. Neither the Governor nor the Legislature may divert the revenues payable to the Housing Opportunities for Maine Fund to any other fund or for any other use. Any proposal to enact or amend a law to allow distribution of less than 1/2 of the revenues derived from the tax imposed by section 4641-A, subsection 1 to the Housing Opportunities for Maine Fund established in Title 30-A, section 4853, as adjusted under this subsection, must be submitted to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over affordable housing matters at least 30 days prior to any vote or public hearing on the proposal.

G. The Treasurer of State shall credit to the General Fund all of the revenues derived from the tax imposed by section 4641-A, subsection 2.

**Sec. 7. 36 MRSA §5219-BB, sub-§1, ¶C,** as amended by PL 2009, c. 361, §28 and affected by §37, is further amended to read:

C. "Certified qualified rehabilitation expenditure" means a qualified rehabilitation expenditure, as defined by the Code, Section 47(c)(2), made between January 1, 2008 and December 31, ~~2013~~ 2023. For purposes of subsection 2, paragraph B, qualified rehabilitation expenditures incurred in the certified rehabilitation of a certified historic structure located in the State do not include a requirement that the certified historic structure be substantially rehabilitated.

**Sec. 8. 36 MRSA §5219-BB, sub-§2,** as amended by PL 2009, c. 361, §28 and affected by §37, is further amended to read:

**2. Credit allowed.** A taxpayer is allowed a credit against the tax imposed under this Part:

A. Equal to 25% of the taxpayer's certified qualified rehabilitation expenditures for which a tax credit is claimed under Section 47 of the Code for a certified historic structure located in the State; or

B. Equal to 25% of the certified qualified rehabilitation expenditures of a taxpayer who incurs not less than $50,000 and up to $250,000 in certified qualified rehabilitation expenditures in the rehabilitation of a certified historic structure located in the State and who does not claim the federal credit with regard to those expenditures. The credit may be claimed for the taxable year in which the certified historic structure is placed in service.

A taxpayer is allowed a credit under paragraph A or B but not both. A credit may not be claimed for expenditures incurred before January 1, 2008 or after December 31, ~~2013~~ 2023.

**Sec. 9. 36 MRSA §5219-BB, sub-§4,** as enacted by PL 2007, c. 539, Pt. WW, §4, is amended to read:

**4. Maximum credit.** The credit allowed pursuant to this section and section 2531 may not exceed $5,000,000 for each certified rehabilitation project under Section 47 of the Code placed into service in the State during the taxable year for which a credit is claimed under this section.

See title page for effective date.

## CHAPTER 454

## H.P. 14 - L.D. 22

### An Act To Improve the Maine Seed Capital Tax Credit

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

**Sec. 1. 10 MRSA §1100-T, sub-§1,** as amended by PL 1991, c. 854, Pt. A, §7, is further amended to read:

**1. Legislative findings; authorization.** The Legislature finds that the growth of new and existing small businesses in the State results in increased job opportunities for Maine residents, produces more spending in the State and increases municipal tax bases. Businesses that export their products or services out of the State bring capital into the State and help to develop export markets for Maine products. Small new and existing businesses can provide significant economic benefits to the State if they can obtain sufficient seed equity financing to carry them from start-up through the initial development phases of a business. The jobs created by such businesses tend to pay higher wages and offer more benefits than other businesses; however, the per capita level of private venture capital investment in businesses located in the State is substantially below the national average and the average of the other New England states. In order to encourage the increased availability of risk equity

capital to enterprises that have the potential for rapid growth and that bring capital into the State, the authority is authorized to issue certificates of eligibility for the seed capital investment tax credit permitted by Title 36, section 5216-B, subject to the requirements of this section. This program is known as the Maine Seed Capital Tax Credit Program.

**Sec. 2. 10 MRSA §1100-T, sub-§1-A** is enacted to read:

**1-A. Private venture capital fund.** As used in this section, "private venture capital fund" means a professionally managed pool of capital organized for a limited life to make equity or equity-like investments in unrelated private companies using capital derived from multiple limited partners or members at least half of which, measured in dollar commitments, are unaffiliated and unrelated, and includes any venture capital fund licensed by the United States Small Business Administration. The authority may require such information as may be necessary or desirable for determining whether an entity qualifies as a private venture capital fund.

**Sec. 3. 10 MRSA §1100-T, sub-§2, ¶A,** as amended by PL 2003, c. 451, Pt. E, §1, is further amended to read:

A. ~~A~~ For investments made in tax years beginning before January 1, 2012, a tax credit certificate may be issued in an amount not more than 40% of the amount of cash actually invested in an eligible Maine business in any calendar year or in an amount not more than 60% of the amount of cash actually invested in any one calendar year in an eligible Maine business located in a high-unemployment area, as determined by rule by the authority. For investments made in tax years beginning on or after January 1, 2012, a tax credit certificate may be issued to an investor other than a private venture capital fund in an amount not more than 60% of the amount of cash actually invested in an eligible Maine business in any calendar year. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 4. 10 MRSA §1100-T, sub-§2, ¶H,** as enacted by PL 1987, c. 854, §§2 and 5, is amended to read:

H. The investors qualifying for the credit must ~~collectively~~ each own less than 1/2 of the business.

**Sec. 5. 10 MRSA §1100-T, sub-§2-A,** as amended by PL 2009, c. 470, §3, is further amended to read:

**2-A. Eligibility of private venture capital funds for tax credit certificate.** The authority shall adopt rules in accordance with the Maine Administrative Procedure Act to implement application of the program to investment in a private venture capital fund. ~~Without limitation, the~~ This subsection does not apply to credits claimed for tax years beginning on or after January 1, 2012. The requirements for eligibility for a tax credit certificate for investment in a private venture capital fund include the following.

A. ~~A~~ For investments made in tax years beginning before January 1, 2012, a tax credit certificate may be issued to an individual who invests in a private venture capital fund in an amount that:

(1) Is not more than 40% of the amount of cash actually invested in or unconditionally committed to a private venture capital fund in any calendar year by the individual or entity, except that with respect to fund investments that are made in eligible businesses that are located in a high unemployment area, as determined by rule of the authority under subsection 2, the tax credit certificate may not be more than 60% of the cash actually invested in or unconditionally committed to a private venture capital fund in any calendar year by the individual or entity; and

(2) Does not exceed 40% of the amount of cash invested by the fund in eligible businesses, except that with respect to fund investments that are made in eligible businesses that are located in a high unemployment area, as determined by rule of the authority under subsection 2, a tax credit certificate may not be more than 60% of the cash invested by the fund in any calendar year in such businesses; provided that the authority may issue tax credit certificates in an amount not to exceed 20% of the amount of cash actually invested in or unconditionally committed to a private venture capital fund in any calendar year if the authority determines that the private venture capital fund is located in this State, is owned and controlled primarily by residents of this State and has designated investing in eligible businesses of this State as a major investment objective. The credit may be revoked to the extent that the private venture capital fund does not make investments eligible for the tax credit in an amount sufficient to qualify for the credits within 3 years after the date of the tax credit certificates. Notwithstanding any revocation pursuant to this subparagraph, each investor remains eligible for tax credit certificates for eligible investments as and when made by the private venture capital fund.

The aggregate amount of credits issued to investors in a fund may not exceed 40% of the amount of cash invested by the fund in eligible businesses,

except that with respect to fund investments in eligible businesses that are located in a high unemployment area, the aggregate amount of tax credits issued to investors in a fund may not exceed 60% of the cash invested by the fund in eligible businesses.

B. As used in this subsection, unless the context otherwise indicates, an "eligible business" means a business located in the State that:

(1) Is a manufacturer;

(2) Is engaged in the development or application of advanced technologies;

(3) Provides a service that is sold or rendered, or is projected to be sold or rendered, predominantly outside of the State;

(4) Brings capital into the State, as determined by the authority; or

(5) Is certified as a visual media production company under Title 5, section 13090-L.

C. Aggregate investment eligible for tax credits may not be more than $5,000,000 for any one business for any one private venture capital fund as of the date of issuance of a tax credit certificate.

D. The investment with respect to which any individual or entity is applying for a tax credit certificate may not be more than an aggregate of $500,000 in any one eligible business invested in by a private venture capital fund in any 3 consecutive calendar years, except that this paragraph does not limit other investment by any applicant for which that applicant is not applying for a tax credit certificate and except that, if the entity applying for a tax credit certificate is a partnership, limited liability company, S corporation, nontaxable trust or any other entity that is treated as a flow-through entity for tax purposes under the federal Internal Revenue Code, the aggregate limit of $500,000 or $200,000, as applicable, applies to each individual partner, member, stockholder, beneficiary or equity owner of the entity and not to the entity itself. This paragraph does not limit other investment by any applicant for which that applicant is not applying for a tax credit certificate.

E. Each business receiving an investment from a private venture capital fund, which investment is used as the basis for the issuance of a tax credit certificate, must have annual gross sales of $3,000,000 or less and the operation of the business must be the full-time professional activity of the principal owner, as determined by the authority. The principal owner and principal owner's spouse, if any, are not eligible for a credit for investment in that business or for an investment by the private venture capital fund in that business. A tax credit certificate may not be issued to a parent, brother, sister or child of a principal owner if the parent, brother, sister or child has any existing ownership interest in that business or for an investment by the private venture capital fund in that business.

F. Each investment received by a business from a private venture capital fund, which investment is used as the basis for the issuance of a tax credit certificate, must be expended on plant maintenance and construction, equipment, research and development or working capital for the business or on such other business activity as may be approved by the authority.

G. The authority shall establish limits on repayment of the investment by an individual in and the investments made by a private venture capital fund, which investment is used as the basis for the issuance of a tax credit certificate. The investments must be at risk in the private venture capital fund and the business, respectively.

H. The investors in a private venture capital fund are not entitled to the credit for collective ownership in excess of 50% of any business. An investor in a private venture capital fund determined by the authority to be a principal owner of a business and the principal owner's spouse, if any, are not entitled to a credit with respect to investment in that business, nor are the principal owner's parents, siblings or children entitled to a credit if they have any existing ownership interest in the business.

**Sec. 6. 10 MRSA §1100-T, sub-§2-C** is enacted to read:

**2-C. Eligibility of private venture capital funds for refundable tax credit certificate.** This subsection applies to investments by private venture capital funds in eligible businesses made in tax years beginning on or after January 1, 2012. The authority shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A to implement application of the program to investments in eligible businesses by private venture capital funds. The requirements for eligibility for a tax credit certificate for an investment by a private venture capital fund include the following.

A. For investments made in tax years beginning on or after January 1, 2012, a tax credit certificate may be issued to a private venture capital fund in an amount that is not more than 50% of the amount of cash actually invested in an eligible business. The tax credit certificate may be revoked and the credit recaptured pursuant to Title 36, section 5216-B, subsection 5 to the extent that the authority determines that the eligible business for which the tax credit certificate was issued

moves substantially all of its operations and assets outside of the State during the period ending 4 years after an investment, except in the case of an arm's length, fair value acquisition approved by the authority. A private venture capital fund that received the 20% credit certificate under subsection 2-A, paragraph A, subparagraph (2) for an investment is not eligible for a tax credit certificate under this subsection for that investment.

B. As used in this subsection, unless the context otherwise indicates, "eligible business" means a business located in the State that:

(1) Is a manufacturer;

(2) Is engaged in the development or application of advanced technologies;

(3) Provides a service that is sold or rendered, or is projected to be sold or rendered, predominantly outside of the State;

(4) Brings capital into the State, as determined by the authority; or

(5) Is certified as a visual media production company under Title 5, section 13090-L.

C. Aggregate investment eligible for tax credit certificates, including investments under this subsection and under subsection 2, may not be more than $5,000,000 for any one eligible business.

D. The investment with respect to which any entity is applying for a tax credit certificate may not be more than an aggregate of $500,000 in any one eligible business invested in by a private venture capital fund in any 3 consecutive calendar years, except that this paragraph does not limit other investment by an applicant for which that applicant is not applying for a tax credit certificate and except that, if the entity applying for a tax credit certificate is a partnership, limited liability company, S corporation, nontaxable trust or any other entity that is treated as a flow-through entity for tax purposes under the federal Internal Revenue Code, the aggregate limit of $500,000 applies to each individual partner, member, stockholder, beneficiary or equity owner of the entity and not to the entity itself. This paragraph does not limit other investment by an applicant for which that applicant is not applying for a tax credit certificate. A private venture capital fund must certify to the authority that it will be in compliance with these limitations. The tax credit certificate issued to a private venture capital fund may be revoked and any credit taken recaptured pursuant to Title 36, section 5216-B, subsection 5 if the fund is not in compliance with this paragraph.

E. An eligible business receiving an investment from a private venture capital fund, which investment is used as the basis for the issuance of a tax credit certificate, may not have annual gross sales of more than $3,000,000 and the operation of the business must be the full-time professional activity of the principal owner, as determined by the authority. A tax credit certificate may not be issued to a private venture capital fund if an investor in the fund is a principal owner of the eligible business or a spouse, parent, sibling or child of a principal owner and if the spouse, parent, sibling or child has any existing ownership interest in the business. A private venture capital fund must certify to the authority that it will be in compliance with these limitations. The tax credit certificate issued to a private venture capital fund may be revoked and any credit taken recaptured pursuant to Title 36, section 5216-B, subsection 5 if the fund is not in compliance with this paragraph.

F. An investment received by an eligible business from a private venture capital fund for which the investment is used as the basis for the issuance of a tax credit certificate must be expended on plant maintenance and construction, equipment, research and development or working capital for the business or on such other business activity as may be approved by the authority.

G. The authority shall establish limits on repayment of the investments made by a private venture capital fund for which the investments are used as the basis for the issuance of tax credit certificates. The investments must be at risk in the private venture capital fund and the eligible business, respectively.

H. A private venture capital fund is not entitled to the credit if it owns in excess of 50% of the eligible business, except that, if the private venture capital fund is issued a tax credit certificate and later makes an additional investment that increases its ownership to more than 50%, the existing tax credit certificate remains valid and is not subject to revocation due to the ownership percentage as long as there was no intent to take controlling ownership at the time of the initial qualified investment.

**Sec. 7. 10 MRSA §1100-T, sub-§4,** as amended by PL 2003, c. 451, Pt. E, §5, is further amended to read:

**4. Total of credits authorized.** The authority may issue tax credit certificates to investors eligible pursuant to subsections 2 ~~and~~, 2-A and 2-C in an aggregate amount not to exceed $2,000,000 up to and including calendar year 1996, $3,000,000 up to and including calendar year 1997, $5,500,000 up to and including calendar year 1998, $8,000,000 up to and including calendar year 2001, $11,000,000 up to and including calendar year 2002, $14,000,000 up to and including calendar year 2003, $17,000,000 up to and including calendar year 2004, $20,000,000 up to and

including calendar year 2005, $23,000,000 up to and including calendar year 2006, $26,000,000 up to and including calendar year 2007 and $30,000,000 thereafter. The authority may provide that investors eligible for a tax credit under this section in a year when there is insufficient credit available are entitled to take the credit when it becomes available.

**Sec. 8. 10 MRSA §1100-T, sub-§6,** as enacted by PL 2001, c. 642, §10 and affected by §12, is amended to read:

**6. Reports.** Any business eligible to have investors receive a tax credit under this section must report to the authority, in a manner to be determined by the authority, the following information regarding its activities in the State over the calendar year in which the investment occurred and for such additional years as may be required by the authority:

A. The total amount of private investment received;

B. The total number of persons employed as of December 31st;

C. The total numbers of jobs created and retained;

D. Total annual payroll; and

E. Total sales revenue.

The authority shall report annually to the joint standing committee of the Legislature having jurisdiction over taxation matters on the activity under this section during the prior calendar year.

**Sec. 9. 36 MRSA §5122, sub-§2, ¶HH** is enacted to read:

HH. To the extent included in federal adjusted gross income, an amount equal to the distribution from a private venture capital fund of the refundable portion of the credit allowed under section 5216-B.

**Sec. 10. 36 MRSA §5200-A, sub-§2, ¶S,** as amended by PL 2009, c. 213, Pt. ZZZ, §12 and Pt. BBBB, §14, is further amended to read:

S. An amount equal to the value of any prior year addition modification under subsection 1, paragraph U, but only to the extent that:

(1) Maine taxable income is not reduced below zero;

(2) The taxable year is within the allowable federal period for carryover of the net operating loss plus one year; and

(3) The amount has not been previously used as a modification pursuant to this subsection; ~~and~~

**Sec. 11. 36 MRSA §5200-A, sub-§2, ¶T,** as repealed and replaced by PL 2009, c. 652, Pt. A, §56, is amended to read:

T. An amount equal to the value of any prior year addition modification under subsection 1, paragraph V, but only to the extent that:

(1) Maine taxable income is not reduced below zero;

(2) The taxable year is within the allowable federal period for carry-over plus the number of years that the net operating loss carry-over adjustment was not deducted as a result of the restriction with respect to tax years beginning in 2009, 2010 and 2011;

(3) The amount has not been previously used as a modification pursuant to this subsection; and

(4) The modification under this paragraph is not claimed for any tax year beginning in 2009, 2010 or 2011; ~~and~~

**Sec. 12. 36 MRSA §5200-A, sub-§2, ¶U,** as enacted by PL 2009, c. 652, Pt. A, §57 and affected by §58, is amended to read:

U. An amount equal to the gross income from discharge of indebtedness previously deferred under the Code, Section 108(i) and included in federal taxable income. The total subtraction for all years under this paragraph may not exceed the amount of the addition modification under subsection 1, paragraph W for the same indebtedness~~.~~; and

**Sec. 13. 36 MRSA §5200-A, sub-§2, ¶V** is enacted to read:

V. To the extent included in federal taxable income, an amount equal to the refundable portion of the credit allowed under section 5216-B and an amount equal to the distribution from a private venture capital fund of the refundable portion of the credit allowed under section 5216-B.

**Sec. 14. 36 MRSA §5216-B, sub-§1, ¶C,** as enacted by PL 1987, c. 854, §§4 and 5, is amended to read:

C. "Investor" means a taxpayer ~~who~~ or private venture capital fund that has received a certificate.

**Sec. 15. 36 MRSA §5216-B, sub-§1, ¶D** is enacted to read:

D. "Private venture capital fund" has the same meaning as under Title 10, section 1100-T, subsection 1-A.

**Sec. 16. 36 MRSA §5216-B, sub-§2,** as amended by PL 2003, c. 451, Pt. E, §8, is further amended to read:

**2. Credit.** An investor is entitled to a credit against the tax otherwise due under this Part equal to the amount of the tax credit certificate issued by the Finance Authority of Maine in accordance with Title 10, section 1100-T and as limited by this section. ~~In~~ Except with respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2-C, in the case of partnerships, limited liability companies, S corporations, nontaxable trusts and any other entities that are treated as flow-through entities for tax purposes under the Code, the individual partners, members, stockholders, beneficiaries or equity owners of such entities must be treated as the investors under this section and are allowed a credit against the tax otherwise due from them under this Part in proportion to their respective interests in those partnerships, limited liability companies, S corporations, trusts or other flow-through entities. Except as limited or authorized by subsection 3 or 4, 25% of the credit must be taken in the taxable year the investment is made and 25% per year must be taken in each of the next 3 taxable years. With respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2-C, the credits are fully refundable.

**Sec. 17. 36 MRSA §5216-B, sub-§3,** as enacted by PL 1987, c. 854, §§4 and 5, is amended to read:

**3. Limitation.** ~~The~~ With respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2 or 2-A, the amount of the credit allowed under this section for any one taxable year ~~shall~~ may not exceed 50% of the tax imposed by this Part on the investor for the taxable year before application of the credit.

**Sec. 18. 36 MRSA §5216-B, sub-§5,** as enacted by PL 1987, c. 854, §§4 and 5, is amended to read:

**5. Recapture.** In the event that the Finance Authority of Maine revokes a certificate, there ~~shall~~ must be added to the tax imposed on the investor under this Part for the taxable year in which the revocation occurs an amount equal to the ~~excess of the~~ total amount of credit authorized and revoked ~~over~~ minus the amount of credit not yet taken.

See title page for effective date.

## CHAPTER 455

## H.P. 710 - L.D. 966

### An Act Regarding the Use of Methadone by Operators of Commercial Motor Vehicles

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

**Sec. 1. 29-A MRSA §558, sub-§1-B, ¶D,** as enacted by PL 2007, c. 703, §15, is amended to read:

D. A person commits a traffic infraction if that person violates any provision of the rules of the bureau adopted under section 555 that incorporates by reference any of the following federal regulations or that is an amended version of any of the following federal regulations:

(1) 49 Code of Federal Regulations, Section 390.21 (2007);

(2) 49 Code of Federal Regulations, Section 391.41 (2007), except that a violation that occurs as a result of the operation of a commercial motor vehicle by a person who has methadone or its metabolite in that person's body is a Class E crime;

(3) 49 Code of Federal Regulations, Sections 392.16, 392.22, 392.24, 392.25, 392.33 and 392.71 (2007);

(4) Any section of 49 Code of Federal Regulations, Part 393 (2007); or

(5) 49 Code of Federal Regulations, Part 396, except Sections 396.7 and 396.9 (2007).

**Sec. 2. Rules.** The Department of Public Safety, Bureau of State Police shall amend its rules governing motor carrier safety to provide that operators for intrastate motor carriers that operate less than 100 air miles from their regular place of business are subject to the provisions of 49 Code of Federal Regulations, Section 391.41 (2007) that prohibit the operation of a commercial motor vehicle by a person who has methadone or its metabolite in that person's body.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF**

**State Board of Corrections Investment Fund Z075**

Initiative: Provides funds for the State Board of Corrections for an anticipated increase in county jail costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $3,132 |
| GENERAL FUND TOTAL | $0 | $3,132 |

**Sec. 4. Effective date.** This Act takes effect July 1, 2012.

Effective July 1, 2012.

## CHAPTER 456
## H.P. 662 - L.D. 903

### An Act To Allow a Student Attending Private School Access to Public School Cocurricular, Interscholastic and Extracurricular Activities

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

**Sec. 1. 20-A MRSA §5021-A** is enacted to read:

**§5021-A. Standards for participation in public schools by students enrolled in equivalent instruction programs in private schools**

A school administrative unit shall conform to the following standards in making public school resources and services available to a student enrolled in an equivalent instruction program. For the purposes of this section, "student enrolled in an equivalent instruction program" means a student otherwise eligible to attend school in that school administrative unit, including a student who resides in the unorganized territory, when the student is enrolled in an equivalent instruction program in a private school that is recognized as an equivalent instruction alternative under section 5001-A, subsection 3, paragraph A, subparagraph (1), division (a) or (b) and that is not a member of an association that promotes, organizes or regulates statewide interscholastic activities in both public and private schools.

**1. Participation in cocurricular activities.** A student enrolled in an equivalent instruction program is eligible to participate in cocurricular activities sponsored by the local school unit as long as the following requirements are met.

A. The student or the student's parent or guardian, on behalf of the student, applies in writing to and receives written approval from the principal of the school or the principal's designee. The principal or the principal's designee may withhold approval.

B. The student agrees to meet established behavioral, disciplinary, attendance and other rules applicable to all students.

**2. Participation in extracurricular and interscholastic activities.** A student enrolled in an equivalent instruction program is eligible to try out for extracurricular and interscholastic activities sponsored by the local school unit as long as the following requirements are satisfied.

A. The student applies for and receives written approval from the principal of the school or the principal's designee, who may withhold such approval.

B. The student agrees to abide by rules of participation equivalent to those applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.

C. The student complies with the same physical examination, immunization, insurance, age and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the local school unit.

D. The student meets academic standards equivalent to those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.

E. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

See title page for effective date.

---

## CHAPTER 457
## H.P. 58 - L.D. 70

### An Act To Include Independent Practice Dental Hygienists in MaineCare

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

**Sec. 1. 22 MRSA §3174-QQ** is enacted to read:

**§3174-QQ. Dental hygienist reimbursement**

**1. Reimbursement.** By October 1, 2012, the department shall provide for the reimbursement under the MaineCare program of independent practice dental hygienists practicing as authorized under Title 32, section 1094-I for the following procedures:

A. Prophylaxis performed on a person who is 21 years of age or younger;

B. Topical application of fluoride performed on a person who is 21 years of age or younger;

C. Provision of oral hygiene instructions;

D. The application of sealants;

E. Temporary fillings; and

F. X-rays.

Reimbursement must be provided to independent practice dental hygienists directly or to a federally qualified health center pursuant to section 3174-V when an independent practice dental hygienist is employed as a core provider at the center.

**2. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Medical Care - Payments to Providers 0147**

Initiative: Appropriates and allocates funds for the costs of MaineCare reimbursement for 6 specific procedures provided by dental hygienists practicing independently effective October 1, 2012.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $54,320 |
| GENERAL FUND TOTAL | $0 | $54,320 |

| FEDERAL EXPENDITURES FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $93,570 |
| FEDERAL EXPENDITURES FUND TOTAL | $0 | $93,570 |

See title page for effective date.

## CHAPTER 458

## H.P. 272 - L.D. 346

### An Act Regarding Pharmacy Reimbursement in MaineCare

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

**Sec. 1. 22 MRSA §3173-C, sub-§2,** as amended by PL 2007, c. 240, Pt. GGG, §1, is further amended to read:

**2. Prescription drug services.** Except as provided in this subsection and subsections 3 and 4, a ~~payment of~~ pharmacy shall charge a MaineCare member $3.00 ~~for each drug is to be collected from the MaineCare member~~ for each drug prescription that is an approved MaineCare service. The department shall adopt and follow procedures to ensure compliance with the requirements of 42 United States Code, Section 1396o-1. A pharmacy that has followed the procedures adopted by the department to ensure compliance with the requirements of 42 United States Code, Section 1396o-1 may refuse to dispense the drug if the copayment is not paid. Copayments must be capped at $30 per month per member. If a member is prescribed a drug in a quantity specifically intended by the provider or pharmacist, for the recipient's health and welfare, to last less than one month, only one payment for that drug for that month is required.

**Sec. 2. 22 MRSA §3173-C, sub-§8** is enacted to read:

**8. Notification.** The department shall notify each MaineCare member who is subject to the copayment requirement in subsection 2 of the copayment requirements, any exemptions and limitations prior to coding the member's information for required copayments and shall notify the member again during annual recertification of eligibility.

**Sec. 3. Review of cost of dispensing a prescription drug; report.** The Department of Health and Human Services shall review the cost of dispensing a prescription drug under the MaineCare program. By January 15, 2012, the department shall provide a report with recommendations to the Joint Standing Committee on Health and Human Services. In performing the review the department shall:

1. Provide opportunity for input to pharmacists and pharmacies licensed in the State and their representatives;

2. Consider changing copayments and dispensing fees under the MaineCare program;

3. Consider all recent federal studies of formulae for pharmacy reimbursement and information available from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services; and

4. Review current and pending pharmacy reimbursement formulae under federal Medicaid law.

**Sec. 4. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 22, section 3173-C, subsection 2 and enact Title 22, section 3173-C, subsection 8 take effect upon amendment and federal approval of the Medicaid state plan but no earlier than October 1, 2011.

See title page for effective date, unless otherwise indicated.

## CHAPTER 459

## S.P. 176 - L.D. 584

### An Act To Appropriate Funds for the Maine Downtown Center

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

**Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**DEVELOPMENT FOUNDATION, MAINE**

**Development Foundation 0198**

Initiative: Provides ongoing funds to support the statewide Main Street programs administered by the Maine Downtown Center beginning in fiscal year 2012-13.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $25,000 |
| GENERAL FUND TOTAL | $0 | $25,000 |

See title page for effective date.

## CHAPTER 460

## S.P. 403 - L.D. 1300

### An Act To Create a Consolidated Liquor License and Amend the Laws Governing Agency Liquor Stores

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

**Sec. 1. 28-A MRSA §453-A, sub-§9** is enacted to read:

**9. Exception.** Notwithstanding section 453, subsection 2-C, paragraph A, the bureau may issue an agency liquor store license to an applicant that has not held a license to sell malt liquor and wine for off-premises consumption for one year if the applicant is a branch of a chain retailer of which one or more locations has held a license to sell spirits without violating the provisions of this Title and the applicant, if licensed, will enhance the revenue to the State from the sale of spirits.

**Sec. 2. 28-A MRSA §1010-A** is enacted to read:

**§1010-A. Class VIII licenses**

**1. Types of liquor that may be sold.** A Class VIII licensee may sell malt liquor, wine and spirits to be consumed off the premises where sold.

**2. Fees.** The fees for a Class VIII license are as follows:

A. Full-time, one year, after payment of the initial agency liquor store license fee under section 453-B, $775. The license may be prorated; and

B. A Class VIII license is not subject to the renewal fee under section 453-B.

**3. Eligible premises.** The following premises are eligible to obtain a Class VIII license:

A. Agency liquor store licensees with a qualifying stock of groceries, compatible merchandise or a combination of both.

**Sec. 3. 28-A MRSA §1013** is enacted to read:

**§1013. Underage drinking prevention**

Beginning January 1, 2012, the bureau shall pay $75 from each license fee collected under section 1010-A to the Treasurer of State to be credited to the Department of Health and Human Services, Office of Substance Abuse for the purpose of prevention of consumption of liquor by minors.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Office of Substance Abuse 0679**

Initiative: Allocates funds for underage drinking prevention programs.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $750 | $750 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $750 | $750 |

See title page for effective date.

## CHAPTER 461

## H.P. 530 - L.D. 719

### An Act To Make Certain Prescription Drug Disclosure Laws Consistent with Federal Law

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

**Sec. 1. 22 MRSA §1711-E, sub-§1-B, ¶C,** as enacted by PL 2007, c. 460, §1, is amended to read:

C. The provisions of this section are narrowly and carefully tailored to address the findings listed in subsection 1-A, to achieve the State's purposes listed in this subsection and in conjunction with the following efforts to advance the State's compelling interests:

(1) Prior authorization and drug utilization review in the MaineCare program under section 3174-M;

~~(2) Reporting of a broad array of prescription drug marketing costs under section 2698-A and subsequent reporting by the department to the Legislature and the Attorney General;~~

~~(3) Prescription drug price disclosure under section 2698-B;~~

(4) Generic and therapeutically equivalent substitution of prescription drugs under Title 32, section 13781; and

(5) Protection of patient prescription drug information held by health care practitioners under section 1711-C.

**Sec. 2. 22 MRSA §2685, sub-§5,** as enacted by PL 2007, c. 327, §1, is amended to read:

**5. Funding.** The program may be funded from the General Fund, from federal funds and from other special revenue funds. ~~One half of the funds collected under section 2700-A, subsection 4 annually must be allocated to the costs of the program.~~ 'Beginning April 1, 2012 each manufacturer of prescription drugs that are provided to Maine residents through the MaineCare program or the elderly low-cost drug program shall pay a fee of $500 per calendar year to the department to provide funding for the program. The program may accept funds from nongovernmental health access foundations, the Tobacco Manufacturers Act under chapter 263, subchapter 3, undesignated funds associated with pharmaceutical marketing and pricing practices acquired through litigation or action of the Office of the Attorney General and fees from subscriptions, contracts and agreements with private payors as established by rule. Savings achieved as a result of the program may be retained for operation of the program or paid into the General Fund, at the option of the department.

**Sec. 3. 22 MRSA §2698-A,** as amended by PL 2005, c. 286, §§1 and 2, is repealed.

**Sec. 4. 22 MRSA §2698-B,** as amended by PL 2005, c. 402, §§1 to 4, is repealed.

**Sec. 5. 22 MRSA §2700-A,** as amended by PL 2007, c. 327, §§2 and 3 and c. 362, §§1 and 2, is further amended to read:

**§2700-A. Prohibitions**

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

~~A. "Clinical trial" means a clinical investigation as defined by the federal Food and Drug Administration that involves any trial to test the safety or efficacy of a drug or biological product with one or more human subjects and that is intended to be submitted to, or held for inspection by, the federal Food and Drug Administration as part of an application for a research or marketing permit.~~

B. "Manufacturer of prescription drugs" or "manufacturer" means a manufacturer of prescription drugs or biological products or an affiliate of the manufacturer or a labeler that receives prescription drugs or biological products from a manufacturer or wholesaler and repackages those drugs or biological products for later retail sale and that has a labeler code from the federal Food and Drug Administration under 21 Code of Federal Regulations, 2027.20 (1999).

B-1. "Prescriber" means a person who is licensed, registered or otherwise authorized in the appropriate jurisdiction to prescribe and administer drugs in the course of professional practice.

C. "Regulated advertisement" means the presentation to the general public of a commercial message regarding a prescription drug or biological product by a manufacturer of prescription drugs that is:

(1) Broadcast on television or radio from a station that is physically located in the State;

(2) Broadcast over the Internet from a location in the State; or

(3) Printed in magazines or newspapers that are printed, distributed or sold in the State.

**2. Regulated advertisement requirement.** Beginning October 15, 2005, a manufacturer may not present or cause to be presented in the State a regulated advertisement, unless that advertisement meets the requirements concerning misbranded drugs and devices and prescription drug advertising of federal law and regulations under 21 United States Code, Sections 331 and 352(n) and 21 Code of Federal Regulations, Part 202 and state rules.

**2-A. Software prohibition.** Beginning January 1, 2008, a person may not sell or distribute in the State computer software that influences or attempts to influence a prescribing decision of a prescriber to prescribe a certain drug or that directs a patient to a certain pharmacy. Features of computer software that are prohibited include, but are not limited to, pop-up and other advertisements, instant messages and economic incentives that are triggered by or in specific response to a selection, act or other input or designation of pharmacy by the prescriber or an agent of the prescriber. This subsection does not apply to in-house equipment provided within a hospital for use by prescribers and the hospital pharmacy or to information provided to a prescriber about prescription drug formulary compliance, patient care management or pharmacy reimbursement.

~~**3. Disclosure of clinical trials of prescription drugs.** Beginning October 15, 2005, a manufacturer or labeler of prescription drugs that is required to report marketing costs for prescription drugs pursuant to section 2698-A shall post, with regard to those prescription drugs, on the publicly accessible Internet website of the federal National Institutes of Health or its successor agency or another publicly accessible website the following information concerning any clinical trial that the manufacturer conducted or sponsored on or after October 15, 2002:~~

~~A. The name of the entity that conducted or is conducting the clinical trial;~~

~~B. A summary of the purpose of the clinical trial;~~

~~C. The dates during which the trial has taken place; and~~

~~D. Information concerning the results of the clinical trial, including potential or actual adverse effects of the drug.~~

~~In order to satisfy the requirements of this subsection, the publicly accessible website and manner of posting must be acceptable to the department.~~

~~**4. Fees.** Beginning April 1, 2006, each manufacturer of prescription drugs that are provided to Maine residents through the MaineCare program under section 3174-G or the elderly low-cost drug program under section 254-D shall pay a fee of $1,000 per calendar year to the State. Fees collected under this subsection must be used to cover the cost of overseeing implementation of this section, including but not limited to maintaining links to publicly accessible websites to which manufacturers are posting clinical trial information under subsection 3 and other relevant sites, assessing whether and the extent to which Maine residents have been harmed by the use of a particular drug and undertaking the public education initiative under subsection 5 and the prescription drug academic detailing program under section 2685. One-half of the annual revenues from this subsection must be allocated to and used for the academic detailing program under section 2685. Revenues received under this subsection, with the exception of funding designated for the academic detailing program under section 2685, must be deposited into an Other Special Revenue Funds account to be used for the purposes of this subsection.~~

~~**5. Public education initiative.** The department shall undertake a public education initiative to inform residents of the State about clinical trials and drug safety information and shall coordinate the public education program with the prescription drug academic detailing program under section 2685.~~

~~**6. Penalties.** A violation of this section is a violation of the Maine Unfair Trade Practices Act. Each day a manufacturer is in violation of this chapter is considered a separate violation.~~

~~**7. Rulemaking.** The department may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.~~

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Bureau of Medical Services 0129**

Initiative: Reduces funding as a result of reductions in the drug trial and drug marketing programs and fees, partially offset by the restoration of a $500 fee for the drug academic detailing program.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($223,000) | ($223,000) |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($223,000) | ($223,000) |

See title page for effective date.

## CHAPTER 462

## H.P. 681 - L.D. 921

## An Act To Clarify the Collection Process for the Commercial Forestry Excise Tax

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

**Sec. 1. 36 MRSA §2726, sub-§4,** as enacted by PL 1985, c. 514, §2, is amended to read:

**4. Supplemental assessments.** Supplemental assessments may be made in accordance with section 141~~-~~, subsection 1, except that the following limitations apply:

A. If a landowner who has failed to file a return under this chapter signs and files with the assessor an affidavit stating that the landowner did not know of the requirement to file a return under this chapter, a supplemental assessment may be made only for the 3 preceding years. Interest and penalties must be waived or abated if the tax is paid within 30 days after receipt of notice of the supplemental assessment as provided in a manner prescribed in section 111, subsection 2; and

B. If a landowner knew of the requirement to file a return under this chapter or if the assessor determines that the affidavit under paragraph A was falsely filed, the supplemental assessment may be made for the 6 preceding years plus interest and penalties.

**Sec. 2. Application.** This Act applies to property tax years beginning on or after April 1, 2011.

See title page for effective date.

## CHAPTER 463

## S.P. 378 - L.D. 1257

### An Act Regarding Labor Contracts for Public Works Projects

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

**Sec. 1. 26 MRSA §1304, first ¶,** as repealed and replaced by PL 1967, c. 403, is repealed and the following enacted in its place:

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

**Sec. 2. 26 MRSA §1304, sub-§5-A** is enacted to read:

**5-A. Interested party.** "Interested party" means a bidder, contractor or subcontractor for a public works contract covered by this chapter.

**Sec. 3. 26 MRSA §1316** is enacted to read:

**§1316. Public works contract requirements**

This section applies to public works contracts entered into by the Department of Transportation, the Department of Administrative and Financial Services, Bureau of General Services and the Maine Turnpike Authority for the construction, repair or improvement of roads, highways, bridges, streets or alleys or entered into, awarded or renewed by a public authority from October 1, 2011 to October 1, 2015.

**1. Contract documents.** The Department of Transportation, the Department of Administrative and Financial Services, Bureau of General Services and the Maine Turnpike Authority, as a condition of awarding a bid under this chapter, may not:

A. Require a bidder, contractor or subcontractor to enter into or comply with or prohibit a bidder, contractor or subcontractor from entering into or complying with an agreement with a labor organization on the same or a related public works project;

B. Discriminate against a bidder, contractor or subcontractor that becomes, refuses to enter into or remains a signatory to or complies with an agreement with a labor organization on the same or a related public works project;

C. Require a bidder, contractor or subcontractor to enter into or comply with or prohibit a bidder, contractor or subcontractor from entering into or complying with an agreement that requires an employee of the bidder, contractor or subcontractor, as a condition of employment, to:

(1) Become a member of or become affiliated with a labor organization; or

(2) Over the objection of the employee, pay dues or fees to a labor organization that exceed the employee's share of the labor organization's costs relating to collective bargaining, contract administration or grievance adjustment.

This section does not prohibit a contractor or subcontractor from voluntarily entering into an agreement described in paragraphs A and C.

The Commissioner of Transportation, the Director of the Bureau of General Services within the Department of Administrative and Financial Services and the Executive Director of the Maine Turnpike Authority may exempt a particular project, contract, subcontract, grant or cooperative agreement from the requirements of the provisions of paragraph A, B or C, if the agency head finds that special circumstances require an exemption and it is in the best economic interest of the project.

**2. Cooperation with the federal National Labor Relations Act.** This section does not prohibit an employer or any other person covered by the federal National Labor Relations Act, 29 United States Code, Chapter 7, Subchapter II from entering into agreements or engaging in any other activity protected by law. This section may not be interpreted to interfere with the labor relations of persons covered by the federal National Labor Relations Act.

**3. Compliance.** In the event that a public authority, bidder, contractor or subcontractor performs in a manner contrary to the provisions of subsection 1, the head of the public authority or the designee of the head of the public authority shall take such action consistent with law and rule as the agency determines appropriate.

See title page for effective date.

## CHAPTER 464

## H.P. 1028 - L.D. 1399

### An Act To Implement the Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code and Related Statutes

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

**Sec. 1. 15 MRSA §101-D, sub-§5, ¶A,** as enacted by PL 2009, c. 268, §3, is amended to read:

A. Commit the defendant to the custody of the Commissioner of Health and Human Services to be placed in an appropriate institution for the care and treatment of people with mental illness or mental retardation for observation, care and treatment. At the end of 30 days or sooner, and again in the event of recommitment, at the end of 60 days and one year, the State Forensic Service shall forward a report to the Commissioner of Health and Human Services relative to the defendant's competence to stand trial and its reasons. The Commissioner of Health and Human Services shall without delay file the report with the court having jurisdiction of the case. The court shall without delay set a date for and hold a hearing on the question of the defendant's competence to stand trial and receive all relevant testimony bearing on the question. If the court determines that the defendant is not competent to stand trial, but there does exist a substantial probability that the defendant will be competent to stand trial in the foreseeable future, the court shall recommit the defendant to the custody of the Commissioner of Health and Human Services to be placed in an appropriate institution for the care and treatment of people with mental illness or mental retardation for observation, care and treatment. When a person who has been evaluated on behalf of the court by the State Forensic Service is committed into the custody of the Commissioner of ~~the Department of~~ Health and Human Services under this paragraph, the court shall order that the State Forensic Service share any information that it has collected or generated with respect to the person with the institution in which the person is placed. If the defendant is charged with an offense under Title 17-A, chapter 9, 11 or 13 or Title 17-A, section 506-A, 802 or 803-A and the court determines that the defendant is not competent to stand trial and there does not exist a substantial probability that the defendant can be competent in the foreseeable future, the court shall dismiss all charges against the defendant and, unless the defendant is subject to an undischarged term of imprisonment, order the Commissioner of Health and Human Services to commence involuntary commitment proceedings pursuant to Title 34-B, chapter 3, subchapter 4 or chapter 5, subchapter 3. If the defendant is charged with offenses not listed in the previous sentence and the court determines that the defendant is not competent to stand trial and there does not exist a substantial probability that the defendant can be competent in the foreseeable future, the court shall dismiss all charges against the defendant and, unless the defendant is subject to an undischarged term of imprisonment, notify the appropriate authorities who may institute civil commitment ~~procedures~~ proceedings for the individual. If the defendant is subject to an undischarged term of imprisonment, the court shall order the defendant into execution of that sentence and the correctional facility to which the defendant must be transported shall execute the court's order; or

**Sec. 2. 15 MRSA §101-D, sub-§9,** as enacted by PL 2009, c. 268, §3, is amended to read:

**9. Examination after sentencing.** If the issue of insanity, competency, abnormal condition of mind or any other issue involving the mental condition of the defendant is raised after sentencing, the court may for cause shown order the convicted person to be examined by the State Forensic Service. If at the time an examination order is entered by the court the sentenced person is in execution of a sentence of imprisonment imposed for any criminal conduct, the time limits and bail provisions of this section do not apply. For examinations that take place outside the correctional facility, the correctional facility shall provide transportation and security for the examination.

**Sec. 3. 15 MRSA §3103, sub-§1, ¶B,** as corrected by RR 2009, c. 2, §34, is amended to read:

B. Offenses involving illegal drugs or drug paraphernalia as follows:

(1) The possession of a useable amount of marijuana, as provided in Title 22, section 2383, unless the juvenile is authorized to possess marijuana for medical use pursuant to Title 22, chapter 558-C;

(2) The use or possession of drug paraphernalia as provided in Title 17-A, section 1111-A, subsection ~~4, paragraphs A and B~~ 4-B; and

(3) Illegal transportation of drugs by a minor as provided in Title 22, section 2389, subsection 2;

**Sec. 4. 17-A MRSA §15, sub-§1, ¶A,** as amended by PL 2009, c. 142, §3, is further amended to read:

A. Any person who the officer has probable cause to believe has committed or is committing:

(1) Murder;

(2) Any Class A, Class B or Class C crime;

(3) Assault while hunting;

(4) Any offense defined in chapter 45;

(5) Assault, criminal threatening, terrorizing or stalking, if the officer reasonably believes that the person may cause injury to others unless immediately arrested;

(5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief, obstructing the report of a crime or injury or reckless conduct if the officer reasonably believes that the person and the victim are family or household members, as defined in Title 19-A, section 4002, subsection 4;

(5-B) Domestic violence assault, domestic violence criminal threatening, domestic violence terrorizing, domestic violence stalking or domestic violence reckless conduct;

(6) Theft as defined in section 357, when the value of the services is $1,000 or less if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(7) Forgery, if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(8) Negotiating a worthless instrument if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(9) A violation of a condition of probation when requested by a probation officer or juvenile community corrections officer;

(10) Violation of a condition of release in violation of Title 15, section 1026, subsection 3; Title 15, section 1027, subsection 3; Title 15, section 1051, subsection 2; and Title 15, section 1092;

(11) Theft involving a detention under Title 17, section 3521;

(12) Harassment, as set forth in section 506-A;

(13) Violation of a protection order, as specified in Title 5, section 4659, subsection 2; Title 15, section 321, subsection 6; former Title 19, section 769, subsection 2; former Title 19, section 770, subsection 5; Title 19-A, section 4011, subsection 3; and Title 19-A, section 4012, subsection 5;

(14) A violation of a sex offender registration provision under Title 34-A, chapter 15;

(15) A violation of a requirement of administrative release when requested by the attorney for the State;

(16) A violation of a condition of supervised release for sex offenders when requested by a probation officer;

(17) A violation of a court-imposed deferment requirement of a deferred disposition when requested by the attorney for the State;

(18) A violation of a condition of release as provided in Title 15, section 3203-A, subsection 9;

(19) A violation of a condition of supervised community confinement granted pursuant to Title 34-A, section 3036-A when requested by a probation officer;

(20) A violation of a condition of placement on community reintegration status granted pursuant to Title 34-A, sections 3810 and 4112 when requested by a juvenile community corrections officer; ~~or~~

(21) A violation of a condition of furlough or other rehabilitative program authorized under Title 34-A, section 3035 when requested by a probation officer or juvenile community corrections officer; ~~and~~ or

(22) A violation of a condition of release from a community confinement monitoring program pursuant to Title 30-A, section 1659-A; and

**Sec. 5. 17-A MRSA §253, sub-§2, ¶I,** as amended by PL 2001, c. 383, §16 and affected by §156, is further amended to read:

I. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client ~~for mental health therapy~~ of the actor. ~~As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes, which therapy is based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse.~~ Violation of this paragraph is a Class C crime; or

**Sec. 6. 17-A MRSA §254, sub-§1, ¶D,** as amended by PL 2003, c. 138, §2, is further amended to read:

D. The person violates paragraph C and the actor knows that the student is related to the actor

within the 2nd degree of consanguinity. Violation of this paragraph is a Class D crime; or

**Sec. 7. 17-A MRSA §254, sub-§1, ¶E,** as amended by PL 2003, c. 138, §2, is further amended to read:

E. The person violates paragraph C and the actor is at least 10 years older than the student. Violation of this paragraph is a Class D crime~~; or~~.

**Sec. 8. 17-A MRSA §254, sub-§1, ¶F,** as enacted by PL 2003, c. 138, §3, is repealed.

**Sec. 9. 17-A MRSA §255-A, sub-§1, ¶F-2** is enacted to read:

F-2. The other person, not the actor's spouse, is in fact either 14 or 15 years of age and the actor is at least 10 years older than the other person. Violation of this paragraph is a Class D crime;

**Sec. 10. 17-A MRSA §255-A, sub-§1, ¶U,** as enacted by PL 2005, c. 450, §2, is amended to read:

U. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor ~~for mental health therapy~~. ~~As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes and based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse.~~ Violation of this paragraph is a Class D crime; or

**Sec. 11. 17-A MRSA §255-A, sub-§1, ¶V,** as enacted by PL 2005, c. 450, §2, is amended to read:

V. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor ~~for mental health therapy~~ and the sexual contact includes penetration. ~~As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes and based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse.~~ Violation of this paragraph is a Class C crime.

**Sec. 12. 17-A MRSA §260, sub-§1, ¶K,** as enacted by PL 2005, c. 450, §5, is amended to read:

K. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor ~~for mental health therapy~~. ~~As used in this paragraph, "mental health therapy" means psychotherapy or other treatment modalities intended to change behavior, emotions or attitudes and based upon an intimate relationship involving trust and dependency with a substantial potential for vulnerability and abuse.~~ Violation of this paragraph is a Class D crime.

**Sec. 13. 17-A MRSA §284, sub-§5,** as amended by PL 2011, c. 50, §3, is further amended to read:

**5.** For purposes of this section, any element of age of the person depicted means the age of the person at the time the sexually explicit conduct occurred, not the age of the person depicted at the time of ~~dissemination~~ the transporting, exhibiting, purchasing, possession or accessing of the sexually explicit visual image or material.

**Sec. 14. 17-A MRSA §506,** as amended by PL 1981, c. 317, §20, is further amended to read:

**§506. Harassment by telephone or by electronic communication device**

**1.** A person is guilty of harassment by telephone or by electronic communication device if:

A. By means of telephone ~~he~~ or electronic communication device the person makes any comment, request, suggestion or proposal ~~which~~ that is, in fact, offensively coarse or obscene, without the consent of the person called or contacted;

B. ~~He~~ The person makes a telephone call or makes a call or contact by means of an electronic communication device, whether or not oral or written conversation ensues, without disclosing ~~his~~ the person's identity and with the intent to annoy, abuse, threaten or harass any person at the called or contacted number or account;

C. ~~He~~ The person makes or causes the telephone or electronic communication device of another repeatedly or continuously to ring or activate or receive data, with the intent to harass any person at the called or contacted number or account;

D. ~~He~~ The person makes repeated telephone calls or repeated calls or contacts by means of an electronic communication device, during which oral or written conversation ensues, with the intent to harass any person at the called or contacted number or account; or

E. ~~He~~ The person knowingly permits any telephone or electronic communication device under ~~his~~ the person's control to be used for any purpose prohibited by this section.

**2.** The crime defined in this section may be prosecuted and punished in the county in which the defendant was located when ~~he~~ the defendant used the

telephone or electronic communication device, or in the county in which the telephone called or made to ring or the electronic communication device called or made to ring or be activated or receive data by the defendant was located.

**2-A.** As used in this section, "electronic communication device" means any electronic or digital product that communicates at a distance by electronic transmission impulses or by fiber optics, including any software capable of sending and receiving communication, allowing a person to electronically engage in the conduct prohibited under this section.

**3.** Harassment by telephone or by electronic communication device is a Class E crime.

**Sec. 15. 17-A MRSA §755, sub-§1-E** is enacted to read:

**1-E.** A person is guilty of escape from the community confinement monitoring program granted pursuant to Title 30-A, section 1659-A if without official permission the person intentionally:

A. Leaves or fails to return within 12 hours to that person's residence or other designated area in which that person is monitored. Violation of this paragraph is a Class C crime; or

B. Violates paragraph A and at the time of the escape the person uses physical force against another person, threatens to use physical force or is armed with a dangerous weapon. Violation of this paragraph is a Class B crime.

A sentence imposed for a violation of this section is subject to the requirements of section 1256, subsection 1.

**Sec. 16. 17-A MRSA §755, sub-§3-A, ¶F** is enacted to read:

F. Prosecution for escape or attempted escape from the community confinement monitoring program must be in the county in which the institution from which the transfer to the community confinement monitoring program was granted is located or in any county to which the transfer to the community confinement monitoring program was granted.

**Sec. 17. 17-A MRSA §757, sub-§2,** as amended by PL 2009, c. 608, §6, is further amended to read:

**2.** As used in this section, "official custody" has the same meaning as in section 755. As used in this section, "contraband" means a dangerous weapon, any tool or other item that may be used to facilitate a violation of section 755 or anything that a person confined in official custody is prohibited by statute from making, possessing or trafficking in or a scheduled drug as defined in section 1101, subsection 11, unless the drug was validly prescribed to the person in official custody and was approved for use by the person pursuant to the procedures of the custodial agency.

**Sec. 18. 17-A MRSA §1055,** as amended by PL 2011, c. 31, §1, is further amended to read:

**§1055. Possession or distribution of dangerous knives**

**1.** A person is guilty of ~~trafficking in~~ possession or distribution of dangerous knives~~,~~ if ~~providing he~~, when the person has no right to do so, ~~he~~ the person knowingly manufactures or causes to be manufactured, or knowingly possesses, displays, offers, sells, lends, gives away or purchases any knife ~~which~~ that has a blade ~~which~~ that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade ~~which~~ that opens or falls or is ejected into position by the force of gravity, or by an outward, downward or centrifugal thrust or movement.

**2.** ~~Trafficking in~~ Possession or distribution of dangerous knives is a Class D crime.

**3.** Notwithstanding subsection 1, a person who has only one arm may possess and transport a knife described under subsection 1 that has a blade 3 inches or less in length.

**Sec. 19. 17-A MRSA §1107-A, sub-§4,** as enacted by PL 2005, c. 252, §1, is amended to read:

**4.** It is an affirmative defense to prosecution under subsection 1, paragraph B, subparagraphs (3) to (6) and paragraphs C to F that the person possessed a valid prescription for the scheduled drug or controlled substance that is the basis for the charge and that, at all times, the person intended the drug to be used only for legitimate medical use in conformity with the instructions provided by the prescriber and dispenser.

**Sec. 20. 17-A MRSA §1111-A,** as amended by IB 2009, c. 1, §2 and corrected by RR 2009, c. 2, §39, is further amended to read:

**§1111-A. Use of drug paraphernalia**

**1.** As used in this section the term "drug paraphernalia" means all equipment, products and materials of any kind that are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a scheduled drug in violation of this chapter or Title 22, section 2383, except that this section does not apply to a person who is authorized to possess marijuana for medical use pursuant to Title 22, chapter 558-C, to the extent the drug paraphernalia is used for that person's medical use of marijuana. It includes, but is not limited to:

A. Kits used or intended for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a scheduled drug or from which a scheduled drug can be derived;

B. Kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing scheduled drugs;

C. Isomerization devices used or intended for use in increasing the potency of any species of plant that is a scheduled drug;

D. Testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of scheduled drugs;

E. Scales and balances used or intended for use in weighing or measuring scheduled drugs;

F. Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used or intended for use in cutting scheduled drugs;

G. Separation gins and sifters, used or intended for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

H. Blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding scheduled drugs;

I. Capsules, balloons, envelopes and other containers used or intended for use in packaging small quantities of scheduled drugs;

J. Containers and other objects used or intended for use in storing or concealing scheduled drugs; and

K. Objects used or intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:

(1) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

(2) Water pipes;

(3) Carburetion tubes and devices;

(4) Smoking and carburetion masks;

(5) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette that has become too small or too short to be held in the hand;

(6) Miniature cocaine spoons and cocaine vials;

(7) Chamber pipes;

(8) Carburetor pipes;

(9) Electric pipes;

(10) Air-driven pipes;

(11) Chillums;

(12) Bongs; or

(13) Ice pipes or chillers.

**2.** For purposes of this section, drug paraphernalia does not include hypodermic apparatus. Possession of, furnishing or trafficking in hypodermic apparatus constitute separate offenses under sections 1110 and 1111.

**3.** In determining whether an object is drug paraphernalia, a court or other authority shall consider, in addition to all other logically relevant factors, the following:

A. Statements by an owner or by anyone in control of the object concerning its use;

B. One or more prior convictions, if any, of an owner, or of anyone in control of the object, for any offense under this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction;

C. The proximity of the object, in time and space, to a direct violation of this chapter;

D. The proximity of the object to scheduled drugs;

E. The existence of any residue of scheduled drugs on the object;

F. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom the owner knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter may not prevent a finding that the object is intended for use as drug paraphernalia;

G. Instructions, oral or written, provided with the object concerning its use;

H. Descriptive materials accompanying the object which explain or depict its use;

I. National and local advertising concerning its use;

J. The manner in which the object is displayed for sale;

K. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

L. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;

M. The existence and scope of legitimate uses for the object in the community; and

N. Expert testimony concerning its use.

~~**4.** A person is guilty of the sale and use of drug paraphernalia if:~~

~~A. The person uses drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of $300 must be adjudged, none of which may be suspended;~~

~~B. The person possesses with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of $300 must be adjudged, none of which may be suspended;~~

~~C. The person trafficks in or furnishes drug paraphernalia knowing, or under circumstances when one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383, and the person to whom that person is trafficking or furnishing drug paraphernalia is:~~

~~(1) At least 16 years of age. Violation of this subparagraph is a Class E crime; or~~

~~(2) Less than 16 years of age. Violation of this subparagraph is a Class D crime; or~~

~~D. The person places in a newspaper, magazine, handbill or other publication an advertisement knowing, or under circumstances when one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects intended for use as drug paraphernalia. Violation of this paragraph is a Class E crime.~~

~~This subsection does not apply to a person who is authorized to possess marijuana for medical use pursuant to Title 22, chapter 558-C to the extent the drug paraphernalia is required for that person's medical use of marijuana.~~

**4-A.** Except as provided in Title 22, chapter 558-C, a person is guilty of use of drug paraphernalia if:

A. The person trafficks in or furnishes drug paraphernalia knowing, or under circumstances when that person reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383, and the person to whom that person is trafficking or furnishing drug paraphernalia is:

(1) At least 16 years of age. Violation of this subparagraph is a Class E crime; or

(2) Less than 16 years of age. Violation of this subparagraph is a Class D crime; or

B. The person places in a newspaper, magazine, handbill or other publication an advertisement knowing, or under circumstances when that person reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects intended for use as drug paraphernalia. Violation of this paragraph is a Class E crime.

**4-B.** Except as provided in Title 22, chapter 558-C, a person commits a civil violation if:

A. The person in fact uses drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of $300 must be adjudged, none of which may be suspended; or

B. The person possesses with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of $300 must be adjudged, none of which may be suspended.

**9.** Drug paraphernalia possessed in violation of this section is declared to be contraband and may be seized and confiscated by the State.

**10.** It is an affirmative defense to prosecution under this section that the drug paraphernalia used or possessed is used or possessed for the propagation, cultivation or processing of industrial hemp.

**Sec. 21. 17-A MRSA §1253, sub-§2,** as amended by PL 2005, c. 507, §16, is further amended to read:

**2.** Each person sentenced to imprisonment who has previously been detained for the conduct for which the sentence is imposed in any state facility or county institution or facility or in any local lockup awaiting trial, during trial, post-trial awaiting sentencing or post-sentencing prior to the date on which the sentence commenced to run either to await transportation to the place of imprisonment specified, or pursuant to court order, and not in execution of any other sentence of confinement, is entitled to receive a day-for-day deduction from the total term of imprisonment required under that sentence. Each person is entitled to receive the same deduction for any such period of detention in any federal, state or county institution, local lockup or similar facility in another jurisdiction, including any detention resulting from being a fugitive from justice, as defined by Title 15, section 201, subsection 4, unless the person has simultaneously been detained for non-Maine conduct. A person who has been simultaneously detained for conduct for which the person is sentenced to a consecutive sentence is not entitled to receive a day-for-day deduction from the consecutive sentence for the period of simultaneous detention except for any period of detention that is longer than the total term of imprisonment required under the prior sentence.

For the purpose of calculating the day-for-day deduction specified by this subsection, a "day" means 24 hours, except that for a person who commits a crime on or after October 15, 2011, who has previously been detained for the conduct for which the person is sentenced to a term of imprisonment of 96 hours or less, for the purposes of calculating the day-for-day deduction specified in this subsection, any portion of a day detained short of 24 hours will also be deducted from the total term of imprisonment required under that sentence.

The total term required under the sentence of imprisonment is reduced by the total deduction of this subsection prior to applying any of the other deductions specified in this section or in Title 30-A, section 1606.

The sheriff or other person upon whom the legal duty is imposed to deliver a sentenced person who has been detained as specified in this subsection shall, within 30 days of delivery, furnish to the custodian a statement showing the length of that detention. In addition, the transporter shall furnish to the attorney for the State the same statement. The custodian shall use the statement furnished to determine the day-for-day deduction to which the person is entitled, if any, unless, within 15 days of its receipt, the attorney for the State furnishes a revised statement to the custodian.

A. For any person who commits a crime on or after August 1, 2004, is subsequently sentenced to a term of imprisonment for that crime and is entitled to receive a day-for-day deduction pursuant to this subsection, up to 2 additional days per calendar month may be credited to that deduction if the person's conduct during that period of detention was such that the credit is determined to be warranted in the discretion of the chief administrative officer of the facility in which the person has previously been detained.

Credits under this paragraph must be calculated as follows for partial calendar months:

| Days of partial month | Maximum credit available |
|---|---|
| 1 to 15 days | up to 1 |
| 16 to 31 days | up to 2 |

The sheriff or other person required to furnish a statement showing the length of detention shall also furnish a statement showing the number of days credited pursuant to this paragraph.

Detention awaiting trial, during trial, post-trial awaiting sentencing or post-sentencing prior to the date on which a sentence commences to run is not punishment.

**Sec. 22. 17-A MRSA §1301, sub-§6,** as enacted by PL 2005, c. 386, Pt. DD, §2, is amended to read:

**6.** In addition to any other authorized sentencing alternative, the court shall impose a minimum fine of $400, none of which may be suspended, for a person convicted of a crime under section 1103; 1104; 1105-A; 1105-B; 1105-C; 1105-D; 1106; 1107-A; 1108; 1109; 1110; 1111; 1111-A, subsection ~~4, paragraph C or D~~ 4-A; 1116; 1117; or 1118.

**Sec. 23. 17-A MRSA §1326-A,** as amended by PL 2009, c. 608, §12, is further amended to read:

**§1326-A. Time and method of restitution**

When restitution is authorized, and the offender is not committed to the Department of Corrections and does not receive a sentence that includes a period of probation, the time and method of payment or of the performance of the services must be specified by the court and monetary compensation may be ordered paid to the office of the prosecuting attorney who is prosecuting the case or to the clerk of the court. If the offender is committed to the Department of Corrections or receives a sentence that includes a period of probation, monetary compensation must be paid to the Department of Corrections and the time and method of payment must be determined by the Department of Corrections during the term of commitment or the period of probation unless at the time of sentencing the

court has specified the time and method of payment. Once any term of commitment to the Department of Corrections or period of probation is completed and if the restitution ordered has not been paid in full, the offender is subject to the provisions of section 1326-F and, in the event of a default, the provisions of section 1329. The state agency receiving the restitution shall deposit any money received in the account maintained by the Treasurer of State for deposit of state agency funds, from which funds are daily transferred to an investment account and invested. Interest accrued on that money is the property of and accrues to the State for deposit in the General Fund. The agency receiving the restitution shall make the disbursement to the victim or other authorized claimant as soon as possible after the agency receives the money.

**Sec. 24. 17-A MRSA §1326-B, sub-§2,** as enacted by PL 1999, c. 469, §1, is amended to read:

**2.** The income withholding order is effective as long as the order for restitution upon which it is based is effective, including after a defendant is no longer in the custody or under the supervision of the Department of Corrections and has not paid the restitution in full as described in section 1326-F, or until further order of the court.

**Sec. 25. 17-A MRSA §1326-F,** as enacted by PL 2009, c. 608, §14, is amended to read:

**§1326-F. Former Department of Corrections' clients owing restitution**

An offender is responsible for paying any restitution outstanding at the time the term of commitment to the Department of Corrections or period of probation is completed. An offender who has complied with the time and method of payment of monetary compensation determined by the Department of Corrections during the period of probation shall continue to make payments to the Department of Corrections in accordance with that payment schedule unless modified by the court pursuant to section 1328-A or 1329. An offender who has not complied with the time and method of payment of monetary compensation determined by the Department of Corrections during the period of probation must be returned to the court for further disposition pursuant to section 1329. An offender who is unconditionally released and discharged from institutional confinement with the Department of Corrections upon the expiration of the sentence must, upon application of the office of the attorney for the State, be returned to the court for specification by the court of the time and method of payment of monetary compensation, which may be ordered paid to the office of the attorney for the State who prosecuted the case or to the clerk of the court. Prior to the offender's release and discharge, the Department of Corrections shall provide the office of the attorney for the State who prosecuted the case written notice as to the amount of restitution outstanding. An income withholding order issued pursuant to section 1326-B remains effective and enforceable until the restitution is paid in full, even after an offender is no longer in the custody or under the supervision of the Department of Corrections.

**Sec. 26. 17-A MRSA §1330, sub-§3,** as enacted by PL 1997, c. 752, §30, is amended to read:

**3. Restitution; absolute.** The requirements imposed on a prisoner by this section to pay restitution and fines during incarceration apply regardless of whether ~~the court order to pay restitution or fines constitutes a sentence or is imposed as a condition of probation, regardless of whether payment has been stayed in the court order and regardless of whether the prisoner's incarceration resulted from a revocation of probation.~~:

A. The court order to pay restitution or fines constitutes a sentence or is imposed as a condition of probation;

B. Payment has been stayed in the court order;

C. The court has specified a time and method of payment pursuant to section 1303, subsection 1 or section 1326-A; or

D. The person's incarceration resulted from a revocation of probation.

**Sec. 27. 17-A MRSA §1346,** as enacted by PL 1999, c. 24, §5, is amended to read:

**§1346. Sentencing alternative of unconditional discharge**

A convicted person who is either eligible for the imposition of a sentence alternative that includes a period of probation under section 1201, subsection 1 or is ineligible for the imposition of such a sentence alternative solely by operation of section 1201, subsection 1, paragraph A-1 and for whom a court determines that no other authorized sentencing alternative is appropriate punishment must be sentenced by the court to an unconditional discharge. A sentence of unconditional discharge is for all purposes a final judgment of conviction.

**Sec. 28. 30-A MRSA §1659-A, sub-§5,** as enacted by PL 2009, c. 391, §6, is repealed and the following enacted in its place:

**5. Crimes.** The following penalties apply to violations of this section.

A. An inmate is guilty of the crime of violating a condition of release from the community confinement monitoring program if the inmate intentionally or knowingly violates a condition of release. Violation of this paragraph is a Class D crime.

B. An inmate is guilty of the crime of escape from the community confinement program as

provided pursuant to Title 17-A, section 755, subsection 1-E.

**Sec. 29. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides funds for an anticipated increase in indigent legal service costs.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $7,614 |
| GENERAL FUND TOTAL | $0 | $7,614 |

**Sec. 30. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 17-A, section 506 takes effect July 1, 2012.

See title page for effective date, unless otherwise indicated.

## CHAPTER 1

## H.P. 11 - L.D. 19

### An Act To Change the Annual Meeting Date and Fiscal Year of Mount Desert Island Regional School District

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

**Whereas,** Private and Special Law 1963, chapter 176, as amended, requires Mount Desert Island Regional School District to hold its annual meeting on the second Wednesday of February and to operate on a calendar fiscal year; and

**Whereas,** the required annual meeting date interferes with the budget development and approval process and the required fiscal year is contrary to the requirement of the Maine Revised Statutes, Title 20-A, section 15003; 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. P&SL 1963, c. 176, §8** is amended to read:

**Sec. 8. Fiscal year; annual reports.** The fiscal year of the district ~~shall begin~~ begins on the first day of ~~January~~ July of each year and ~~end~~ ends on the ~~31st~~ 30th day of ~~December~~ June of ~~each~~ the succeeding calendar year. On or before January 15th of each year, the Regional School trustees and the Regional School Committee shall present to the municipal officers of each of the participating towns a detailed estimate in the form of a budget of the amount necessary for the operation and maintenance of the Regional School for the next fiscal year. On or before ~~January~~ March 15th of each year, the Regional School trustees and the Regional School Committee shall ~~render~~ present to the municipal officers of each of the participating towns reports in writing showing the affairs and conditions of the Regional School for the preceding fiscal year ~~and a detailed estimate in the form of a budget of the amount necessary for the operation and maintenance of said Regional School for the current year~~. Copies of ~~such~~ the reports ~~shall~~ must be distributed to the inhabitants of the district in the same manner and form as ~~is~~ are provided for town reports, except that the ~~same shall~~ copies must be made available for distribution not later than the annual district meeting of each year.

The voters of the district at each annual meeting of the district shall determine what sum, not less than the amount prescribed by the general law, is required for the operation and maintenance of ~~said~~ the Regional School for the ~~current~~ next fiscal year.

**Sec. 2. P&SL 1963, c. 176, §9, first paragraph** is amended to read:

**Sec. 9. Capital costs; assessment of taxes authorized; how collected; procedure.** The board of trustees shall determine the sums required for each fiscal year to pay:

**Sec. 3. P&SL 1963, c. 176, §9, last paragraph** is amended to read:

The board of trustees shall each year before the first day of ~~April~~ July, apportion the total sums so determined among the towns comprising the district, and issue its warrant in the same form as the warrant of the Treasurer of the State for taxes, with proper changes, to the assessors of each participating town, requiring that they assess upon the taxable polls and estates within each ~~such~~ town, including all village corporations ~~therein~~, an amount determined in accordance with section 15 of this ~~act~~ Act, and to commit their assessments to the constable or collectors of ~~said~~ the towns, who ~~shall~~ have all authority and powers to collect ~~said~~ the taxes as ~~is~~ are vested by law to collect state, county and municipal taxes. The treasurers of ~~said~~ the participating towns shall pay the amount of the tax ~~so~~ assessed against the taxable polls and estates within their respective municipalities to the treasurer of the Regional School trustees on or before the 31st day of December of each year. ~~In the case of the failure on the part of~~ If the treasurer of ~~said~~ a participating ~~towns~~ town fails to pay ~~said~~ the sum or any part ~~thereof~~ of the sum on or before ~~said~~ the 31st day of December in the year in which ~~said~~ the tax is levied, the treasurer of the district may issue ~~his~~ the treasurer's warrant for the amount of ~~said~~ the tax or so much ~~thereof as shall then remain~~ of the tax that remains unpaid to the county sheriff, requiring ~~him~~ the county sheriff to levy by distress and sale on the real

and personal property of any of the inhabitants of the participating town where ~~such~~ the default takes place and the sheriff or any of ~~his~~ the sheriff's deputies shall execute ~~said~~ the warrant, except as otherwise ~~herein~~ provided in this Act. The same authority as is vested in county officials for the collection of county taxes under the provisions of the Maine Revised Statutes is vested in the trustees of ~~said~~ the district in relation to the collection of taxes within ~~such~~ the participating town.

**Sec. 4. P&SL 1963, c. 176, §10** is amended to read:

**Sec. 10. Operational costs; assessment of taxes authorized; how collected; procedure.** The Regional School Committee shall for each fiscal year before the first day of ~~April~~ July apportion the total sums required for the operation of the Regional School, as ~~such~~ the sums are determined by the voters of the district at the annual meeting ~~thereof~~, among the participating towns in accordance with section 15 of this ~~act~~ Act. The Regional School Committee shall then issue its warrant in the same form as the warrant of the Treasurer of the State for taxes, with proper changes, to the assessors of each participating town, who shall deduct the amount of subsidies, or other income, if any, accruing to ~~said~~ the town because of its share in the Regional School, and shall assess the remaining sum upon the taxable polls and estates within their participating town and commit their assessments to the constable or collectors of ~~said~~ the participating town who ~~shall~~ have authority and power to collect as provided in section 9 of this ~~act~~ Act. The treasurer of each participating town shall with respect to the sum ~~so~~ assessed make payments, then provide for their collection, all as provided in ~~said~~ section 9, and the Regional School Committee ~~shall~~ with respect to the sums ~~so~~ assessed ~~have~~ has the same authority as ~~by said~~ provided in section 9 ~~is granted~~ to the board of trustees.

**Sec. 5. P&SL 1963, c. 176, §11, first paragraph,** as amended by P&SL 1971, c. 7, is further amended to read:

**Sec. 11. Annual meeting of the district; qualifications of voters of district; procedure at district meetings; annual budgets.** The annual meeting of the district ~~shall~~ must be held within the district, and at the school building ~~when completed~~, on the ~~2nd~~ 1st Wednesday of ~~February~~ April, ~~such~~ the meeting to start between 9 o'clock in the forenoon and 8 o'clock in the afternoon. The warrant for ~~said~~ the meeting or any special meeting ~~shall~~ must be signed by the ~~chairman~~ chair or treasurer of the board of trustees and the ~~chairman~~ chair or secretary of the Regional School Committee.

**Sec. 6. P&SL 1963, c. 176, §11, 4th paragraph** is amended to read:

The warrant for the annual meeting ~~shall~~ must set forth the school budget for the next fiscal year in substantially the following form:

PROPOSED
SCHOOL BUDGET FOR ~~YEAR 19~~
FISCAL YEAR 2 - 2

REGIONAL SCHOOL COMMITTEE

**Operating Budget Expenses**

| | | | |
|---|---|---|---|
| Total proposed operating expenses | | | $------- |

BOARD OF TRUSTEES

| | | | |
|---|---|---|---|
| **Capital Budget Expenses** | | | |
| **Bonds and Notes** | | | |
| Principal - Sinking Fund Payments | $------- | | |
| Interest | $------- | | |
| **Interest on Temporary Notes** | $------- | | |
| **Maine School Building Authority** | | | |
| Assumed by District | $------- | | |
| Rents or lease payments | $------- | | |
| **Additions and Improvements** | $------- | | |
| Total Capital expenses | | $------- | |
| Total proposed Expenditure | | | $------- |

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

Effective February 4, 2011.

## CHAPTER 2

## H.P. 69 - L.D. 81

### An Act To Change the Name of Township 3, Range 9, NWP, to Cedar Lake Township

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas,** this legislation proposes a referendum to ratify changing the name of the unorganized territory referred to currently as Township 3, Range 9, NWP, and located in Penobscot County to Cedar Lake Township; and

**Whereas,** residents in the township receive mail by direct delivery to their mailboxes; and

**Whereas,** because of confusion with Canadian mail, the United States Postal Service does not allow for numbers to be used in the name of the township; and

**Whereas,** unless the name of the township is changed, the residents will not be able to receive mail in their mailboxes; 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. Cedar Lake Township.** Wherever the designation Township 3, Range 9, NWP, appears or reference is made to that unorganized territory, that designation or reference means Cedar Lake Township.

**Sec. 2. Referendum for ratification.** This Act must be submitted to the legal voters residing in the unorganized territory of Township 3, Range 9, NWP, in Penobscot County. The date of the submission must be determined by the Penobscot County Board of Commissioners but may not be later than 6 months after adjournment of the First Regular Session of the 125th Legislature. The Penobscot County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this Act in the following question:

"Do you favor changing the name of Township 3, Range 9, NWP, to Cedar Lake Township?"

The voters shall indicate by a cross or a check mark placed against the words "Yes" or "No" their opinion of the question.

The result of the election must be declared by the Penobscot County commissioners and due certificate filed with the Secretary of State.

**Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this legislation takes effect when approved only for the purpose of permitting its submission to the legal voters residing in the unorganized territory of Township 3, Range 9, NWP in Penobscot County at a special or regular town meeting or election no later than 6 months after adjournment of the First Regular Session of the 125th Legislature. The name change in section 1 takes effect upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum, unless otherwise indicated.

## CHAPTER 3

### H.P. 40 - L.D. 47

### An Act Directing the Department of Transportation To Allow a Break in Control of Access on William L. Clarke Drive in the City of Westbrook

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

**Sec. 1. Allow an entrance through control of access on William L. Clarke Drive in the City of Westbrook.** At the request of the owner of the parcel on Westbrook Tax Map 32, Lot 52, the Department of Transportation shall allow an entrance to be built on William L. Clarke Drive in the City of Westbrook on the condition that the owner assume all costs for the repayment of federal funds used by the Department of Transportation to acquire control of access on William L. Clarke Drive in the City of Westbrook and for environmental permitting for the break in control of access to be built on William L. Clarke Drive in the City of Westbrook. The break in control of access must be no more than 75 feet in width and located between station 35+00 and 43+00 on William L. Clarke Drive as shown on the Maine Department of Transportation right-of-way map, S.H.C. File Number 3-189 sheets 6 and 7, September 1968, for the parcel on Westbrook Tax Map 32, Lot 52.

See title page for effective date.

## CHAPTER 4

### H.P. 424 - L.D. 541

### An Act To Clarify the Boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro

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

**Sec. 1. Boundary between Town of Cushing and Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro.** The boundary between the Town of Cushing and the Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro is as follows: beginning in the thread of Saint George River at the point where the southeasterly bound of the Town of Thomaston meets the northeasterly bound of the Town of Cushing on a boundary line with the Town of South Thomaston that is located on the Maine Coordinate System of 1983 West Zone (MCSW) at approximately North 449630, East 3210906 and marked 'A' on a "TOWN LINE RETRACEMENT SURVEY for the TOWN OF CUSHING located in KNOX COUNTY in the State of MAINE" to be recorded at the Knox County Registry of Deeds; thence North 79º33'59" West one thousand five hundred (1,500) feet more or less to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set in ledge five (5) feet more or less westerly of the apparent mean high tide line of Saint George River (MCSW - North 449892.78, East 3209429.16) marked 'B' on the said survey plan and three (3) feet North 79º53'59" West of a one (1) inch brass property marker found set in ledge; thence North 79º53'59" West one thousand one hundred eight and four hundredths (1,108.04) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set at the intersection of two stonewalls (MCSW - North 450087.10, East 3208338.30) marked 'C' on the said survey plan; then South 32º17'42" West four hundred sixty-three and twenty-six hundredths (463.26) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set for a bound (MSCW - North 449695.52, East 3208090.81) marked 'D' on the said survey plan; thence North 78º42'47" West one thousand two hundred forty-four and fifty-two hundredths (1,244.52) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set at the intersection of two stonewalls on the assumed easterly right of way line of River Road (MCSW - North 449939.10, East 3206870.36) marked 'E' on the said survey plan; thence North 33º59'56" East along the assumed easterly River Road right of way line four hundred seventy-three and four hundredths (473.04) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set for a bound (MCSW - North 450331.28, East 3207134.87) marked 'F' on the said survey plan; thence North 78º31'48" West sixty-six and no hundredth (66.00) feet to a five inch by five inch (5"x5") granite monument found at the assumed westerly right of way line of River Road (MCSW - North 450344.41, East 3207070.19) marked 'G' on the said survey plan; thence continuing North 78º31'48" West one thousand four hundred thirty-seven and fourteen hundredths (1,437.14) feet passing through a three quarter (3/4) inch rebar property pin to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Thomaston Town Line 2010" set at approximately twenty-eight (28) feet easterly of the apparent mean high tide line of Saint George River (MCSW - North 450630.19, East 3205661.75) marked 'H' on the said survey plan; thence continuing North 78º31'48" West three hundred twenty-nine and fifty-eight hundredths (329.58) feet passing through a three quarter (3/4) inch rebar property pin to a point in Saint George River where the southwest bound of the Town of Thomaston meets the southeast bound of the Town of Warren on the boundary line of the Town of Cushing (MCSW - North 450695.72, East 3205338.75) marked 'I' on the said survey plan; thence South 78º09'51" West seven hundred thirty-eight and forty-seven hundredths (738.47) feet to a five inch by five inch (5"x5") granite monument found approximately sixty (60) feet west of the apparent mean high tide line of Saint George River (MCSW - North 450544.25, East 3204615.98) marked 'J' on the said survey plan; thence continuing South 78º09'51" West two thousand two hundred twenty-three and twenty-three hundredths (2,223.23) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately fifty (50) feet easterly of the easterly edge of pavement of the Spear Mill Road (MCSW - North 450088.25, East 3202440.02) marked 'K' on the said survey plan; thence continuing South 78º09'51" West one thousand three hundred ninety-seven and no hundredths (1,397.00) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately fifty (50) feet easterly of the easterly edge of pavement of the Cushing Road (Route 97) (MCSW - North 449801.71, East 3201072.72) marked 'L' on the said survey plan; thence continuing South 78º09'51" West ten thousand twenty-three and no hundredths (10,023.00) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately three (3) feet westerly of the westerly edge of an abandoned road that is the extension of the roadway leading westerly from Route 97 in Warren just northerly of the Maine State Prison Farm (Bolduc Unit) across prison property by the rifle range and apple orchard and southerly across property now or formerly of Cyrus Holmes back to Route 97, also located approximately one thousand seventy (1070) feet easterly of Far Meadow Brook (MCSW - North 447745.89, East 3191262.82) marked 'M' on the said survey plan; thence continuing South 78º09'51" West one thousand seven hundred fifty-three and sixty-three hundredths (1,753.63) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Warren Town Line 2010" set approximately eighty (80) feet easterly of a small

brook that leads southeasterly into Far Meadow Brook and approximately seven hundred (700) feet westerly, as measured along the Town Line, of Far Meadow Brook (MCSW - North 447386.20, East 3189546.47) marked 'N' on the said survey plan; thence continuing South 78º09'51" West four thousand three hundred twenty-one and sixty-eight hundredths (4,321.68) feet to a 10 inch by 10 inch (10"x10") granite monument inscribed with letters 'W', 'W', and 'C' and 1896 found at the southwesterly bound of the Town of Warren and the northwesterly bound of the Town of Cushing at a point on the easterly boundary of the Town of Waldoboro (MCSW - North 446499.78, East 3185316.68) marked 'O' on the said survey plan; thence South 0º45'26" East seven hundred ninety-two and six hundredths (792.06) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship/Waldoboro Town Line 2010" set in place of a loose and badly bent iron pipe found in a pile of stones (MCSW - North 445707.79, East 3185327.15) marked 'P' on the said survey plan; thence South 0º54'15" East eight thousand seven hundred forty-four and twenty-three hundredths (8,744.23) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship Town Line 2010" set approximately six (6) feet southerly of the southerly edge of pavement of the Colonel Stairs Road (MCSW - North 436964.64, East 3185465.15) marked 'Q' on the said survey plan; thence continuing South 0º54'15" East two thousand one hundred eighty-six and no hundredths (2,186.00) feet to a five inch by five inch (5"x5") granite monument found (MCSW - North 434778.92, East 3185499.65) marked 'R' on the said survey plan; thence South 54º58'22" East five hundred fifty-one and twenty-eight hundredths (551.28) feet to a five inch by five inch (5"x5") granite monument found five (5) feet easterly of the easterly edge of pavement of Cushing Road (Route 97) (MCSW - North 434462.50, East 3185951.08) marked 'S' on the said survey plan; thence South 62º20'09" East one thousand forty-nine and forty-two hundredths (1,049.42) feet to a one (1) inch iron rebar with four (4) inch aluminum cap engraved "Cushing/Friendship Town Line 2010" set approximately twelve (12) feet westerly of the westerly edge of Meduncook River (MCSW - North 433975.27, East 3186880.53) marked 'T' on the said survey plan; thence continuing South 62º20'09" East twenty (20) feet more or less to the thread of Meduncook River (MCSW - approximately North 433969, East 3186892) marked 'U' on the said survey plan; thence following the irregular thread of Meduncook River Southerly seven (7) miles more or less to its intersection with the thread of Saint George River Southerly of Gay Island (MCSW - approximately North 400231, East 3175204) marked 'V' on the said survey plan; thence following the irregular thread of Saint George River Northeasterly twelve (12) miles more or less to the point of beginning.

**Sec. 2. Municipal officers.** The municipal officers of the Town of Cushing, Town of Friendship, Town of Warren, Town of Thomaston and Town of Waldoboro must sign the plotted plan as described in section 1 before it is filed with the Registry of Deeds.

See title page for effective date.

## CHAPTER 5

## H.P. 754 - L.D. 1018

### An Act To Amend the Charter of the Anson Water District

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

**Sec. 1. P&SL 1915, c. 200, §1,** as amended by P&SL 2005, c. 51, §1, is further amended to read:

**Sec. 1. Anson Water District created; purposes; territory.** The following described territory and the inhabitants within the same constitute a body politic and corporate under the name of the Anson Water District, for the purpose of supplying the inhabitants of the district with pure water for domestic, sanitary and municipal purposes, to wit: So much of the Town of Anson, in Somerset County, as is described as follows:

> Starting at the intersection of New Portland Road and the Anson town line bordering the Town of Embden; thence in a southeasterly direction along New Portland Road to a point 69º55'12.66"W, ~~44º52'27.82"N~~ 44º51'32.58"N; thence in a southwesterly direction to a point ~~69º55'27.95"W, 44º49'7.33"N~~ 69º55'28.44"W, 44º49'6.98"N; thence in a southerly direction to the intersection of Pease Hill Road and West Mills Road; thence in a southwesterly direction along West Mills Road to the intersection of West Mills Road and Mayhew Road; thence in a southerly direction along Mayhew Road to the intersection of Mayhew Road and the Anson town line bordering the Town of Starks; thence in a northeasterly direction along the Anson town line to the border of the Town of Madison; thence in a northerly direction along the Anson town line bordering the Town of Madison to the corner of the Anson town line bordering the Town of Embden and the Town of Solon; thence in a southwesterly direction along the Anson town line to the starting point.

**Sec. 2. P&SL 1915, c. 200, §6,** as amended by P&SL 2005, c. 51, §3, is repealed and the following enacted in its place:

**Sec. 6. Board of trustees.** All the affairs of the water district are managed by a board of trustees composed of 3 members, who are residents and voters in the district. Whenever the term of office of a trustee expires by the trustee's removal from the water district or otherwise, the legal voters of the water district shall elect a successor to serve for a full term of 3 years; and if any other vacancy occurs, it may be filled in like manner for the unexpired term. Nominations and elections of trustees are conducted in accordance with the laws relating to municipal elections by secret ballot according to the Maine Revised Statutes, Title 30-A, section 2528. The annual meeting occurs at a time and place designated by the trustees. The annual meeting for the election of officers occurs at a time and place designated by the trustees. As soon as is convenient after the board of trustees has been elected, the trustees shall hold a meeting and organize by the election of a chair and clerk, adopt a corporate seal and choose a treasurer and all other needful officers and agents for the proper management of the affairs of the water district. Each member is entitled to compensation as set by the trustees for the member's services for each and every regular and special meeting of the board at which the member is in attendance. The water district, at any legal meeting of the water district called for the purpose, may adopt such bylaws and provisions, not inconsistent with the Constitution of Maine and laws of this State and of the United States, as the water district may determine expedient and necessary for the good government and regulation of the affairs of the water district, in which case, the bylaws and provisions so adopted apply to the water district as fully, to all intents and purposes, as the other provisions of this Act, subject to alterations and additions, only by a 2/3 vote of all the legal voters of the water district present and voting at a legal meeting of the water district called for the purpose.

**Sec. 3. Current trustees.** Trustees of the Anson Water District serving on the effective date of this Act continue to serve for the terms for which they were elected.

See title page for effective date.

## CHAPTER 6

## H.P. 657 - L.D. 890

### An Act To Create the Anson and Madison Water District

**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 residents of the towns of Madison and Anson are in immediate need of forming a quasi-municipal regional entity to supply potable water within those towns; 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. Territorial limits; corporate name.** Pursuant to the Maine Revised Statutes, Title 35-A, section 6403, subsection 1, paragraphs A and B and subject to section 8 of this Act, the territory and the inhabitants of the Town of Madison and the Town of Anson constitute a standard water district under the name "Anson and Madison Water District," referred to in this Act as "the district."

**Sec. 2. Powers; authority; duties.** Except as otherwise expressly provided in this Act, the district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64, and is authorized to perform all acts and to do all things necessary or convenient to carry out the purposes and powers provided in this Act or reasonably implied from those purposes and powers.

**Sec. 3. Authority to take water and locate, construct and maintain dams, reservoirs, pipes, aqueducts and other structures and improvements.** Notwithstanding any provision in the Maine Revised Statutes, Title 35-A, section 6404 to the contrary, the district has the power and authority to take, hold and convey water and to locate facilities as set forth in this section. The district is authorized to take, to hold and to convey within the Town of Madison and the Town of Anson and from any part of those towns water from any surface and groundwater source within the towns, including without limitation the Kennebec River, Wesserunsett Lake, also known as Hayden Lake, and Marshall's Pond. Pursuant to Title 35-A, section 6403, subsection 2, paragraph D, the district is authorized to take, to hold and to convey within the Town of Embden water from Hancock Pond, Sand Pond, Black Hill Pond, Mill Stream and Embden Pond and any of the tributary lakes and streams of those ponds and that stream. The district is authorized to erect, maintain and operate dams, reservoirs, gates, hydrants, standpipes and all other structures and improvements necessary or convenient for accomplishing the purposes of this Act and to lay down, maintain and operate pipes, aqueducts and all other structures and improvements necessary or convenient for accumulating, conducting, discharging, distributing and disbursing water, for forming proper reservoirs for those purposes and for accomplishing the purposes of this Act. Pursuant to Title 35-A, sec-

tion 6403, subsection 2, paragraphs F and G, the district is authorized to supply, furnish or otherwise provide water within the Town of Embden pursuant to contract and to construct, locate, acquire, equip, maintain and operate facilities and all other structures and improvements necessary or convenient for accomplishing those purposes. Pursuant to Title 35-A, section 6403, subsection 2, paragraph F, the district is authorized to lay in or through the streets and highways of the Town of Embden, and to maintain, operate, take up, repair and replace all pipes, aqueducts, fixtures and other structures and improvements within the Town of Embden necessary or convenient for accomplishing the purposes of this section.

**Sec. 4. Trustees; how elected; first board; meetings; officers.** All of the affairs of the district must be managed by a board of trustees composed of 7 members: 4 residents of the Town of Madison and 3 residents of the Town of Anson.

**1. First board; nominations and elections.** Notwithstanding any provision in the Maine Revised Statutes, Title 35-A, section 6410, subsections 1, 2, 3 and 4 to the contrary, the nomination, appointment and election of trustees and the appointment and terms of office of the first board of trustees are authorized by this subsection.

The first board of trustees of the district is appointed. Within 30 days after the effective date of this Act, the trustees of the Madison Water District shall appoint 4 trustees who must be residents of the Town of Madison and the trustees of the Anson Water District shall appoint 3 trustees who must be residents of the Town of Anson.

Each trustee appointed from the Town of Madison to the first board serves an initial term specified in the appointment by the trustees of the Madison Water District as follows: one for a term that expires on November 15th of the year that is one year after the year in which the trustee was appointed, one for a term that expires on November 15th of the year that is 2 years after the year in which the trustee was appointed, one for a term that expires on November 15th of the year that is 3 years after the year in which the trustee was appointed and one for a term that expires on November 15th of the year that is 4 years after the year in which the trustee was appointed. Subsequent trustees are elected by vote of the residents of the Town of Madison to 3-year terms in accordance with subsection 3.

Each trustee appointed from the Town of Anson to the first board serves an initial term specified in the appointment by the trustees of the Anson Water District as follows: one for a term that expires on November 15th of the year that is one year after the year in which the trustee was appointed, one for a term that expires on November 15th of the year that is 2 years after the year in which the trustee was appointed and one for a term that expires on November 15th of the year that is 3 years after the year in which the trustee was appointed. Subsequent trustees are elected by vote of the residents of the Town of Anson to 3-year terms in accordance with subsection 3.

**2. Organization; conduct of business.** Except as otherwise expressly provided in this Act, the organization and powers of the board of trustees must be in accordance with Title 35-A, chapter 64.

Notwithstanding Title 35-A, section 6410, subsection 4, within 30 days after the effective date of this Act, the trustees shall hold a meeting for the purpose of electing a chair, treasurer and secretary from among them to serve for one year and until their successors are elected and qualified.

A quorum of the board of trustees consists of 4 members, 2 from the Town of Anson and 2 from the Town of Madison.

**3. Terms; eligibility requirements; vacancy.** Notwithstanding any provision in Title 35-A, section 6410, subsections 1, 3 and 4 to the contrary, the terms of trustees, eligibility requirements and filling of vacancies are authorized by this subsection. Except for the first board, trustees from the Town of Madison and the Town of Anson serve 3-year terms. The successor of a trustee who is a resident of the Town of Madison must be a resident of the Town of Madison elected by the inhabitants of the Town of Madison. The successor of a trustee who is a resident of the Town of Anson must be a resident of the Town of Anson elected by the inhabitants of the Town of Anson.

When a trustee ceases to be a resident of the town in which the trustee resided when appointed or elected, the trustee shall vacate the office of trustee and the vacancy must be filled as provided in this subsection. A trustee is eligible for reelection, but a person who is a municipal officer of the Town of Madison or the Town of Anson is not eligible for appointment or for nomination or election as a trustee.

When the term of office of a trustee expires, the trustee's successor is elected by a plurality vote of the voters of the Town of Madison or the Town of Anson, as applicable. For the purpose of election, a special election must be called and held on the date established by the trustees. The election must be called by the trustees of the district in the same manner as town meetings are called and, for this purpose, the trustees are vested with the powers of municipal officers of towns. A vacancy is filled in the same manner for the unexpired term by a special election called by the trustees of the district.

Nominations and elections of trustees are conducted in accordance with the laws relating to municipal elections. All elections must be conducted by secret ballot according to Title 30-A, section 2528.

The trustees shall appoint a registrar of voters for the district, who may also be the registrar of voters for any town within the district, and fix the registrar's salary. It is the registrar's duty to make and keep a complete list of all the registered voters resident in the district. The list prepared by the registrar governs the eligibility of a voter. All warrants issued for elections by the trustees must show that only the voters resident within the Town of Madison or the Town of Anson, as applicable, are entitled to vote.

**Sec. 5. Transfer of assets and liabilities of the Madison Water District and the Anson Water District.** The district, through its trustees, shall acquire, in accordance with this section, all of the plants, properties, assets, franchises, rights and privileges of the Madison Water District and the Anson Water District, including, without limitation, lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment, apparatus and appliances used or useful in supplying water for domestic, commercial, industrial and municipal purposes and shall, by appropriate instruments, assume, in accordance with this section, all of the outstanding debts, obligations and liabilities of the Madison Water District and the Anson Water District, including, without limitation, the assumption of any outstanding bonds, notes or other evidences of indebtedness of the Madison Water District and the Anson Water District that are due on or after the date of transfer.

The Madison Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1913, chapter 121, as amended, and the Anson Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1915, chapter 200, as amended, shall, through their respective trustees, assign, transfer and convey to the district by appropriate instruments of conveyance all, and not less than all, of their respective plants, properties, assets, franchises, rights and privileges, including, without limitation, lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment, apparatus and appliances used or useful in supplying water for domestic, commercial, industrial and municipal purposes, in consideration of the assumption by the district of all of the outstanding debts, obligations and liabilities of the Madison Water District and the Anson Water District, including, without limitation, the assumption of any outstanding bonds, notes or other evidences of indebtedness of the Madison Water District and the Anson Water District that are due on or after the date of transfer.

The transfer by the Madison Water District and the Anson Water District to the district of their respective plants, properties, assets, franchises, rights and privileges, the assumption by the district of all of the outstanding debts, obligations and liabilities of the Madison Water District and the Anson Water District pursuant to this section and the subsequent use of the plants, properties, assets, franchises, rights and privileges by the district within the limits of the district are subject to the approval of the Public Utilities Commission as may be required by the Maine Revised Statutes, Title 35-A, Part 1.

Promptly after completion of the transfer and assumption of assets and liabilities pursuant to this section, the Madison Water District and the Anson Water District shall each cause to be filed with the Secretary of State a certificate of dissolution certifying the name of that district and that all assets of that district and all debts, obligations and liabilities of that district have been transferred to the Anson and Madison Water District and that is signed by the chair or presiding trustee of that district and by the clerk, secretary or another officer of that district. Upon the respective filing dates of the certificates of dissolution of the Madison Water District and the Anson Water District, the existence of that district ceases.

Upon dissolution of the Madison Water District and the Anson Water District, the trustees of the Anson and Madison Water District shall submit legislation for introduction to the Legislature to repeal the charters of the Madison Water District and the Anson Water District.

**Sec. 6. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the territory described in section 1 of this Act at a referendum called for that purpose and held after May 1, 2011 but within 2 years after the effective date of this Act. Each referendum must be called by the municipal officers of the respective towns and must be held at the regular voting places. The referendum must be called, advertised and conducted according to the law relating to municipal elections. The registrars shall make a complete list of all the eligible voters of the proposed district as described in this Act. The list prepared by the registrars governs the eligibility of a voter. For the purpose of registration of voters, the registrars of voters must be in session the regular workday preceding the referendum. The subject matter of this Act is reduced to the following question:

> "Do you favor creating the Anson and Madison Water District and permitting the Anson and Madison Water District to acquire the assets and assume the liabilities of the Madison Water District and the Anson Water District?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Madison and the Town of Anson and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters of each town voting at the referendum. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section as long as the referenda are held within 2 years after the effective date of this Act.

If after May 1, 2011, referenda on the question specified in this section are held in accordance with this section and a majority of the legal voters of each town voting at the referenda cast votes in favor of the question and due certificate of the results are filed with the Secretary of State, this Act takes effect when approved.

Effective pending referendum.

## CHAPTER 7

## H.P. 440 - L.D. 557

### An Act To Qualify the Port of Eastport as Tax Exempt for Purpose of Bonding

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

**Whereas,** Private and Special Law 1977, chapter 14 established the Eastport Port Authority to provide vitally needed economic stimulus to the City of Eastport; and

**Whereas,** Private and Special Law 1979, chapter 8 increased the bonding authority of the Eastport Port Authority to $6,000,000; and

**Whereas,** the federal Internal Revenue Service has determined that Eastport Port Authority as currently constituted does not qualify as a "political subdivision" under the Internal Revenue Code for purposes of issuing tax-exempt bonds; and

**Whereas,** the ability to exercise its current bonding authority on a tax-exempt basis will assist the Eastport Port Authority to improve and expand its facilities and contribute to job creation and economic development in Washington County; 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. P&SL 1977, c. 14, last ¶,** as amended by P&SL 1993, c. 82, §1, is further amended to read:

The directors are the administrative officers of the authority and may employ assistants as they may consider necessary to carry out this Act. They shall make plans to obtain title to the wharf or wharves, or locations for the wharf or wharves, and they have the authority to acquire, construct, operate, maintain, repair and replace piers, terminals, industrial parks and transportation and warehouse facilities, roads, railways and other facilities on the land and in the waters within the limits of the City of Eastport, as will in their judgment improve and increase the harbor, docking and warehousing facilities in the City of Eastport and enter into contracts for administration, operations, management and consulting services within and beyond the boundaries of the City of Eastport. ~~With the consent of the Eastport city council, or a vote of a majority of the Eastport city council, the~~ The authority may take or acquire within the limits of the City of Eastport~~,~~ real property by purchase or otherwise, by gift or grant~~,~~ or by the exercise of the right of eminent domain, which right is expressly delegated to the Eastport Port Authority, and hold the real property and rights and easements to the real property as the directors may from time to time consider necessary for the purpose of constructing and maintaining the Eastport Port Authority piers, docks and warehouses, highways and other port facilities, and ~~have~~ has the right to construct suitable buildings, filling stations~~,~~ and restaurants or engage in other business opportunities that are not in direct competition with established businesses, and ~~have~~ has the authority to lease the same, upon the terms as the directors or a majority of the directors may determine to be in the best interests of the authority, the proceeds from leases to accrue to the credit of the Eastport Port Authority. These wharves, buildings and property are exempt from taxation by the City of Eastport, except that this exemption does not exempt any lessee or person in possession, other than the port authority, from taxes or assessments payable under the Maine Revised Statutes, Title 36, section 551. The Port Authority has the right to acquire property without the approval of the city council, except that the property so acquired may not be exempted from taxation. The authority shall render annually, at the end of the fiscal year, an annual report to the city council, showing financial reports, together with recommendations and plans for the improvement and operation of facilities. The board of directors has the power to establish bylaws and all rules and regulations governing the operation and maintenance of facilities under the control of the Eastport Port Authority; charge such fees as may, in their judgment, be necessary for parking, docking and storage privileges; contract for the construction of the wharf or wharves~~,~~ or warehouse or

warehouses, and borrow money for these purposes; arrange for its financing; and provide for its protection by insurance against damage by fire, water or wind and for any other casualty ~~which~~ that the directors wish to insure against~~,~~ and for liability against injury to persons and property. The directors may accept federal, state and private grants and contributions for the purposes of this Act and may enter into partnerships, joint ventures or other business relationships, either directly or through an affiliate corporation owned by the authority.

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

Effective May 19, 2011.

## CHAPTER 8

## S.P. 448 - L.D. 1441

### An Act To Amend the Yarmouth Water District Charter

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

**Sec. 1. P&SL 1923, c. 72, §2, first sentence,** as amended by P&SL 1993, c. 32, §1, is further amended to read:

For any of the purposes set forth in this Act, or for the preservation and purity of its water, the district is ~~hereby~~ authorized to take and use water from the Royal River, or from any spring, pond, brook or other source of water in the ~~Towns~~ Town of Yarmouth and the Town of New Gloucester, except that the use of any source of water in the Town of New Gloucester by the district will be allowed only after approval by a joint body of equal number of representatives from both the Yarmouth Water District Board of Trustees and the ~~selectmen~~ municipal officers of the Town of New Gloucester, or from any springs, brook, pond or other source of water in the Town of North Yarmouth or the Town of Cumberland, or to purchase from any other water district or company; to conduct water through the Town of Cumberland and to conduct and distribute water into and through the ~~Towns~~ Town of Yarmouth and the Town of North Yarmouth; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures; to carry its pipes or aqueducts under, in and over the Royal River, so called, or under or over any water course or body of water, bridge, street, railroad, highway or other way; and the district is further authorized to enter upon and excavate any highway or other way, in such manner as to least ~~to~~ disturb that way, and shall leave those ways in as safe and passable condition as before ~~such~~ the excavation; to enter, pass over and excavate any lands, and to take and hold by purchase or otherwise, any real estate, rights of way or of water, and in general to do any acts necessary, convenient or proper for carrying out any of the purposes specified in this section.

**Sec. 2. P&SL 1923, c. 72, §8,** as amended by P&SL 1989, c. 111, §3 and affected by §13, is further amended by amending the 11th sentence to read:

Regular meetings of the district ~~shall~~ must be held ~~annually on the third Monday in February~~ at a time and place to be determined by the board of trustees, and special meetings ~~shall~~ must be called at any time by the trustees or any member of ~~said~~ the board of trustees upon a written request of any ~~ten~~ 30 lawful voters of ~~said~~ the district.

See title page for effective date.

## CHAPTER 9

## S.P. 244 - L.D. 800

### An Act To Allow the Town of Surry To Join School Union No. 93

**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 2007, chapter 240, Part XXXX required the reorganization of school administrative units into regional state-approved units of administration and also repealed the provision established in the Maine Revised Statutes, Title 20-A, chapter 107 that authorized the Commissioner of Education to combine a member municipality of one school union with another school union; and

**Whereas,** prior to the enactment of Public Law 2007, chapter 240, Part XXXX, the Town of Surry was a member of School Union No. 92; and

**Whereas,** following the enactment of Public Law 2007, chapter 240, Part XXXX, the former member municipalities of School Union No. 92 have either reorganized into Regional School Unit No. 24 or Alternative Organizational Structure No. 91; and

**Whereas,** the Town of Surry is left with no practical means of satisfying the requirements of Title 20-A, chapter 103-A and is currently contracting with School Union No. 93 for central office services; and

**Whereas,** compliance with the requirements of Title 20-A, chapter 103-A is not practical for the Town of Surry due to geographic isolation; 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. Adjustment to membership of School Union No. 93.** Notwithstanding the Maine Revised Statutes, Title 20-A, chapter 103-A and Public Law 2007, chapter 240, Part XXXX, as amended, the Commissioner of Education, upon the submission of a written plan of organization that has been approved by the school boards involved in School Union No. 93 and the school board of the Surry School Department, is authorized to adjust the grouping of school administrative units in School Union No. 93 to include the Town of Surry.

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

Effective May 31, 2011.

## CHAPTER 10

## H.P. 230 - L.D. 286

### An Act To Allow the Operation of Crematoriums at Oak Grove Cemetery and the Kelley Family Cemetery

**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 City of Gardiner adopted an ordinance limiting the location of crematoriums to areas zoned as industrial, commercial or rural; and

**Whereas,** Oak Grove Cemetery in Gardiner and other local cemeteries in the greater Gardiner area are nearing capacity for burials; and

**Whereas,** the demand for cremation is increasing significantly as a result of increases in the costs of traditional funerals and burials; and

**Whereas,** there is a need for additional crematoriums in the central and eastern Maine areas to meet current demand; and

**Whereas,** cremation is a more environmentally acceptable practice than traditional burials; 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. Construction of crematoriums.** Notwithstanding the Maine Revised Statutes, Title 13, section 1341, subsection 1 and any other provision of law:

**1. Oak Grove Cemetery.** Oak Grove Cemetery, located in Gardiner, Maine, may construct, own and operate a crematorium on land owned by Oak Grove Cemetery located in an area zoned for industrial or commercial use or zoned as rural in the greater Gardiner area; and

**2. Kelley Family Cemetery.** A Maine nonprofit corporation may construct, own and operate or lease for operation a crematorium on land of the Kelley Family Cemetery located in Steuben, Maine and owned by Dreamkeepers, Inc., as long as the cemetery has been used as a cemetery for at least 2 years prior to construction of the crematorium and contains at least 20 acres during any period when the crematorium will be built and operated and the crematorium meets other requirements of law.

**Sec. 2. Conditions.** The land on which the crematorium under section 1, subsection 1 is constructed may be less than 20 acres, but not less than 3 acres. The site on which the crematorium is constructed does not need to be part of the existing Oak Grove Cemetery, but must be owned by the Oak Grove Cemetery.

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

Effective May 31, 2011.

## CHAPTER 11

## S.P. 464 - L.D. 1483

### An Act To Amend the Charter of the Sanford Sewerage District

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

### PART A

**Sec. A-1. P&SL 1947, c. 169, §1, first ¶,** as repealed and replaced by P&SL 1977, c. 90, §1, is amended to read:

**Sec. 1. Territorial limits; corporate name; purposes.** The inhabitants and territory within the Town of Sanford in the County of York shall be, and hereby are, created a body politic under the corporate

name of the "Sanford Sewerage District," hereinafter called "the district," for the ~~purposes~~ purpose of providing ~~and maintaining within the district the existing sewers and such additions thereto as are necessary for the adequate operation of that system, and the district is hereby authorized to provide, construct, maintain and operate those systems of sewage and sewage disposal, and to lay, make and maintain such common sewers as the board of trustees may, from time to time, deem necessary for the disposing of its sewage for the health, welfare, comfort and convenience of the inhabitants of the Town of Sanford~~ a means of collecting, conveying, pumping, treating and disposing of domestic sewage and commercial and industrial waste within the district and outside the district.

**Sec. A-2. P&SL 1947, c. 169, §2,** as amended by P&SL 1977, c. 90, §3, is repealed and the following enacted in its place:

**Sec. 2. Powers.** The district is authorized for the purposes of this section to take over and hold the sewers and other assets of the existing sewerage system of the Town of Sanford and to acquire and hold by purchase, lease, the exercise of the right of eminent domain or otherwise land, real estate, rights or easements, or interests in land, real estate, rights or easements, located within the district or elsewhere and personal property. The district has all the powers and authorities and is subject to all the limitations and restrictions provided to a sanitary district formed under the Maine Revised Statutes, Title 38, chapter 11, except that sections 1061, 1062, 1067, 1101, 1102, 1103, 1104, 1105, 1106, 1159, 1160, 1201, subsection 10, 1203, 1205, 1206, 1207 and 1210 do not apply to the district and any notice impending automatic foreclosure issued by the district must bear the name "Sanford Sewerage District" in all appropriate locations.

**1. Other applicable laws.** The district is subject to all the provisions of the Maine Revised Statutes, Title 38, section 1252.

**2. Contracts.** The district is authorized to contract with persons, corporations, districts and other municipalities, both inside and outside the boundaries of the district, with the State of Maine and the United States Government or any agency of either and private contractors, to provide for disposal of sewage and commercial and industrial waste and storm and surface water through the district's system and through the system of any such person, corporation, district or other municipality; and every other district and municipality of the State of Maine is authorized to contract with the district for the collection, distribution, treatment and disposal of sewage and commercial and industrial waste and storm and surface water.

**Sec. A-3. P&SL 1947, c. 169, §3** is repealed and the following enacted in its place:

**Sec. 3. Liability.** As a governmental entity, as defined in the Maine Tort Claims Act, the district and its officers, agents and employees are afforded all of the privileges and immunities granted under the Maine Tort Claims Act. All claims seeking recovery of damages must be brought in accordance with the terms of the Maine Tort Claims Act.

**Sec. A-4. P&SL 1947, c. 169, §6,** as amended by P&SL 1997, c. 74, §1, is repealed and the following enacted in its place:

**Sec. 6. Officers.** All the affairs of the district are managed by a board of 5 trustees. Trustees are elected at the Town of Sanford annual municipal election and assume office on January 1st following the election. The trustees must be residents and qualified voters of the district, who are elected by ballot of the voters of the district legally qualified to vote in the Town of Sanford elections. The trustees hold office for staggered terms of 3 years and until their successors are chosen and qualified.

Any registered voter of the district may become a candidate for the office of trustee and have the candidate's name appear on the municipal election ballot by signing and presenting a petition to the town clerk, signed by the number of registered voters of the district as provided by the Maine Revised Statutes, Title 21-A. If a vacancy occurs more than 3 months before the next annual election, the vacancy must be filled by the appointment of a registered voter of the district by the town council of the Town of Sanford for the remaining period until the next annual election.

At the January meeting following the annual election, the trustees shall elect or appoint a chair, vice-chair, treasurer, clerk and any other necessary officers to serve until the next annual election and until their successors are elected or appointed and qualified.

A trustee or an inhabitant of the district may serve as treasurer and shall furnish a bond or appropriate insurance coverage in such sum and with such sureties as the trustees may approve, with the cost of the bond or insurance to be paid by the district. Members of the board are eligible for any office under the board, but may not receive any compensation as an officer except as trustee, with the exception that whoever serves as treasurer receives a salary to be determined by the trustees. Each member trustee must be sworn in for faithful performance of the trustee's duty.

**Sec. A-5. P&SL 1947, c. 169, §6-A,** as enacted by P&SL 1997, c. 74, §2, is amended to read:

**Sec. 6-A. Establishment of rules; preparation of annual report.** The trustees may from time to time adopt, establish and amend reasonable rules, regulations and bylaws ~~for the construction, use, repair and maintenance of sewers and fix and collect the fees to be paid for entering the same, and also the quarterly rentals for the use thereof~~ necessary for the proper

management of the affairs of the district and perform other acts within the powers delegated by law to the trustees. The trustees also shall prepare, publish and make available for any interested inhabitants of the district an annual report and financial statement of the affairs of the district for the calendar year just preceding, such report and statement to be prepared, published and made available as soon as practicable after the close of the calendar year.

**Sec. A-6. P&SL 1947, c. 169, §7,** as amended by P&SL 1977, c. 90, §10, is repealed and the following enacted in its place:

**Sec. 7. May hold property.** The district is authorized and empowered to accept, by action of its trustees, from the inhabitants of the Town of Sanford, and the Town of Sanford is authorized to convey, by deed signed by a majority of the town council of the Town of Sanford, duly authorized by the inhabitants of the Town of Sanford, to the district all right, title and interest that the town may have in and to the drains and sewers located within the limits of the district on the effective date of Private and Special Law 1947, chapter 169, but any amount on that date owed by the Town of Sanford upon the sewers and drains, or any interest due on any amounts owed, must be paid by the Town of Sanford, and any assessments or amounts due the Town of Sanford, by reason or on account of any sewer or drain built by the Town of Sanford, must be paid to the Town of Sanford.

**Sec. A-7. P&SL 1947, c. 169, §7-A** is enacted to read:

**Sec. 7-A. Exempt property.** The property, both real and personal, rights and franchises of the district are forever exempt from taxation.

**Sec. A-8. P&SL 1947, c. 169, §8-A,** as enacted by P&SL 1977, c. 90, §11, is repealed and the following enacted in its place:

**Sec. 8-A. Connection of private sewers.** Every building within the district intended for human habitation or occupancy or with facilities for discharge or disposal of sewage or commercial or industrial waste that is accessible to a sewer drain of that district must have a sanitary sewer or drainage system that must be connected with that sewer or drain of the district by the owner or person against whom taxes on the premises are assessed in the most direct manner possible within 90 days after receiving a request for connection from the district or within such further time as the trustees of the district may grant and, if feasible, with a separate connection for each building. Existing buildings that are already served by a private sewer system are not required to connect with any sewer or drain of the district as long as the private sewer or drainage system functions in a satisfactory and sanitary manner and does not violate any applicable law or ordinance or any applicable requirements of the state plumbing code, as determined by the municipal plumbing inspector, the plumbing inspector's alternate or, in the event that both are trustees or employees of the district, the Department of Health and Human Services, Division of Health Engineering. A building is considered to be accessible to a sewer or drain of the district for the purposes of this section if that building or any private sewer or drain directly or indirectly connected to the building, or carrying sewage or commercial or industrial waste from the building, is at any point or may at some point come within 200 feet of a sewer or drain of the district; except that nothing in this section requires the owner of any building to acquire any real property or easement for the sole purpose of making that connection.

**Sec. A-9. P&SL 1947, c. 169, §9, 2nd ¶,** as repealed and replaced by P&SL 1957, c. 153, §3, is amended to read:

As funds provided for in this section permit, and ~~so~~ as far as ~~such~~ the separation may be feasible as provided in this section, and under the direction and supervision of the Board of Trustees of ~~said District~~ the district, the catch-basins, storm-water lines and any other surface drainage facilities now connected with the sanitary sewerage system ~~shall~~ must as rapidly as possible be separated from ~~said~~ the sanitary sewer system by methods and devices such as connecting catch-basins into storm-water lines, extending storm-water lines to natural water courses, and diverting storm-water sources away from sanitary sewerage lines. As ~~such~~ the separation is effected, the ~~District~~ district, acting through its trustees, is authorized to convey by deed signed by a majority of ~~such~~ the trustees to the inhabitants of the ~~town~~ Town of Sanford, any and all right, title and interest ~~which said District~~ that the district may have in and to ~~such~~ the separated catch-basins, storm-water lines and other surface drainage facilities now located within ~~said District~~ the district, and the ~~said~~ inhabitants of the ~~town~~ Town of Sanford by action of a majority of its ~~Selectmen~~ town council shall accept ~~such~~ the separated catch-basins, storm-water lines and other surface drainage facilities to be ~~thereafter~~ maintained, repaired, replaced and extended under the direction of ~~said~~ the inhabitants of the ~~town~~ Town of Sanford as a part of the usual and regular functions of its Highway Department or Departments.

**Sec. A-10. P&SL 1947, c. 169, §10,** as amended by P&SL 1997, c. 74, §§3 and 4, is repealed and the following enacted in its place:

**Sec. 10. Authorization to raise and borrow funds.** To procure funds for the purposes of this Act and for such other expenses as may be necessary for the carrying out of the purposes, the district without a district vote but by action of its board of trustees, is authorized to raise funds from sources other than operational activities by borrowing money pursuant to

the Maine Revised Statutes, Title 38, section 1201. The district may issue its notes and bonds in one series or in separate series from time to time, as long as the aggregate outstanding principal balance at any one time does not exceed $22,000,000 unless a higher debt obligation limit is approved pursuant to section 10-A.

**Sec. A-11. P&SL 1947, c. 169, §10-A,** as enacted by P&SL 1997, c. 74, §5, is repealed and the following enacted in its place:

**Sec. 10-A. Increases in the debt obligation limit.** The district is authorized to increase its debt obligation limit pursuant to the Maine Revised Statutes, Title 38, section 1256. The district shall hold a referendum on any increase in its debt obligation pursuant to Title 38.

**Sec. A-12. P&SL 1947, c. 169, §10-B** is enacted to read:

**Sec. 10-B. State and federal aid or grants.** For accomplishing the purposes of this charter, the district through its trustees without vote of the inhabitants may receive state and federal aid or grants.

**Sec. A-13. P&SL 1947, c. 169, §11,** as amended by P&SL 1977, c. 90, §15, is repealed.

**Sec. A-14. P&SL 1947, c. 169, §12,** as repealed and replaced by P&SL 1977, c. 90, §16, is repealed and the following enacted in its place:

**Sec. 12. Rates.** All individuals, firms and corporations, whether public, private or municipal, shall pay to the treasurer of the district rates pursuant to the Maine Revised Statutes, Title 38, section 1202. The district may assess a readiness-to-serve charge pursuant to Title 38, section 1202 but only against owners or persons in possession or against whom the taxes are assessed of all buildings or premises intended for human habitation or occupancy, whether the same are occupied or not, that abut on a street or location through which the district has constructed a sewer line, or the building of which is within 200 feet of a sewer line constructed by the district, although the premises are not actually connected to the sewer line.

**Sec. A-15. P&SL 1947, c. 169, §13-E,** as enacted by P&SL 1957, c. 153, §5-D, is repealed and the following enacted in its place:

**Sec. 13-E. Town council review.** Prior to proposing any amendment to this charter to the Legislature, the trustees shall present the amendment to the town council of the Town of Sanford for review and comment.

**Sec. A-16. P&SL 1947, c. 169, §13-F,** as enacted by P&SL 1977, c. 90, §18, is repealed.

**Sec. A-17. P&SL 1947, c. 169, §13-G,** as enacted by P&SL 1977, c. 90, §18, is repealed.

**Sec. A-18. P&SL 1947, c. 169, §13-H,** as enacted by P&SL 1977, c. 90, §18, is repealed.

## PART B

**Sec. B-1. Trustees; transition.** The trustee of the Sanford Sewerage District in office on the effective date of this Act whose term ends in 2011 may continue in office until the next Town of Sanford municipal election after the effective date of this Act. At that election, the trustee who succeeds the trustee whose term ends in 2011 is elected to a 3-year term, and the 2 new trustees established in this Act are elected as follows: one must be elected to a 2-year term and one to a 3-year term. When the term of office of a trustee expires, that trustee's successor is elected in accordance with this Act.

See title page for effective date.

---

# CHAPTER 12

## H.P. 1160 - L.D. 1577

## An Act To Amend the Winthrop Utilities District Charter

**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 Winthrop Utilities District does not have a provision in its charter to file a lien for nonpayment of utility rates; and

**Whereas,** without such a provision the district is unable to file a lien for nonpayment of utility rates; and

**Whereas,** there are customers of the district who have failed to pay the rates due; and

**Whereas,** the inability to file liens for nonpayment of utility rates is causing financial hardship for the district; and

**Whereas,** to provide the district with the authority to file a lien for nonpayment of rates, it is necessary that the following legislation take effect 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:**

**Sec. 1. P&SL 1923, c. 98, §15-B** is enacted to read:

**Sec. 15-B. Collection of rates and assessments.** The collection of rates and assessments by the treasurer of the district is governed by the Maine Revised Statutes, Title 38, sections 1203, 1204, 1205, 1206, 1207, 1207-A, 1208 and 1208-A. Any notice of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Winthrop Utilities District" in all appropriate locations.

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

Effective June 2, 2011.

## CHAPTER 13

## H.P. 226 - L.D. 278

### An Act To Allow the Towns of Mapleton, Castle Hill and Chapman To Adopt a Policy To Simplify the Municipal Disbursement Warrant Process

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

**Sec. 1. P&SL 2005, c. 31, §1** is amended by adding at the end a new paragraph to read:

Notwithstanding the Maine Revised Statutes, Title 30-A, section 5603, the municipal officers in each town may adopt a written policy to permit the disbursement of money when a disbursement warrant has been signed by one or more designated municipal officers representing each town. A facsimile signature of the municipal officers may be used. The policy must be filed with the town clerk and municipal treasurer in each town and renewed annually by a vote of the municipal officers in each town.

See title page for effective date.

## CHAPTER 14

## S.P. 499 - L.D. 1561

### An Act To Create the Nickerson Lake Sewer District

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

**Whereas,** in order to protect the water quality of Nickerson Lake, a sewer district must be immediately established; 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. Territorial limits; corporate name; purpose.** The territory of the Town of New Limerick and the Town of Linneus described as follows: Beginning at a point on the north shore of Nickerson Lake and the southeast corner of Lot 30 of the Town of New Limerick tax map #13, latitude 46° 5' 46.45" N, longitude 67° 54' 48.99" W, presently owned by Travis Kearney; thence at a bearing of 51 degrees to a point on the southwest line of Lot 4 of the Town of New Limerick tax map #6, latitude 46° 5' 48.22" N, longitude 67° 54' 45.68" W, presently owned by Richard Mitchell; thence along the southwest and south property lines of said Mitchell property to the intersection of the Crescent Park Road and Aspen Lane, latitude 46° 5' 42.35" N, longitude 67° 54' 33.18" W; thence along the centerline of Aspen Lane to the point at which it crosses the outflow of Nickerson Lake, latitude 46° 5' 26.48" N, longitude 67° 54' 27.37" W; thence along the centerline of said outflow to the east shore of Nickerson Lake in the Town of Linneus; thence along the north shore of Nickerson Lake to the point of beginning; and its inhabitants constitute a body politic and corporate under the name of Nickerson Lake Sewer District, referred to in this Act as "the district," for the purpose of providing wastewater treatment services, including subsurface wastewater collection, treatment and disposal services.

**Sec. 2. Powers as sewer district.** The district may construct, manage, operate and maintain wastewater treatment facilities, including one or more subsurface disposal systems. It may contract for necessary and appropriate services, including, but not limited to, pumping, treating and disposal services, and do any or all other things necessary or incidental to accomplish the purposes of this Act.

Except as otherwise expressly provided in this Act, the district, for the purposes of supplying the Town of Linneus and the Town of New Limerick and their inhabitants and others within the territory of the district with sewer services, has all the powers, rights, privileges and authority and is subject to all the requirements and restrictions of a sanitary district formed under the Maine Revised Statutes, Title 38, chapter 11, except that sections 1061, 1062, 1063, 1101, 1101-A, 1102 and 1103; section 1104, subsection 1; and sections 1105, 1106 and 1151-A do not apply to the district and any notice of impending automatic foreclosure issued by the district pursuant to section 1208 must bear the name "Nickerson Lake

Sewer District" in all appropriate locations. The provisions of Title 38, section 1252 apply to the district. Within the territory of the district and in areas outside the territory of the district located within the Town of Linneus or the Town of New Limerick, the district may exercise the powers specified under Title 38, section 1151 and locate one or more septic fields.

**Sec. 3. Trustees.** The board of trustees of the district is composed of 5 trustees. Two trustees are appointed by the municipal officers of the Town of Linneus, one of whom must be a resident of the Town of Linneus and one of whom must be a resident of the district. Two trustees are appointed by the municipal officers of the Town of New Limerick, one of whom must be a resident of the Town of New Limerick and one of whom must be a resident of the district. The 5th trustee must be appointed by the municipal officers of the Town of Linneus and the Town of New Limerick and must be a resident of either town.

A quorum of the board of trustees is 3 trustees and a quorum may conduct the affairs of the district even if there is a vacancy on the board. All trustees serve until their successors are appointed and qualified. A trustee who ceases to qualify for the office of trustee shall vacate the office of trustee.

The trustees shall organize by election from their own members a chair, a vice-chair, a treasurer and a clerk and choose and employ and fix the compensation of such other necessary officers and agents who serve at their pleasure, and the trustees shall adopt a corporate seal. Prior to the election of said officers each trustee must be sworn to the faithful performance of the trustee's duties.

The trustees may from time to time adopt, establish and amend bylaws consistent with the laws of the State, and necessary for their own convenience and the proper management of the affairs of the district and perform any other acts within the powers delegated to them by law.

After the original organizational meeting the trustees shall meet annually at a time determined by their bylaws for the purpose of electing from among their own members a chair, vice-chair, treasurer and clerk to serve until the next annual election and until their successors are elected and qualified. The treasurer shall furnish bond in such sum and with such sureties as the trustees approve, the cost of the bond to be paid by the district. The chair, vice-chair, treasurer and clerk may receive such compensation for serving in these capacities as the trustees determine. This compensation is in addition to the compensation payable to them as trustees. The trustees shall make and publish an annual report including a report of the treasurer.

The trustees receive compensation as recommended by them and approved by majority vote of the municipal officers of both the Town of Linneus and the Town of New Limerick, including compensation for any duties they perform as officers as well as for their duties as trustees. Certification of the vote must be recorded with the Secretary of State and recorded in the bylaws. Their compensation for duties as trustees is on the basis of such specific amount as may be specified in the bylaws, each meeting actually attended and reimbursement for travel and expenses, with the total not to exceed such specific amount as may be specified in the bylaws.

A member of the board of trustees may not be employed for compensation as an employee or in any other capacity by the district.

**Sec. 4. First board.** The first board of trustees of the district is appointed by the municipal officers of both the Town of Linneus and the Town of New Limerick. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410, subsection 4.

**Sec. 5. Terms of trustees; vacancies.** After the appointment of the first board of trustees of the district, trustees are appointed to 3-year terms. Vacancies must be filled by municipal appointment for 3-year terms.

**Sec. 6. Town responsibility.** Except for the appointment of the first board of trustees and the initial referendum, the Town of Linneus and the Town of New Limerick are not responsible for any acts of the district.

**Sec. 7. Emergency clause; referendum; effective date.** This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the territory described in section 1 of this Act at a referendum called for that purpose and held after July 1, 2011 but within 2 years after the effective date of this Act. The referendum must be called by the municipal officers of the respective towns and must be held at the regular voting places. The referendum must be called, advertised and conducted according to the law relating to municipal elections. The registrars shall make a complete list of all the eligible voters of the proposed district as described in this Act. The list prepared by the registrars governs the eligibility of a voter. For the purpose of registration of voters, the registrars of voters must be in session the regular workday preceding the referendum. The subject matter of this Act is reduced to the following question:

"Do you favor creating the Nickerson Lake Sewer District?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Linneus and the Town of New

Limerick and due certificate of the results filed by the clerks with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters of each town voting at the referendum. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section as long as the referenda are held within 2 years after the effective date of this Act.

Effective pending referendum.

## CHAPTER 15

## S.P. 283 - L.D. 895

### An Act To Allow the City of Bangor To Replace the Bangor Auditorium and Civic Center at the Bass Park Complex

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

**Sec. 1. Certain debt of City of Bangor not subject to limitations on municipal debt.** Notwithstanding any other provision of law, any bonded indebtedness incurred by the City of Bangor and financed in whole or in part by the proceeds from a tax increment financing district in order to fund a replacement building or structure for the existing Bangor Auditorium and Civic Center is not subject to the limitations on municipal debt contained in the Maine Revised Statutes, Title 30-A, section 5702.

**Sec. 2. Certain debt of City of Bangor excluded from aggregate value of debt in Penobscot County.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5223, subsection 3, paragraph D, any bonded indebtedness incurred by the City of Bangor and financed in whole or in part by the proceeds from a tax increment financing district in order to fund a replacement building or structure for the existing Bangor Auditorium and Civic Center is excluded from the aggregate value of municipal general obligation indebtedness within Penobscot County.

**Sec. 3. Time limit for construction does not apply.** Notwithstanding any other provision of law, the 5-year time limit set forth in the Maine Revised Statutes, Title 30-A, section 5223, subsection 3, paragraph D, subparagraph (2) does not apply to the acquisition, construction and installment of all real and personal property improvements, buildings, structures, fixtures and equipment needed to replace the existing Bangor Auditorium and Civic Center, regardless of whether the improvements are financed through bonded indebtedness incurred by the City of Bangor and financed in whole or in part by the proceeds from a tax increment financing district.

**Sec. 4. Bonds may mature within 30 years from date of issue.** Notwithstanding the bond financing provisions contained in the Maine Revised Statutes, Title 30-A, section 5231, with respect to any bonded indebtedness incurred by the City of Bangor and financed in whole or in part by the proceeds from a tax increment financing district in order to fund a replacement building or structure for the Bangor Auditorium and Civic Center, the City of Bangor may authorize, issue and sell such bonds, including, but not limited to, general obligation or revenue bonds or notes, that mature within 30 years from the date of issue.

See title page for effective date.

## CHAPTER 16

## H.P. 573 - L.D. 766

### An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2012

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

**Sec. 1. Allocation.** Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 2012 must be segregated, apportioned and disbursed as designated in the following schedule.

| MAINE TURNPIKE AUTHORITY | 2012 |
|---|---|
| **Administration** | |
| Personal Services | $1,281,712 |
| All Other | 1,627,493 |
| TOTAL | $2,909,205 |
| **Accounts and Controls** | |
| Personal Services | $2,970,705 |
| All Other | 1,349,190 |
| TOTAL | $4,319,895 |
| **Highway Maintenance** | |
| Personal Services | $4,633,431 |

| | |
|---|---|
| All Other | 3,210,534 |
| TOTAL | $7,843,965 |
| **Equipment Maintenance** | |
| Personal Services | $1,180,929 |
| All Other | 1,857,919 |
| TOTAL | $3,038,848 |
| **Fare Collection** | |
| Personal Services | $10,932,716 |
| All Other | 4,743,236 |
| TOTAL | $15,675,952 |
| **Public Safety and Special Services** | |
| Personal Services | $502,105 |
| All Other | 6,286,555 |
| TOTAL | $6,788,660 |
| **Building Maintenance** | |
| Personal Services | $623,488 |
| All Other | 674,896 |
| TOTAL | $1,298,384 |
| Subtotal of Line Items Budgeted | $41,874,909 |
| General Contingency - 5% of line items budgeted for 2012 (10% allowed) | 2,093,745 |
| **MAINE TURNPIKE AUTHORITY** | |
| **TOTAL REVENUE FUNDS** | $43,968,654 |

**Sec. 2. Transfer of allocations.** Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

**Sec. 3. Encumbered balance at year-end.** At the end of each calendar year, encumbered balances may be carried to the next calendar year.

**Sec. 4. Supplemental information.** As required by the Maine Revised Statutes, Title 23, section 1961, subsection 6, the following statement of the revenues in 2012 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2012, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

| **Turnpike Revenue Bond Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsections 1 and 2** | **2012** |
|---|---|
| Debt Service Fund | $33,315,738 |
| Reserve Maintenance Fund | 30,000,000 |
| General Reserve Fund, to be applied as follows: | |
| Capital Improvements | 4,730,691 |

| | |
|---|---|
| Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A | 2,463,250 |
| TOTAL | $70,509,679 |

See title page for effective date.

## CHAPTER 17

## H.P. 413 - L.D. 530

### An Act To Allow Alternative Delivery Methods for Locally Funded School Construction Projects

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

**Sec. 1. P&SL 1999, c. 79, §9-B** is enacted to read:

**Sec. 9-B. Additional eligible projects with contracts dated before October 1, 2016.** After October 1, 2011, no more than 10 projects may be approved under the provisions of this section. A school administrative unit seeking to use an alternative delivery method for a school construction project subject to approval under section 11 of this Act may employ any one of the following methods in undertaking a school construction project that is locally funded, has a minimum total project cost of $2,500,000 and has an executed contract between the school administrative unit and the project designer dated prior to October 1, 2016:

1. The construction-manager-advisor method;

2. The design-build method; and

3. The construction-manager-at-risk method.

See title page for effective date.

## CHAPTER 18

## H.P. 627 - L.D. 830

### An Act To Provide for the 2011 and 2012 Allocations of the State Ceiling on Private Activity Bonds

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

**Sec. 1. Allocation to the Treasurer of State.** The $5,000,000 of the state ceiling on private activity bonds for calendar year 2011 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2011. Five million dollars of the state ceiling for calendar year 2012 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

**Sec. 2. Allocation to the Finance Authority of Maine.** The state ceiling on private activity bonds allocated to the Finance Authority of Maine is as follows.

1. The $40,000,000 of the state ceiling for calendar year 2011 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2011. Forty million dollars of the state ceiling for calendar year 2012 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

2. None of the $40,000,000 of the state ceiling for calendar year 2011 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine, which is the entity designated pursuant to Title 20-A, section 11407, for use or reallocation in accordance with Title 10, section 363, subsection 8-A.

**Sec. 3. Allocation to the Maine Municipal Bond Bank.** The $10,000,000 of the state ceiling on private activity bonds for calendar year 2011 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2011. Ten million dollars of the state ceiling for calendar year 2012 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

**Sec. 4. Allocation to the Maine Educational Loan Authority.** The $20,000,000 of the state ceiling on private activity bonds for calendar year 2011 previously allocated to the Maine Educational Loan Authority remains allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2011. Twenty million dollars of the state ceiling for calendar year 2012 is allocated to the Maine Educational Loan

Authority to be used or reallocated in accordance with Title 10, section 363, subsection 8.

**Sec. 5. Allocation to the Maine State Housing Authority.** The $40,000,000 of the state ceiling on private activity bonds for calendar year 2011 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2011. Zero dollars of the state ceiling for calendar year 2012 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

**Sec. 6. Unallocated state ceiling.** One hundred sixty-two million eight hundred twenty thousand dollars of the state ceiling on private activity bonds for calendar year 2011 is unallocated and must be reserved for future allocation in accordance with applicable laws. Two hundred two million eight hundred twenty thousand dollars of the state ceiling for calendar year 2012 is unallocated and must be reserved for future allocation in accordance with applicable laws.

See title page for effective date.

**RESOLVES OF THE STATE OF MAINE**
**AS PASSED AT**
**THE FIRST REGULAR SESSION OF THE**
**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**
**2011**

## CHAPTER 1

**H.P. 16 - L.D. 24**

### Resolve, To Name Part of Route 2 in the Town of Lincoln and the Town of Winn the Master Sergeant Gary Gordon Highway

**Sec. 1. Master Sergeant Gary Gordon Highway. Resolved:** That the part of Route 2 from Frost Street in the Town of Lincoln to the East Winn Road in the Town of Winn be named the Master Sergeant Gary Gordon Highway.

See title page for effective date.

## CHAPTER 2

**H.P. 29 - L.D. 36**

### Resolve, To Deauthorize the Naming of the Bridge over Pattagumpus Stream

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

**Whereas,** Resolve 2009, chapter 160 gave the Department of Transportation the authority to designate the new bridge over Pattagumpus Stream in the Town of Medway; and

**Whereas,** the wrong bridge was named in the resolve; and

**Whereas,** it is imperative that the directive to the Department of Transportation be revoked as soon as possible; 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

**Sec. 1. Resolve 2009, c. 160, repealed. Resolved:** That Resolve 2009, c. 160 is repealed.

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

Effective March 1, 2011.

## CHAPTER 3

**H.P. 18 - L.D. 26**

### Resolve, To Name a Bridge over the Kennebec River between the Town of Benton and the Town of Fairfield the Brian L. Buker/Frank W. Haskell Medal of Honor Bridge

**Sec. 1. Bridge named. Resolved:** That the Department of Transportation shall designate Bridge 3106 over the Kennebec River between the Town of Benton and the Town of Fairfield the Brian L. Buker/Frank W. Haskell Medal of Honor Bridge.

See title page for effective date.

## CHAPTER 4

**H.P. 7 - L.D. 15**

### Resolve, Regarding Legislative Review of Chapter 285: Adjustment of Non-bank Mortgage Lending Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 285: Adjustment of Non-bank Mortgage Lending Fees, a provisionally adopted major substantive rule of the Department of Professional and Financial Regulation that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 21, 2011.

## CHAPTER 5
## H.P. 6 - L.D. 14

### Resolve, Regarding Legislative Review of the Final Repeal of Chapter 270: Adjustment of Volume Fees, a Major Substantive Rule of the Department of Professional and Financial Regulation

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted, amended, suspended or repealed by the agency; and

**Whereas,** the repeal of the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final repeal of the rule; 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

**Sec. 1. Repeal. Resolved:** That final repeal of Chapter 270: Adjustment of Volume Fees, a provisionally repealed major substantive rule of the Department of Professional and Financial Regulation that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 24, 2011.

## CHAPTER 6
## H.P. 4 - L.D. 12

### Resolve, Regarding Legislative Review of Portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a Major Substantive Rule of the Department of Education

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 25, 2011.

## CHAPTER 7

## H.P. 167 - L.D. 190

### Resolve, Regarding Legislative Review of Chapter 2-C: Voluntary Municipal Farm Support Program, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 2-C: Voluntary Municipal Farm Support Program, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 25, 2011.

## CHAPTER 8

## S.P. 134 - L.D. 430

### Resolve, To Name the Maine Fire Training and Education Program at Southern Maine Community College the Maine Fire Service Institute

**Sec. 1. Maine Fire Service Institution. Resolved:** That Southern Maine Community College shall name its fire training and education program the Maine Fire Service Institute.

See title page for effective date.

## CHAPTER 9

## S.P. 107 - L.D. 394

### Resolve, Directing the Conveyance of Conservation Land in Rockport

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** the Department of Conservation jointly with the Land for Maine's Future Board enforces terms and conditions according to which certain other cooperating entities as defined in the Maine Revised Statutes, Title 5, section 6201 that acquire land with funding from the Land for Maine's Future Fund may sell or exchange lands or change the use of the land only with the approval of the Legislature by 2/3 of all members elected to each House in accordance with Title 5, section 6209; now, therefore, be it

**Sec. 1. Land for Maine's Future Board and Director of Bureau of Parks and Lands authorized, but not directed, to allow Coastal Mountains Land Trust to convey certain interests in land in the Town of Rockport, in Knox County. Resolved:** That the Land for Maine's Future Board as established by the Maine Revised Statutes, Title 5, section 12004-G, subsection 29 and the Director of the Bureau of Parks and Lands within the Department of Conservation may authorize Coastal Mountains Land Trust to convey by quitclaim deed portions of certain interests in the Brown tract in the Ragged Mountain Preserve located in the Town of Rockport in Knox County, further described in the Knox County Registry of Deeds in Book 3657, Pages 63 to 67 and acquired with funding from the Land for Maine's Future Fund as established by Title 5, section 6203.

A condition of this conveyance is that the land be conveyed in exchange for a parcel of greater acreage and greater conservation value, according to the terms of the project agreement between the Bureau of Parks and Lands and Coastal Mountains Land Trust recorded at the Knox County Registry of Deeds in Book 3738, Page 73.

See title page for effective date.

## CHAPTER 10

## H.P. 5 - L.D. 13

### Resolve, Regarding Legislative Review of Portions of Chapter 316: Long-Term Contracting and Resource Adequacy, a Major Substantive Rule of the Public Utilities Commission

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 316: Long-Term Contracting and Resource Adequacy, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized, but only if the rule is amended as follows:

1. Section 6(D) is amended to clarify that contracts may include renewable energy credits and that payments will be made only after contracted amounts of capacity, related energy or renewable energy credits have been provided; and

2. Section 6(D) is further amended to include the exceptions relating to contract payments in Title 35-A, section 3210-C, subsection 9, paragraphs A and B.

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

Effective March 31, 2011.

## CHAPTER 11

## H.P. 218 - L.D. 265

### Resolve, To Study New and Used Motor Vehicle Dealer Licensing Requirements

**Sec. 1. Secretary of State to convene a working group; licensing requirements for motor vehicle dealers. Resolved:** That the Department of the Secretary of State, Bureau of Motor Vehicles shall convene a working group to study licensing requirements for new and used motor vehicle dealers. The Secretary of State shall invite the participation of new and used motor vehicle dealers, including, but not limited to, representatives from the Maine Automobile Dealers Association and the Maine Auto Recyclers Association.

The working group shall examine licensing requirements for motor vehicle dealers in:

1. The Maine Revised Statutes, Title 29-A, chapter 9, particularly motor vehicle dealer facility requirements in Title 29-A, section 952; and

2. The Bureau of Motor Vehicles Rule Chapter 103; and be it further

**Sec. 2. Report. Resolved:** That the Secretary of State shall submit a report based on the findings under section 1 to the Joint Standing Committee on Transportation no later than January 15, 2012. The report must include an analysis of state law and corresponding department rules with recommended legislation to update licensing requirements for motor vehicle dealers. After reviewing the report, the committee may submit a bill to the Second Regular Session of the 125th Legislature concerning the requirements for licensing motor vehicle dealers.

See title page for effective date.

## CHAPTER 12

## S.P. 177 - L.D. 594

### Resolve, To Enhance Economic Development in the City of Eastport by Facilitating the Ability of the City of Eastport To Transfer Ownership of Property

**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 City of Eastport has determined that the city no longer needs the property known as "the Boat School Property"; and

**Whereas,** the City of Eastport is no longer financially able to continue to support the extensive operating costs of the Boat School Property; and

**Whereas,** the City of Eastport has determined that the sale of the Boat School Property is in the best interest of the city; 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

**Sec. 1. Resolve 2007, c. 116, §1, amended. Resolved:** That Resolve 2007, c. 116, §1 is amended to read:

**Sec. 1. Property interests to be conveyed. Resolved:** That the Maine Community College System shall transfer, as is, to the City of Eastport, with no representations or warranties, by release, quitclaim deed without covenant 3 parcels of land, together with the buildings located on the parcels of land, described in Governor's Deed to Maine Technical College System dated November 19, 2002 and recorded in Book 2693, Page 074 of the Washington County Registry of Deeds as "EASTPORT Parcel One, Parcel Two and Parcel Three" at Pages 076 to 079, together with any and all interests in and easements and restrictions currently on the parcels of land, if any, except that the Maine Community College System shall reserve easements that permit Washington County Community College to access and use without charge until September 1, 2008 all land and buildings currently used by the college to deliver marine trades education and in perpetuity the contiguous waterfront, ramps, piers, docks and floats, together with all related rights of automobile parking and college boat docking, hauling and storage. ~~The City of Eastport may not transfer ownership of the property conveyed to it pursuant to this resolve without the consent of the Legislature.~~

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

Effective March 31, 2011.

## CHAPTER 13

## H.P. 252 - L.D. 310

### Resolve, Regarding Legislative Review of Portions of Chapter 232: Well Drillers and Pump Installers Rules, a Major Substantive Rule of the Maine Water Well Commission

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 232: Well Drillers and Pump Installers Rules, a provisionally adopted major substantive rule of the Maine Water Well Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 31, 2011.

## CHAPTER 14

## S.P. 59 - L.D. 209

### Resolve, To Establish a Stakeholder Group To Review the Maine State Grant Program

**Sec. 1. Stakeholder group to review Maine State Grant Program. Resolved:** That the Finance Authority of Maine, referred to in this resolve as "the authority," shall establish a stakeholder group, through a partnership with other appropriate entities, to work together to review the Maine State Grant Program, established in the Maine Revised Statutes, Title 20-A, section 11612 and referred to in this resolve as "the program"; and be it further

**Sec. 2. Participants. Resolved:** That the authority shall invite the following to participate in the stakeholder group:

1. The Commissioner of Education or the commissioner's designee;

2. The Chancellor of the University of Maine System or the chancellor's designee;

3. The President of the Maine Community College System or the president's designee;

4. A representative of Maine's private, nonprofit higher education institutions;

5. A Maine college or university student;

6. A representative of the Maine Compact for Higher Education;

7. A representative of the Maine Association of Student Financial Aid Administrators;

8. A representative of the Senator George J. Mitchell Scholarship Research Institute; and

9. Other interested parties at the discretion of the authority; and be it further

**Sec. 3. Duties. Resolved:** That the review must include, but is not limited to, the following:

1. A review of the history and efficacy of the program and any necessary changes;

2. Ideas to enhance the program in light of current and future higher education trends and needs;

3. Options to increase funding for the program in the face of increased higher education costs and declining state funding; and

4. Current and future grant and financial aid needs of Maine students and families; and be it further

**Sec. 4. Report. Resolved:** That, by December 1, 2011, the authority shall submit a written report of the findings of the review under this resolve and any recommendations resulting from the review to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee may introduce a bill during the Second Regular Session of the 125th Legislature to implement the recommendations on matters relating to the review.

See title page for effective date.

## CHAPTER 15

## H.P. 204 - L.D. 251

### Resolve, To Establish the Wilderness Rescue Task Force

**Sec. 1. Wilderness Rescue Task Force. Resolved:** That the Department of Inland Fisheries and Wildlife shall establish the Wilderness Rescue Task Force to study the necessity and feasibility of establishing first aid stations and helicopter landing areas in remote locations where access and first aid supplies may not be readily available to search and rescue personnel; and be it further

**Sec. 2. Wilderness Rescue Task Force members. Resolved:** That the Department of Inland Fisheries and Wildlife shall seek members to serve on the Wilderness Rescue Task Force that represent the Maine Forest Products Council, the Maine Hospital Association, LifeFlight of Maine and any other entity the department determines is necessary for the purposes of this resolve; and be it further

**Sec. 3. Reporting date established. Resolved:** That the Department of Inland Fisheries and Wildlife shall report the findings and recommendations of the Wilderness Rescue Task Force, including proposed legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2012.

See title page for effective date.

## CHAPTER 16

## H.P. 458 - L.D. 628

### Resolve, To Stagger the Terms of Members of the Maine Arborist Advisory Council

**Sec. 1. Staggered terms for members of Maine Arborist Advisory Council. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 7, section 2191, subsection 1, the terms of 4 members of the Maine Arborist Advisory Council described in Title 7, section 2191 that are due to expire in 2012 are extended on a one-time basis. The terms of 2 members, one representing an electrical transmis-

sion company and one representing a municipality, are extended for one additional year, and the terms of 2 members, one representing the governing council of a statewide professional organization for licensed arborists and one representing the public, are extended for 2 additional years.

See title page for effective date.

## CHAPTER 17

## H.P. 65 - L.D. 77

### Resolve, Directing the Department of Education To Create a Resource Guide to Maine History Developed in Cooperation with Franco-American Specialists

**Sec. 1. Department of Education to create a resource guide to Maine history developed in cooperation with Franco-American specialists. Resolved:** That the Department of Education is directed to create, within existing resources, a resource guide to Maine history in cooperation with volunteer Franco-American specialists from the University of Maine System and from the Franco-American community; and be it further

**Sec. 2. Report. Resolved:** That the Department of Education periodically shall update the Joint Standing Committee on Education and Cultural Affairs of the 125th Legislature on the number of hours dedicated by the department to the creation of the resource guide under section 1 and supply the committee with a copy of the final resource guide.

See title page for effective date.

## CHAPTER 18

## H.P. 78 - L.D. 92

### Resolve, To Dedicate the Haystack Mountain Summit Trail to the Memory of Dustin J. Libby

**Sec. 1. Dedication of Haystack Mountain Summit Trail. Resolved:** That the Department of Conservation, Bureau of Parks and Lands shall place a sign at the trailhead of the public hiking trail leading to the summit of Haystack Mountain in the Town of Castle Hill in Aroostook County dedicating the trail to the memory of the late Corporal Dustin J. Libby, United States Marine Corps. The bureau shall install a memorial bench at the summit of Haystack Mountain in honor of Corporal Libby. Upon the bench must be affixed a plaque, the wording on which must be agreed to by the bureau and the family of Corporal Libby.

See title page for effective date.

## CHAPTER 19

## H.P. 184 - L.D. 231

### Resolve, Directing the Commission on Governmental Ethics and Election Practices To Adopt Routine Technical Rules Governing the Maine Clean Election Act and Equipment Repurchase

**Sec. 1. Commission on Governmental Ethics and Election Practices to adopt rules. Resolved:** That the Commission on Governmental Ethics and Election Practices shall adopt rules governing the Maine Clean Election Act so that equipment that has been purchased for a candidate's campaign using Maine Clean Election Act funds must be sold for at least 75% of the original purchase price if the equipment is sold to the candidate or a member of the candidate's immediate family or campaign staff. Rules adopted in accordance with this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 20

## S.P. 80 - L.D. 271

### Resolve, To Direct the Department of Inland Fisheries and Wildlife To Prepare a Deer Winter Feeding Strategy

**Sec. 1. Deer winter feeding strategy. Resolved:** That the Department of Inland Fisheries and Wildlife shall prepare a comprehensive deer winter feeding strategy, including but not limited to a public outreach program regarding the winter feeding of deer; and be it further

**Sec. 2. Report. Resolved:** That the Department of Inland Fisheries and Wildlife shall report on the deer winter feeding strategy developed pursuant to section 1 and provide its findings, recommendations and any proposed legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 5, 2012.

See title page for effective date.

## CHAPTER 21
## H.P. 87 - L.D. 105

### Resolve, Regarding Legislative Review of Chapter 13: Municipal Service Fee, a Major Substantive Rule of the Department of Health and Human Services

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 13: Municipal Service Fee, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The name of the fee in the rule is changed to the state share of vital records fee from the municipal service fee;

2. The date of each month by which municipalities must remit the state share of vital records fee to the State is changed to the 30th of each month from the 15th; and

3. The portion of the rule allowing the cap on the state share of vital records fees to increase by up to 5% per fiscal year is removed from the rule.

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

Effective April 15, 2011.

## CHAPTER 22
## H.P. 451 - L.D. 593

### Resolve, Regarding Legislative Review of Chapter 3: Eligibility Requirements for Specialized Case Types, a Major Substantive Rule of the Maine Commission on Indigent Legal Services

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 3: Eligibility Requirements for Specialized Case Types, a provisionally adopted major substantive rule of the Maine Commission on Indigent Legal Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 20, 2011.

## CHAPTER 23
## H.P. 376 - L.D. 483

### Resolve, Directing the Maine Turnpike Authority To Place Signs Directing Motorists to Hebron Academy at the Closest Interstate Exits

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

**Whereas,** Hebron Academy is a college preparatory boarding and day school located in the Town of Hebron; and

**Whereas,** Hebron Academy's student body currently represents many different countries and many states throughout the United States; and

**Whereas,** it is important to ensure that directional signs be in place immediately because increased visibility on the Interstate 95 corridor is critical to the ability of the public, as well as those members of the student body who are unfamiliar with the State, to locate Hebron 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

**Sec. 1. Signs placed for Hebron Academy. Resolved:** That the Maine Turnpike Authority, notwithstanding national guidelines relating to directional signs for highways, shall place directional signs on the portion of Interstate 95 designated as the Maine Turnpike at the northbound and southbound exits of the highway that are located closest to Hebron Academy and that Hebron Academy shall assume all costs associated with the directional signs.

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

Effective April 20, 2011.

## CHAPTER 24

## S.P. 67 - L.D. 216

### Resolve, Regarding MaineCare Tobacco Treatment and Smoking Cessation Benefits

**Sec. 1. Best practice and model treatment programs. Resolved:** That the Department of Health and Human Services, through the Partnership for a Tobacco-Free Maine, the Maine Center for Disease Control and Prevention and the Office of MaineCare Services, shall work to address and reduce tobacco use by MaineCare members. The department shall identify best practice measures for reducing the smoking rate of MaineCare members. The department shall determine ways to increase use of the MaineCare tobacco treatment benefit while working within existing resources to fund projects necessary to reach MaineCare members. The department shall submit a written report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its progress under this section by November 30th each year through 2014.

See title page for effective date.

## CHAPTER 25

## H.P. 330 - L.D. 412

### Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 25, 2011.

## CHAPTER 26

## H.P. 206 - L.D. 253

### Resolve, To Establish a Single Construction Permit for Certain Aboveground Oil Storage Tanks in Gravel Pits and Quarries

**Sec. 1. Aboveground oil storage tanks. Resolved:** That the Department of Environmental Protection in consultation with the Office of the State Fire Marshal shall establish a permit-by-rule process for obtaining a single construction permit for aboveground oil storage tanks that are used for the supply of diesel fuel and located in excavations for borrow, clay, top soil or silt and quarries that meets the requirements of the Maine Revised Statutes, Title 25, section 2483 and Title 38, sections 490-D and 490-Z.

See title page for effective date.

## CHAPTER 27

## H.P. 329 - L.D. 411

### Resolve, Regarding Legislative Review of Portions of Chapter 305: Permit by Rule Standards, Section 16, Activities in Coastal Dunes, a Major Substantive Rule of the Department of Environmental Protection

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 305: Permit by Rule Standards, Section 16, Activities in Coastal Dunes, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized if the rule is amended as follows:

1. A definition of "cobble" is added to mean a rock that is smaller than a boulder and larger than gravel;

2. A definition of "cobble-trapping fence" is added to mean an open fence with a continuous porosity equal to or greater than 50% that is designed to prevent cobbles from passing through it;

3. The provision in the provisionally adopted rule allowing a cobble-trapping fence to be in place only between October 1st and April 1st is removed and replaced with a provision allowing a cobble-trapping fence to be in place year-round;

4. A provision is added allowing a cobble-trapping fence only if it is landward of an existing seawall in a developed area; and

5. The requirement in the provisionally adopted rule that a cobble-trapping fence must be placed no more than 15 feet in front of the building is removed.

The Department of Environmental Protection is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.

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

Effective April 26, 2011.

## CHAPTER 28

## S.P. 39 - L.D. 65

### Resolve, To Establish a Working Group of Stakeholders To Review the Current and Future Dementia Training Needs of Long-term Care Providers

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

**Whereas,** there are currently 30,000 individuals in Maine with Alzheimer's disease or a related dementia and the number will grow to over 45,000 by 2025; and

**Whereas,** due to the nature of Alzheimer's disease and related dementias many of these individuals will require long-term care at some point during their illnesses; and

**Whereas,** it is necessary to ensure a well-trained and capable long-term care workforce as soon as possible; 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

**Sec. 1. Working group to review dementia training needs of long-term care providers. Resolved:** That the Department of Health and Human Services shall establish within existing resources a working group of stakeholders to review the current and future dementia training needs of long-term care providers. The working group must include a representative from the department's Office of Elder and Adult Services, a representative of the department's Office of Adult Mental Health Services, a representative of individuals with dementia, a representative of the long-term care ombudsman program created under the Maine Revised Statutes, Title 22, section 5106, a representative of long-term care facilities, a representative of assisted living facilities, a representative of providers of home health care and other interested parties. The working group shall assess the current and future training needs of providers of long-term care and shall make recommendations to the Commissioner of Health and Human Services. The commissioner shall report on the work and recommendations of the working group to the Joint Standing Committee on Health and Human Services by November 30, 2011.

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

Effective April 27, 2011.

## CHAPTER 29

## H.P. 506 - L.D. 679

### Resolve, To Leverage Federal Opportunities for Job Creation in Maine

**Sec. 1. Review by department. Resolved:** That the Department of Economic and Community Development shall review federal initiatives and pending federal legislation that promote the development of new employment, particularly employment in the manufacturing sector. The department shall identify initiatives to be undertaken on a state and local level that have the potential to leverage federal funding, including but not limited to:

1. Enhanced tax increment financing, including providing incentives to municipalities that provide tax increment financing to companies expanding under federal incentives;

2. Enhanced and expedited job training resources; and

3. Other incentives designed specifically to work to augment federal initiatives and leverage federal funding.

The department shall submit a report on its findings, including any necessary proposed legislation, to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 1, 2011.

See title page for effective date.

## CHAPTER 30

## H.P. 302 - L.D. 376

### Resolve, To Complete the Timely and Appropriate Redesign of Shared Living Services for Adults with Intellectual Disabilities and Autism

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

**Whereas,** shared living is an appropriate and cost-effective option for many adults with cognitive and intellectual disabilities and autism; and

**Whereas,** the Department of Health and Human Services began redesign efforts for a shared living program July 1, 2010 and booked savings in this program; and

**Whereas,** the initial redesign has occurred and substantial actions to clarify respective roles of administering agencies, host families and department employees have occurred; and

**Whereas,** portions of the redesign remain unresolved; and

**Whereas,** residential supports for over 450 individuals with intellectual disabilities and autism are critical services that require additional redefinition; 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

**Sec. 1. Redesign. Resolved:** That the Department of Health and Human Services shall continue to work on the redesign of its shared living program that began July 1, 2010 with the stakeholder group that was established by the Commissioner of Health and Human Services. The redesign work must include the following:

1. The development of a tiered reimbursement system for host home providers that is within the limits of existing resources and that reflects the intensity of supports required by the individual, based on an objective needs assessment process;

2. Analysis of the efficacy and appropriateness of host families becoming providers of record under MaineCare rules and refinement and clarification of host families being defined as independent contractors;

3. Amendment of the rules regarding the MaineCare program home-based and community-based waiver to include a clear definition of shared living services; and

4. Review of the handbook and allocation of responsibilities that took effect October 1, 2010 to assess the progress in properly assigning tasks and responsibilities among host home providers, oversight agencies and case managers for the Department of Health and Human Services.

The Department of Health and Human Services shall provide progress reports to the Joint Standing Committee on Health and Human Services on the shared living program redesign by September 1, 2011 and December 15, 2011.

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

Effective May 9, 2011.

## CHAPTER 31

## H.P. 264 - L.D. 331

### Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the commission:

1. Removes all the commission's provisionally adopted changes to Chapter 895: Underground Facility Damage Prevention Requirements;

2. Replaces the definitions of "emergency" and "emergency excavation" in the rule with a definition of "emergency excavation" that is the same as the definition that appears in the Maine Revised Statutes, Title 23, section 3360-A, subsection 1, paragraph B;

3. Modifies the rule to provide that the period after which a Dig Safe System ticket must be renewed is 60 days and that the ticket may be renewed twice;

4. Modifies that part of the rule that governs the enforcement action procedure to change references to

"notice of probable violation" to a more neutral terminology, such as "notice of investigation," and references to "probable violation" to a more neutral terminology, such as "possible violation"; and

5. Removes the part of the current rule designated as Section 4(B)(1)(a) that requires each excavator performing work in an excavation area to notify the Dig Safe System so that the rule is consistent with the Maine Revised Statutes, Title 23, section 3360-A, subsection 3, paragraph F.

The commission is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective May 9, 2011.

## CHAPTER 32

## S.P. 222 - L.D. 732

### Resolve, Directing the Public Utilities Commission To Adopt Rules Affecting Utility Deposits

**Sec. 1. Deposits for new businesses started by owners of existing businesses with good credit histories. Resolved:** That the Public Utilities Commission shall by rule require a transmission and distribution utility to consider a business owner's prior credit history with another transmission and distribution utility when determining whether to require a deposit for service to a new business of that business owner as long as the business owner requests this consideration and provides permission for the other transmission and distribution utility to share the credit history information. The rules must require that the transmission and distribution utility consider the business owner's prior credit history with the other transmission and distribution utility in the same manner it would consider the prior credit history of a business owner located in its own service territory.

Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 33

## S.P. 358 - L.D. 1183

### Resolve, Directing the Maine Community College System To Extinguish Certain Easements

**Sec. 1. Extinguishment of easements. Resolved:** That the Maine Community College System shall take all actions necessary to extinguish easement rights reserved by the Maine Community College System in any property that was conveyed by the Maine Community College System pursuant to Resolve 2007, chapter 116, section 1. Any action taken by the Maine Community College System in accordance with Resolve 2007, chapter 116, section 1 after March 15, 2011 but prior to the effective date of this resolve is retroactively authorized.

See title page for effective date.

## CHAPTER 34

## S.P. 364 - L.D. 1243

### Resolve, To Direct the Bureau of Consumer Credit Protection To Recommend Changes to Credit Reporting Laws Concerning Paid Debts

**Sec. 1. Paid debts and debt collectors. Resolved:** That the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection shall review the credit reporting debt collection laws concerning proper notification by debt collectors to credit reporting agencies when debtors have paid off a debt and the information has not been properly reported. The bureau shall clarify the obligations of debt collectors for reporting credit data to credit agencies and to consumers and recommend standards for fair treatment of consumers; and be it further

**Sec. 2. Reporting to the Legislature. Resolved:** That the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection shall report its findings under section 1, recommendations and suggested legislation to the Joint Standing Committee on Insurance and Financial Services by December 7, 2011. The committee may submit a bill related to the suggested legislation to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 35

## H.P. 420 - L.D. 537

### Resolve, To Design and Implement a Demonstration Project on Recertification of Certified Nursing Assistants

**Sec. 1. Demonstration project on recertification of certified nursing assistants. Resolved:** That the offices within the Department of Health and Human Services concerning elder services and licensing and regulatory services shall work together with licensed home health agencies and nursing facilities to design and implement a demonstration project on certified nursing assistant qualification for continued listing on the Maine Registry of Certified Nursing Assistants beginning January 1, 2012. The demonstration project must provide a mechanism by which a person who is working as an unlicensed assistive person, as defined in the Maine Revised Statutes, Title 22, section 1812-G, subsection 1-A, paragraph C, may work or serve as a trainee in a licensed home health agency or nursing facility under required supervision in order to qualify for certification on the Maine Registry of Certified Nursing Assistants. The department shall report on the results of the demonstration project to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2014.

See title page for effective date.

## CHAPTER 36

## H.P. 338 - L.D. 445

### Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Scents Used in Hunting Deer and Renderings Used in Deer Feed

**Sec. 1. Department of Inland Fisheries and Wildlife to conduct study. Resolved:** That the Department of Inland Fisheries and Wildlife shall study the sale of deer scent lures containing cervid urine and the sale of deer feed containing animal renderings and the implications that the sale and use of these products have for the spread of chronic wasting disease. The department shall report its findings, including any suggested legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife no later than December 7, 2011. The Joint Standing Committee on Inland Fisheries and Wildlife may report out legislation on the subject matter of the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 37

## H.P. 910 - L.D. 1219

### Resolve, To Require the Department of Transportation To Designate the Park Street Bridge in the Town of Presque Isle the Gold Star Memorial Bridge

**Sec. 1. Department of Transportation to designate bridge in the Town of Presque Isle. Resolved:** That the Department of Transportation shall designate the bridge on Park Street in the Town of Presque Isle that crosses Presque Isle Stream the Gold Star Memorial Bridge in honor of those members of the Armed Forces of the United States who lost their lives in the performance of their duties.

See title page for effective date.

## CHAPTER 38

## H.P. 882 - L.D. 1191

### Resolve, To Encourage Business Development by Creating Limits on the Time Certain Utilities May Hold a Business Customer's Deposit

**Sec. 1. Rules on business customers' deposits. Resolved:** That the Public Utilities Commission shall amend its rule, Chapter 815: Consumer Protection Standards For Electric And Gas Transmission And Distribution Utilities, to require that deposits paid by small businesses with impeccable bill-paying histories be returned to those businesses after a reasonable time period. The commission may consider establishing different rules for different-sized utilities to account for differences in the risk to other ratepayers associated with defaults by businesses. The commission may consider basing eligibility for return of a deposit on the size of the deposit that was required of the business, such as a business whose deposit was less than $10,000. The commission shall establish a reasonable time period, such as 5 years, before a business is eligible for a return of the deposit. Rules adopted pursuant to this section are major substantive rules pursuant to the Maine Revised Statutes, Title 5,

chapter 375, subchapter 2-A and must be provisionally adopted by January 15, 2012.

See title page for effective date.

## CHAPTER 39

## H.P. 88 - L.D. 106

### Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in Section II to clarify that the definition of "adverse effect/adversely affects" means to have a negative impact that is more than a minor or transient hindrance;

2. The rule must be amended in Section VI in the part concerning an abbreviated school day to require that the Individualized Education Program Team must convene every 20 school days if a child with a disability does not return to a full-time school day within 45 calendar days after the Individualized Education Program Team initially determined that an abbreviated school day is appropriate and necessary for the child;

3. The rule must be amended in Section VII in the part concerning multiple disabilities by deleting the procedural step that requires the Individualized Education Program Team to make a determination that the concomitant disabilities adversely affect the child's educational performance;

4. The rule must be amended in Section VII in the part concerning the procedure for determination of adverse effect on educational performance by deleting "specific learning disability" from the list of disability eligibility categories that require this procedural step;

5. The rule must be amended in Section VIII to correct a cross-reference to the definition of "3-5 (Three to under age 6)," which has been renumbered as part 39, and the table of contents for the rule must also be amended to correct the inadvertent deletion of this part of the definition section; and

6. The rule must be amended in Section X in the part concerning tutorial instruction by deleting the provision that specifies that the Individualized Education Program Team determines who will provide the tutorial instruction to a child with a disability.

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

Effective May 19, 2011.

## CHAPTER 40

## H.P. 287 - L.D. 361

### Resolve, To Evaluate the Energy Use of the State House and the Burton M. Cross State Office Building

**Sec. 1. Funds for energy efficiency. Resolved:** That the Efficiency Maine Trust established in the Maine Revised Statutes, Title 35-A, section 10103 shall devote $200,000 for the completion of an energy audit and the implementation of cost-effective energy efficiency measures in accordance with this resolve. To the extent possible, the funds must come from funding sources that permit the use of the funds to reduce consumption of fossil fuels as well as electricity consumption; and be it further

**Sec. 2. Energy audit of State House and Burton M. Cross State Office Building. Resolved:** That the Efficiency Maine Trust shall conduct or contract for the energy audit under section 1 of the State House and the Burton M. Cross State Office Building. The Efficiency Maine Trust shall collaborate with the chair of the State House and Capitol Park

Commission, the Executive Director of the Legislative Council and the Director of the Bureau of General Services within the Department of Administrative and Financial Services in order to ensure that the energy audit produces cost-effective energy efficiency recommendations that are consistent with the National Register of Historic Places designation of the State House; and be it further

**Sec. 3. Report and implementation. Resolved:** That the Efficiency Maine Trust shall report the results and recommendations from the energy audit under section 1 to the Director of the Bureau of General Services within the Department of Administrative and Financial Services and the Executive Director of the Legislative Council no later than December 7, 2011. The energy audit must rank the recommendations according to their cost-effectiveness. At the joint request of the Executive Director of the Legislative Council and the Director of the Bureau of General Services, the Efficiency Maine Trust shall provide available funds allocated pursuant to section 1 that were not used for the cost of the energy audit to implement cost-effective energy efficiency measures recommended in the energy audit.

See title page for effective date.

## CHAPTER 41

## H.P. 397 - L.D. 504

### Resolve, Directing the Department of Public Safety, Division of Liquor Licensing and Compliance To Amend Its Rules Governing the Return of Spirits by Consumers

**Sec. 1. Department of Public Safety's division of liquor licensing and compliance to amend rules. Resolved:** That, no later than January 1, 2012, the Department of Public Safety's division of liquor licensing and compliance shall amend its rules regarding the return of spirits by a consumer. The rules must provide that an agency liquor store may permit the return of a bottle of spirits from a consumer if the bottle has not been opened or tampered with and is accompanied by a sales receipt that shows the bottle of spirits was purchased within the last 10 days from that agency liquor store. Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 42

## H.P. 708 - L.D. 964

### Resolve, Requiring the Department of Education To Amend Its Rules To Prohibit School Administrative Units from Imposing Unreasonable Restrictions That Impede the Ability of Parents and Evaluators To Observe Students

**Sec. 1. Unrestricted educational observations by qualified examiners; rules. Resolved:** That the Department of Education shall amend its rules in Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty to permit a qualified examiner to observe a child at school or at a potential educational placement when the qualified examiner is not employed by the school and is conducting an independent educational evaluation at the request of the parent, at times and durations as the school would permit a qualified examiner that is employed by the school; and be it further

**Sec. 2. Provisional adoption of rules. Resolved:** That the Department of Education shall provisionally adopt the amendments required under section 1 no later than December 1, 2011.

See title page for effective date.

## CHAPTER 43

## H.P. 157 - L.D. 180

### Resolve, To Change Rules Concerning Landfill Gas and Odor Management from Routine Technical Rules to Major Substantive Rules

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

**Whereas,** rulemaking relating to the management of landfill gas and odor at solid waste facilities is currently in progress and could be complete before this legislation goes into effect unless this legislation is enacted as an emergency; and

**Whereas,** the scope of those rules is greater than expected when the effort was initiated in 2008, particularly with respect to the management of odors and landfill gas; and

**Whereas,** the increased scope of the rulemaking will cause a significant financial impact to publicly and privately owned solid waste incinerators, landfills, transfer stations, composting facilities and processing facilities, as well as the industries, businesses and municipalities directly reliant on such solid waste facilities; 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

**Sec. 1. Resolve 2007, c. 170, §1, amended. Resolved:** That Resolve 2007, c. 170, §1 is amended to read:

**Sec. 1. Landfill gas and odor management rules. Resolved:** That the Department of Environmental Protection, Board of Environmental Protection shall adopt rules concerning landfill gas and odor management that incorporate quantitative standards that can be used to measure compliance. Rules adopted pursuant to this section are ~~routine technical~~ major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. By ~~January~~ March 15, ~~2009~~ 2012, the Department of Environmental Protection shall submit a report on the status of the rules to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

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

Effective May 23, 2011.

## CHAPTER 44

## H.P. 266 - L.D. 333

### Resolve, Directing the Department of Environmental Protection To Evaluate and Amend Its Rules Regarding Snow Dumps

**Sec. 1. Snow dumps rules. Resolved:** That the Department of Environmental Protection shall review its rules established pursuant to the Maine Revised Statutes, Title 38, section 413, subsection 2-B regarding snow dumps. In its review, the department shall evaluate:

1. Provisions in the rules that require certain municipalities to obtain a waste discharge license for offsite storage or disposal of snow;

2. The State's obligations under the Federal Water Pollution Control Act and the State's interest in retaining its delegated authority to grant permits under the Federal Water Pollution Control Act;

3. How the rules may be amended to expedite the licensing process for municipalities that cannot be exempted from the waste discharge licensing requirement. The department shall consider establishing a general permit process or a permit by rule process for snow dumps; and

4. Licensing fees for municipalities; and be it further

**Sec. 2. Amend rules. Resolved:** That, after the review undertaken pursuant to section 1 of this resolve, the Department of Environmental Protection shall amend its rules regarding snow dumps so the rules do not conflict with the Federal Water Pollution Control Act. Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 45

## H.P. 301 - L.D. 375

### Resolve, Directing the Commissioner of Professional and Financial Regulation To Convene a Working Group To Review the Laws and Rules Governing Boilers

**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 laws and rules governing the periodic inspections of boilers are critical to protecting Maine citizens from the danger of boilers failing and exploding; and

**Whereas,** the lack of uniformity in the State's regulation and inspection of boilers within public places should be reviewed to determine how to improve safety standards and the overall process for inspection of boilers throughout the State; and

**Whereas,** this resolve requires that a working group be convened in time for a report to be submitted to the Second Regular Session of the 125th Legislature; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commissioner of Professional and Financial Regulation to convene a working group to review the laws and rules governing boilers. Resolved:** That the Commissioner of Professional and Financial Regulation shall convene a working group with the Board of Boilers and Pressure Vessels as well as other interested parties to review the current lack of uniformity in the laws and rules governing boilers, to develop recommendations to resolve conflicts and improve the regulation of boilers and to consider options for expanding inspections of boilers located in public places; and be it further

**Sec. 2. Reporting date established. Resolved:** That no later than January 15, 2012 the Commissioner of Professional and Financial Regulation shall submit a report of the findings and recommendations of the working group under section 1 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. That committee is authorized to introduce a bill on the subject matter of the report to the Second Regular Session of the 125th Legislature.

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

Effective May 23, 2011.

## CHAPTER 46

## S.P. 266 - L.D. 862

### Resolve, Directing the Department of Environmental Protection To Amend Its Rules Governing the Length of Time Certain Permits Are Valid

**Sec. 1. Department of Environmental Protection to amend rules. Resolved:** That the Department of Environmental Protection shall amend its rules relating to the Natural Resources Protection Act and the laws governing site location of development and storm water to provide that permits issued with respect to these laws are valid for 4 years after they are issued and that a person who holds such a permit has 7 years to complete a project pursuant to such a permit.

See title page for effective date.

## CHAPTER 47

## H.P. 546 - L.D. 715

### Resolve, To Ensure That Maine Teachers and Paraprofessionals Who Work with Children with Autism Spectrum Disorders Are Appropriately and Adequately Prepared

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

**Whereas,** it is vital to ensure children with autism spectrum disorders in our schools achieve the best educational outcomes possible; and

**Whereas,** it is necessary to ensure as soon as practicable that teachers of children with autism spectrum disorders are appropriately and adequately prepared; and

**Whereas,** this legislation provides a means to ensure teachers of children with autism spectrum disorders are appropriately and adequately prepared; 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

**Sec. 1. The State Board of Education and the Department of Education to study teachers and paraprofessionals who work with children with autism spectrum disorders. Resolved:** That the State Board of Education and the Department of Education shall conduct a study to ensure that teachers and paraprofessionals who work with children with autism spectrum disorders are appropriately and adequately prepared. The department shall convene a work group with broad stakeholder representation. The purpose of the work group is to analyze the qualifications of teachers and paraprofessionals who work with children with autism spectrum disorders and to make recommendations that will assist the department in ensuring that the teachers and paraprofessionals are appropriately and adequately prepared. The work group shall:

1. Examine and recommend the minimum level of competencies that regular educators, special educators and paraprofessionals need to provide educational services to students with autism spectrum disorders;

2. Examine and recommend specific standards for paraprofessional supervision, including, but not lim-

ited to, daily progress monitoring, problem solving and philosophy;

3. Examine and recommend strategies for the implementation of a paraprofessional structure, including basic education technician I, II and III standards; and

4. Define a designation for a paraprofessional to be considered appropriately and adequately prepared to provide special education services; and be it further

**Sec. 2. Report. Resolved:** That the work group under section 1 shall submit its recommendations to the State Board of Education and the Department of Education by November 1, 2011. The State Board of Education and the department shall submit a report, including the findings and recommendations from the work group, to the Joint Standing Committee on Education and Cultural Affairs by December 7, 2011, and the Joint Standing Committee on Education and Cultural Affairs is authorized to introduce legislation to the Second Regular Session of the 125th Legislature.

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

Effective May 23, 2011.

## CHAPTER 48
## H.P. 91 - L.D. 109

### Resolve, To Study the Promotion and Expansion of the Maine Maple Sugar Industry

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

**Whereas,** strengthening the branding of Maine maple sugar products has the potential to create value-added jobs in the natural resources sector and expand export markets for Maine maple sugar products; and

**Whereas,** convening a task force of maple sugar producers and other stakeholders is a first step in advancing this goal; and

**Whereas,** the end of the maple sugar production season is an optimal time to bring stakeholders together; 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

**Sec. 1. Task force. Resolved:** That the Commissioner of Agriculture, Food and Rural Resources, referred to in this resolve as "the commissioner," shall convene a task force to study the promotion and expansion of the Maine maple sugar industry. The commissioner shall invite representatives from each of the following to participate in the task force:

1. A statewide association of producers of Maine maple sugar products;

2. A regional association of producers of maple sugar products in southern Maine;

3. An association of producers of maple sugar products in Somerset County;

4. A producer of maple sugar products in Aroostook County;

5. A producer of maple sugar products with more than 5,000 taps;

6. A producer of maple sugar products with 1,000 or fewer taps;

7. A statewide organization of small woodlot owners;

8. A statewide organization representing the forest products industry;

9. The University of Maine Cooperative Extension; and

10. A statewide farming association with a committee actively involved with maple sugar production; and be it further

**Sec. 2. Chair; convening of initial meeting. Resolved:** That the commissioner shall designate a person to serve as chair of the task force and shall convene the initial meeting no later than 30 days following the effective date of this resolve; and be it further

**Sec. 3. Duties. Resolved:** That the task force shall examine with reference to the Maine maple sugar industry:

1. The potential for expanding both the harvesting and processing of maple sap for sugar;

2. Obstacles to expanded production;

3. Opportunities for enhancing a Maine maple brand;

4. The potential for expanding value-added processing and the economic impact of expansion;

5. The potential for expanding export marketing and the economic impact of expansion;

6. Structures or network associations that could increase sustainable production;

7. Potential competitive or collaborative opportunities with North America's largest producer, Quebec, Canada; and

8. Investments or actions that could be taken by the State that would produce a tangible economic return.

In conducting its examination, the task force shall review models that have been successfully employed to promote other Maine food product industries, including marine products and agricultural products such as potatoes and blueberries; and be it further

**Sec. 4. Meetings. Resolved:** That the chair, in consultation with the commissioner, shall schedule meetings of the task force as necessary to complete the task force's assigned duties. The commissioner shall notify members of the Joint Standing Committee on Agriculture, Conservation and Forestry and other Legislators with a known interest in the maple sugar industry of all meetings of the task force; and be it further

**Sec. 5. Staffing and funding. Resolved:** That the Department of Agriculture, Food and Rural Resources shall provide staff support to the task force from existing resources. The commissioner may use contributions of money, services and supplies accepted under existing authority to support the work of the task force; and be it further

**Sec. 6. Agency cooperation. Resolved:** That the commissioner, the Commissioner of Conservation, the Commissioner of Economic and Community Development and the Chief Executive Officer of the Finance Authority of Maine shall each designate a representative from their respective agencies to serve as a resource to the task force, respond to information requests and attend task force meetings upon request; and be it further

**Sec. 7. Final report. Resolved:** That, no later than December 7, 2011, the commissioner shall submit a report that includes the findings and recommendations of the task force, including suggested legislation to implement the recommendations, for presentation to Joint Standing Committee on Agriculture, Conservation and Forestry; and be it further

**Sec. 8. Authority to submit legislation. Resolved:** That the Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill pertaining to the Maine maple sugar industry to the Second Regular Session of the 125th Legislature.

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

Effective May 25, 2011.

## CHAPTER 49
## H.P. 20 - L.D. 28

### Resolve, To Improve Access to Employment Opportunities for Persons with Intellectual Disabilities and Autistic Disorders

**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 Department of Health and Human Services amended the MaineCare Benefits Manual to limit the number of persons with intellectual disabilities and autistic disorders who may work at any given work site or location; and

**Whereas,** that amendment took effect July 1, 2010; and

**Whereas,** persons with intellectual disabilities and autistic disorders have been limited as to where they may work since July 1, 2010; and

**Whereas,** it is imperative that this resolve take effect immediately so that persons with intellectual disabilities and autistic disorders may return to work as soon as possible; 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

**Sec. 1. MaineCare Benefits Manual. Resolved:** That, notwithstanding the requirements of the Maine Revised Statutes, Title 5, section 8054 regarding findings of an agency, the Department of Health and Human Services shall amend on an emergency basis the MaineCare Benefits Manual to remove the language that restricts the number of persons with intellectual disabilities and autistic disorders who may work at any given work site or location to 50% of a business's workforce at that work site or location. Following the expiration of the emergency period specified in Title 5, section 8054, subsection 3, the department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement the provisions of this section.

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

Effective May 25, 2011.

## CHAPTER 50

## H.P. 808 - L.D. 1073

### Resolve, To Encourage the Use of Defibrillators in Health Clubs and Gyms

**Sec. 1. Department of Public Safety to work with health clubs and gyms. Resolved:** That the Department of Public Safety shall work with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Maine Cardiovascular Health Program and the American Heart Association's Maine affiliate and request the assistance of emergency medical services around the State to determine where health clubs and gyms are located, whether automated external defibrillators, referred to in this resolve as "AEDs," are installed in those health clubs and gyms and whether health club and gym staff are trained in the use of AEDs. Information relating to the extension of the government discounted price for AEDs to health clubs and gyms to encourage the purchase of AEDs must be included in the work of the Department of Public Safety and must be publicized to health clubs and gyms; and be it further

**Sec. 2. Report. Resolved:** That, by January 1, 2012, the Department of Public Safety shall provide a progress report to the Joint Standing Committee on Health and Human Services regarding the progress made by the department pursuant to section 1.

See title page for effective date.

## CHAPTER 51

## S.P. 226 - L.D. 792

### Resolve, Establishing a Task Force To Examine the Decline in the Number of Nonresident Hunters

**Sec. 1. Task force to examine the decline in the number of nonresident hunters. Resolved:** That the Department of Inland Fisheries and Wildlife, referred to in this resolve as "the department," shall establish a task force to examine the decline in the number of nonresident hunters; and be it further

**Sec. 2. Participants. Resolved:** That the department shall invite the following to participate in the task force under section 1:

1. Three guides and 3 outfitters selected by an organization identified by the department that represents professional guides;

2. One representative of the Maine Tourism Commission selected by the Department of Economic and Community Development;

3. One person from each tourism region selected by the Department of Economic and Community Development, Office of Tourism;

4. One marketing director from the department, selected by the Commissioner of Inland Fisheries and Wildlife;

5. The Director of the Office of Tourism within the Department of Economic and Community Development; and

6. One nonresident sportsman selected by a statewide sportsmen's organization; and be it further

**Sec. 3. Duties. Resolved:** That the task force under section 1 shall:

1. Review the numbers of nonresident hunters over the last 5 years;

2. Review national trends regarding nonresident hunters over the last 5 years; and

3. Develop recommendations to increase the numbers of nonresident hunters in the future; and be it further

**Sec. 4. Report. Resolved:** That, by December 1, 2011, the department shall submit a written report of its findings and any recommendations under this resolve to the Joint Standing Committee on Inland Fisheries and Wildlife.

See title page for effective date.

## CHAPTER 52

## H.P. 1136 - L.D. 1549

### Resolve, To Name the Main Street Bridge in Newport after Sergeant Donald Sidney Skidgel

**Sec. 1. Bridge named. Resolved:** That the Department of Transportation shall rename the Main Street Bridge in the Town of Newport the Donald Sidney Skidgel Memorial Bridge.

See title page for effective date.

## CHAPTER 53
## S.P. 171 - L.D. 579

### Resolve, To Study the Creation of a School of Hospitality and Hotel Management within the University of Maine System

**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 tourism industry is the top industry in the State, employing over 150,000 Maine people; and

**Whereas,** the University of Maine System does not currently offer a hospitality and hotel management baccalaureate degree program at any of the universities within the system; and

**Whereas,** this resolve needs to take effect before the expiration of the 90-day period so that the required reports may be submitted in time; 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

**Sec. 1. Stakeholder group. Resolved:** That the Board of Trustees of the University of Maine System shall convene a stakeholder group to explore the creation of a hospitality and hotel management baccalaureate degree program within the system. The stakeholder group shall include, but is not limited to, representatives of the following:

1. The University of Maine System;

2. The Maine Community College System;

3. The Department of Economic and Community Development, Office of Tourism;

4. The Maine Tourism Association;

5. The Maine Innkeepers Association;

6. The Maine Restaurant Association; and

7. The Maine State Chamber of Commerce; and be it further

**Sec. 2. Review and recommendations. Resolved:** That, no later than November 1, 2011, the stakeholder group shall submit a written report to the Board of Trustees of the University of Maine System with their findings and recommendations on the necessity, feasibility and financial implications of creating a hospitality and hotel management baccalaureate degree program within the system; and be it further

**Sec. 3. Report. Resolved:** That, by January 31, 2012, the Board of Trustees of the University of Maine System, or the board's designee, shall present a report, including its conclusions and any recommendations resulting from the review conducted under sections 1 and 2, to the Joint Standing Committee on Education and Cultural Affairs. The joint standing committee may introduce a bill during the Second Regular Session of the 125th Legislature to implement the recommendations relating to the report.

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

Effective May 30, 2011.

## CHAPTER 54
## S.P. 151 - L.D. 518

### Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

**Sec. 1. State Tax Assessor authorized to convey real estate. Resolved:** That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2012.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2008 State Valuation. Parcel descriptions are as follows:

## 2008 MATURED TAX LIENS

E TWP, Aroostook County

Map AR108, Plan 3, Lot 4 031600080-2

Hibbert, Neville L. 48 acres

TAX LIABILITY

| | |
|---|---|
| 2008 | $125.51 |
| 2009 | 161.54 |
| 2010 | 145.09 |
| 2011 (estimated) | 145.09 |
| Estimated Total Taxes | $577.23 |
| Interest | 29.05 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $640.28 |

Recommendation: Sell to Hibbert, Neville L. for $640.28. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $650.00.

Freeman TWP, Franklin County

Map FR025, Plan 2, Lot 108.5 078080020-3

Darnell, Timothy R. 0.55 acre

TAX LIABILITY

| | |
|---|---|
| 2008 | $40.87 |
| 2009 | 52.39 |
| 2010 | 43.34 |
| 2011 (estimated) | 43.34 |
| Estimated Total Taxes | $179.94 |
| Interest | 9.45 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $223.39 |

Recommendation: Sell to Darnell, Timothy R. for $223.39. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $225.00.

T3 Indian Purchase, Penobscot County

Map PE032, Plan 1, Lots 27.1 and 27.2 198060138-2

Marco Polo & Associates LLC Building and 0.72 acre

TAX LIABILITY

| | |
|---|---|
| 2008 | $1,083.06 |
| 2009 | 1,341.12 |
| 2010 | 865.69 |
| 2011 (estimated) | 865.69 |
| Estimated Total Taxes | $4,155.56 |
| Interest | 248.59 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $4,438.15 |

Recommendation: Sell to Marco Polo & Associates LLC for $4,438.15. If it does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $4,450.00.

Kingman TWP, Penobscot County

Map PE036, Plan 3, Lot 95 198080044-1

Dagostino, Charles C. 0.88 acre

TAX LIABILITY

| | |
|---|---|
| 2008 | $30.76 |
| 2009 | 38.09 |
| 2010 | 34.62 |
| 2011 (estimated) | 34.62 |
| Estimated Total Taxes | $138.09 |
| Interest | 7.06 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $179.15 |

Recommendation: Sell to Dagostino, Charles C. for $179.15. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $200.00.

Lexington TWP, Somerset County

Map SO001, Plan 1, Lot 94.2 258310124-1

Foster, Ethel D. Building on 1 acre

TAX LIABILITY

| | |
|---|---|
| 2008 | $140.88 |
| 2009 | 107.00 |
| 2010 | 101.90 |
| 2011 (estimated) | 101.90 |
| Estimated Total Taxes | $451.68 |
| Interest | 29.64 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $515.32 |

Recommendation: Sell to Foster, Ethel D. for $515.32. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $525.00.

T2 R3 BKP WKR, Somerset County

Map SO003, Plan 4, Lot 37 258150122-1

Boyd, Scott R. and Tracey A. 42 acres

TAX LIABILITY

| | |
|---|---|
| 2007 | $25.72 |
| 2008 | 47.59 |
| 2009 | 46.91 |
| 2010 | 42.91 |
| 2011 (estimated) | 42.91 |
| Estimated Total Taxes | $206.04 |
| Interest | 10.44 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $250.48 |

Recommendation: Sell to Boyd, Scott R. and Tracey A. for $250.48. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $275.00.

T9 R4 NBPP, Washington County

Map WA027, Plan 1, Lot 26 298060023-2

Drinkwater, Doris H. 0.11 acre

TAX LIABILITY

| | |
|---|---|
| 2008 | $7.39 |
| 2009 | 8.93 |
| 2010 | 8.03 |
| 2011 (estimated) | 8.03 |
| Estimated Total Taxes | $32.38 |
| Interest | 1.69 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $68.07 |

Recommendation: Sell to Drinkwater, Doris H. for $68.07. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $75.00.

---

Big Lake TWP, Washington County

Map WA033, Plan 4, Lot 24 293400034-4

Haskell, Eli 6.6 acres

TAX LIABILITY

| | |
|---|---|
| 2008 | $59.68 |
| 2009 | 72.08 |
| 2010 | 67.04 |
| 2011 (estimated) | 67.04 |
| Estimated Total Taxes | $265.84 |
| Interest | 13.63 |
| Costs | 26.00 |
| Deed | 8.00 |
| Total | $313.47 |

Recommendation: Sell to Haskell, Eli for $313.47. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than $325.00.

---

See title page for effective date.

## CHAPTER 55
## S.P. 213 - L.D. 724

### Resolve, To Create an Evidence-based Study and Comprehensive Plan for HIV and AIDS Services in Maine

**Sec. 1. Study. Resolved:** That the Maine HIV Advisory Committee, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 42 and referred to in this resolve as "the committee," shall conduct an evidence-based study and develop a comprehensive plan for HIV and AIDS prevention and care services in the State. The committee shall investigate and study the systems of services and supports necessary to prevent the spread of HIV and AIDS and to ensure adequate care for individuals affected by HIV and AIDS, including, but not limited to, funding of HIV and AIDS services, models of HIV prevention, changes in social, medical and economic environments that affect service delivery, models for service delivery and impacts of local, state and federal policies on HIV and AIDS services. The study must address mechanisms to ensure the maximization of private, public, local, state and federal resources in coordination with state human service agencies for HIV and AIDS services. The committee shall seek input from a broad spectrum of individuals with interests related to HIV and AIDS, including, but not limited to, persons living with or at risk of HIV or AIDS, health care professionals, providers of HIV social and prevention services, state officials and public and private sources of funding for HIV and AIDS services; and be it further

**Sec. 2. Report. Resolved:** That the committee shall report the results of its investigation and study and its recommendations to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 15, 2013; and be it further

**Sec. 3. Funding. Resolved:** That all funding for the study required in this resolve must come solely from non-General Fund sources. The Maine HIV Advisory Committee may accept grants and donations for the study pursuant to this resolve and expend those funds as necessary to accomplish the purpose of this resolve.

See title page for effective date.

## CHAPTER 56
## H.P. 744 - L.D. 1008

### Resolve, To Encourage State Agencies To Limit Their Use of Social Security Numbers

**Sec. 1. Guidance to state agencies to limit their use of social security numbers. Resolved:** That the Department of Administrative and Financial Services shall create a policy to be used as guidance by state agencies that encourages the agencies to limit their use of social security numbers in outgoing written correspondence and interdepartmental correspondence by either not including a social security number at all or using only the last 4 digits of a social security number. Notwithstanding any provision of law to the contrary, the policy created pursuant to this section does not constitute rulemaking under the Maine Administrative Procedure Act.

See title page for effective date.

## CHAPTER 57

## S.P. 367 - L.D. 1246

### Resolve, Concerning Access to the Eastern Road in Scarborough

**Sec. 1. Acquisition of easement for access to Eastern Road in the Town of Scarborough. Resolved:** That the Department of Inland Fisheries and Wildlife, referred to in this resolve as "the department," shall convey easements for farm, conservation and residential use to Anthony Attardo and Anthony Attardo, Jr., referred to in this resolve as "the Attardos," through and across Eastern Road in the Town of Scarborough, running westerly from the intersection of Eastern Road with the westerly side of Black Point Road to the westerly sideline of Anthony Attardo, Jr.'s lot as the westerly terminus; and be it further

**Sec. 2. Consideration for easement. Resolved:** That the Attardos shall grant to the department an easement in a mutually acceptable location for maintenance, running from Eastern Road southerly across the land of the Attardos situated on the easterly side of the Black Point Road, for the purpose of maintaining undeveloped lands owned or controlled by the department. The Attardos shall reimburse the department for the department's legal expenses up to $2,800. The granting of the easement to the department and the paying of the department's legal fees are the only considerations that are required of the Attardos in return for the easements conveyed under section 1; and be it further

**Sec. 3. Transfer. Resolved:** That the department shall deliver the deeds conveying the easements under section 1 to the Attardos no later than November 1, 2011.

See title page for effective date.

## CHAPTER 58

## S.P. 263 - L.D. 859

### Resolve, To Convene a Task Force To Study Cost-effective Ways of Dealing with an Increased Population of Those Affected by Alzheimer's Disease

**Sec. 1. Alzheimer's disease. Resolved:** That the Commissioner of Health and Human Services shall convene a task force to review Alzheimer's disease-related issues in health care and to develop cost-effective ways of dealing with an estimated 50% increase in the number of patients with Alzheimer's disease in the next 15 years. The commissioner or the commissioner's designee shall invite the participation of all interested parties, including but not limited to administrators and staff of nursing homes and long-term care facilities, medical professionals and members of Alzheimer's disease organizations; and be it further

**Sec. 2. Report. Resolved:** That, no later than December 7, 2011, the Commissioner of Health and Human Services shall report the findings of the task force under section 1 along with any recommended legislation to the Joint Standing Committee on Health and Human Services. The committee may submit a bill related to the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 59

## H.P. 634 - L.D. 837

### Resolve, To Enhance the Use of Integrated Pest Management on School Grounds

**Sec. 1. Board of Pesticides Control to develop best management practices for the establishment and maintenance of school lawns, playgrounds and playing fields. Resolved:** That the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, referred to in this resolve as "the board," shall develop best management practices for the establishment and maintenance of school lawns, playgrounds and playing fields. The best management practices must, at a minimum, address soil and site conditions, and establish treatment thresholds and guidelines based on practical considerations and current science.

The board shall provide every school administrative unit in the State with a copy of the best management practices developed under this section. The board's staff shall work with school integrated pest management coordinators appointed under board rule Chapter 27: Standards for Pesticide Applications and Public Notification in Schools to ensure that the best management practices and the connection between implementing those practices and an effective integrated pest management program are understood by the coordinators; and be it further

**Sec. 2. Assessment of compliance with rule for use of pesticides in schools and on school grounds. Resolved:** That the board shall assess compliance with board rule Chapter 27: Standards for Pesticide Applications and Public Notification in Schools. In conducting the assessment, the board shall focus particular attention on the processes used to determine the need for pest control and the selection of

appropriate products under an integrated pest management system; and be it further

**Sec. 3. Reports to the Joint Standing Committee on Agriculture, Conservation and Forestry. Resolved:** That, no later than February 1, 2012, the board shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry on actions taken under this resolve. The report must include a copy of the best management practices developed for the establishment and maintenance of school lawns, playgrounds and athletic fields, findings from the assessment of school compliance under section 2 and any recommendations, including amendments to board rules if appropriate, for minimizing the use of pesticides in schools and on school grounds.

No later than February 1, 2014, the board shall report to the joint standing committee of the Legislature having jurisdiction over pesticides regulation matters on continuing efforts to educate and work with schools to minimize the use of pesticides.

See title page for effective date.

## CHAPTER 60

## H.P. 713 - L.D. 969

### Resolve, To Adjust Composting Limits for Farms

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

**Whereas,** changes in compost management rules are needed as soon as possible for the current growing season; 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

**Sec. 1. Rulemaking. Resolved:** That the Department of Environmental Protection shall amend its rules in Chapter 410, Section 1, Paragraph B, Subparagraph (4) to increase the maximum cubic yards of Type IB and Type IC residuals that a farm may compost in any 30-day period from 30 to 60 cubic yards as long as the farm is operated in accordance with a compost management plan approved by the Department of Agriculture, Food and Rural Resources. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

**Sec. 2. Department of Agriculture, Food and Rural Resources and Department of Environmental Protection to examine operations requiring a compost management plan. Resolved:** That the Department of Agriculture, Food and Rural Resources and the Department of Environmental Protection shall review agricultural composting operations that are exempt from licensing as a solid waste facility under the Department of Environmental Protection Rules, Chapter 410, Section 1, Paragraph B, Subparagraphs (4), (5), (6) and (7).

The Commissioner of Agriculture, Food and Rural Resources and the Commissioner of Environmental Protection shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 3, 2012 with recommendations for statutory changes needed to clarify or enhance oversight of agricultural composting operations by the Department of Agriculture, Food and Rural Resources. For the purposes of this section, "agricultural composting operations" means composting that takes place on farms and uses only animal manure, animal carcasses and offal, fish waste, leaves, wood chips, animal bedding and other vegetative waste and produce and other vegetable and food waste.

The Joint Standing Committee on Agriculture, Conservation and Forestry may report out a bill during the Second Regular Session of the 125th Legislature pertaining to oversight of agricultural composting operations.

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

Effective June 3, 2011.

## CHAPTER 61

## H.P. 693 - L.D. 933

### Resolve, Requiring the Department of Health and Human Services To Conduct a Review of Medicaid "Any Willing Provider" Requirements

**Sec. 1. Review. Resolved:** That the Department of Health and Human Services shall conduct a review of "any willing provider" requirements within the Medicaid program to evaluate the impact of those requirements on health outcomes, quality of care, geographic need for services and the cost of care. The department shall seek input from health care provider groups and health care consumer groups in conducting its evaluation and shall evaluate the methods used by other states to implement "any willing provider" re-

quirements for comparison with implementation methods in this State; and be it further

**Sec. 2. Report. Resolved:** That the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services by January 1, 2012 that includes:

1. An itemization of federal "any willing provider" laws;

2. Provisions of the laws of this State and rules of the department that implement federal requirements;

3. An analysis of methods used in other states to implement federal requirements; and

4. Recommendations for changes in the laws of this State and rules of the department to give the State more authority to regulate for positive health outcomes, quality of care, meeting geographic need for services and controlling care costs.

See title page for effective date.

## CHAPTER 62

## H.P. 1124 - L.D. 1532

### Resolve, Directing the Commissioner of Marine Resources To Contract for an Independent Analysis of the Limited Entry Lobster License System

**Sec. 1. Independent analysis. Resolved:** That the Commissioner of Marine Resources shall contract for an independent analysis of the limited entry lobster license system under the Maine Revised Statutes, Title 12, section 6421. The analysis must include, but is not limited to, an evaluation of the limited entry system and determine whether the benefits, including the benefits of conservation, outweigh the costs, including the impact of restrictions on entry to the lobster fishing industry. The contract must be funded using existing resources of the Department of Marine Resources. The commissioner shall report on the analysis to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 15, 2013.

See title page for effective date.

## CHAPTER 63

## H.P. 517 - L.D. 688

### Resolve, To Facilitate Participation in Individualized Education Program Team Meetings and Special Education Dispute Resolution Procedures

**Sec. 1. Alternative means of participation in special education meetings; rules. Resolved:** That the Department of Education shall amend its rules in Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty in Section VI in the part concerning alternative means of meeting participation to require that schools permit the use of alternative means of meeting participation, such as individual or conference telephone calls and videoconferencing, to ensure that the parents of a child with a disability are able to have appropriate persons participate in individualized education program team meetings and special education dispute resolution procedures. The amendment to the rules must specify that a school administrative unit is not required to spend any funds to purchase additional equipment in order to comply with this provision; and be it further

**Sec. 2. Provisional adoption of rules. Resolved:** That the Department of Education shall provisionally adopt the amendments required under section 1 no later than December 1, 2011. Rules adopted pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 64

## S.P. 406 - L.D. 1309

### Resolve, To Encourage Reciprocity between Maine and New Hampshire in the Reporting of Rabies Vaccinations by Veterinarians

**Sec. 1. Reciprocity. Resolved:** That the Commissioner of Agriculture, Food and Rural Resources shall invite the Commissioner of Agriculture, Markets and Food of New Hampshire to jointly develop a reciprocity agreement regarding the vaccination of dogs against rabies. The reciprocity agreement must detail a process by which a copy of a rabies vaccination certificate issued by a veterinarian in one state

for a dog residing in the other state is sent to the municipality in which the dog resides or to the agency that is a party to the reciprocity agreement in the state where the dog resides.

See title page for effective date.

## CHAPTER 65

## H.P. 159 - L.D. 182

### Resolve, Directing the Department of Agriculture, Food and Rural Resources To Develop Criteria for Identifying Invasive Terrestrial Plants

**Sec. 1. Identification of invasive terrestrial plants. Resolved:** That, no later than February 1, 2012, the Commissioner of Agriculture, Food and Rural Resources, referred to in this resolve as "the commissioner," shall adopt rules under the Maine Revised Statutes, Title 7, section 2217 establishing criteria by which to evaluate nonnative plant species for inclusion on a list of invasive terrestrial plants. The commissioner may use criteria developed in response to Resolve 2007, chapter 21 and included in a report to the Joint Standing Committee on Agriculture, Conservation and Forestry on February 1, 2008 as the basis for the rules. The rules may include a provision allowing the commissioner to evaluate a cultivar of a species listed or proposed for listing as an invasive terrestrial plant. The commissioner may exclude a cultivar from the list when an evaluation demonstrates that the cultivar does not meet the criteria for inclusion as an invasive terrestrial plant. Rules adopted under this resolve are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

For the purposes of this resolve, "invasive terrestrial plant" means any nonnative plant species that has spread or has the potential to spread into native or minimally managed plant habitats in the State and has caused or has the potential to cause economic or environmental harm by developing self-sustaining populations that disrupt or threaten native plant populations in the State; and be it further

**Sec. 2. List of invasive terrestrial plants. Resolved:** That the commissioner shall propose a prioritized list of nonnative plant species to be evaluated using the criteria developed under section 1; and be it further

**Sec. 3. Report to Joint Standing Committee on Agriculture, Conservation and Forestry. Resolved:** That, no later than February 15, 2012, the commissioner shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry on the evaluation criteria established in rule and a list of plants being considered for evaluation using the criteria adopted under section 1.

See title page for effective date.

## CHAPTER 66

## H.P. 682 - L.D. 922

### Resolve, To Review the Laws Governing Slaughterhouses

**Sec. 1. Examination of laws and rules governing slaughterhouses. Resolved:** That the Department of Agriculture, Food and Rural Resources shall examine the laws and rules governing slaughterhouses with particular emphasis on obstacles that prevent slaughterhouses from processing many different species of animals as efficiently and safely as possible. The department shall report its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2012. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 125th Legislature on the subject matter of the department's report.

See title page for effective date.

## CHAPTER 67

## H.P. 183 - L.D. 230

### Resolve, To Establish a Pilot Project for Independent Practice Dental Hygienists To Process Radiographs in Underserved Areas of the State

**Sec. 1. Pilot project for underserved areas of the State. Resolved:** That the Department of Professional and Financial Regulation, Board of Dental Examiners shall establish a 2-year pilot project to allow a licensed independent practice dental hygienist to expose and process radiographs under protocols developed by the Board of Dental Examiners within areas of the State that have been designated by the United States Department of Health and Human Services as dental health professional shortage areas.

The Board of Dental Examiners shall adopt rules to implement the pilot project under this section. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The rules for the pilot project must require that an independent practice dental hygienist have a written agreement with a licensed dentist providing that the dentist will be available to interpret all dental radiographs within 21 days from the date the radiograph is taken and that

the dentist will sign a radiographic review and findings form.

The Board of Dental Examiners shall provide a report by January 15, 2013 to the joint standing committee of the Legislature having jurisdiction over economic development matters regarding the status of the pilot project and its ability to improve access to dental health services in federally designated dental health professional shortage areas and recommendations for the continuance, discontinuance or modification of the pilot project.

The pilot project terminates March 15, 2014; and be it further

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Dental Examiners - Board of 0384**

Initiative: Allocates funds for the costs associated with establishing and administering a 2-year pilot project to allow a licensed independent practice dental hygienist to expose and process radiographs under protocols developed by the Board of Dental Examiners.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $3,700 | $1,200 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $3,700 | $1,200 |

See title page for effective date.

## CHAPTER 68

## S.P. 396 - L.D. 1275

### Resolve, To Promote Greater Transparency and Accountability through Regional Transmission Organization Reform

**Sec. 1. Policy promoting regional transmission organization transparency and accountability. Resolved:** That the Public Utilities Commission, the Governor's Office of Energy Independence and Security and the Office of the Public Advocate shall advocate in all appropriate forums for greater transparency of governance and operations and accountability to consumers of the regional transmission organization affecting consumers of electricity in the State; and be it further

**Sec. 2. Conference with other states' agencies and offices. Resolved:** That the Public Utilities Commission, the Governor's Office of Energy Independence and Security and the Office of the Public Advocate shall confer, to the greatest extent possible, with each other and with comparable commissions or bodies from one or more of the other New England states regarding the transparency and accountability of the regional transmission organization, and shall develop a plan and act to promote governance transparency and accountability to consumers of the regional transmission organization. The Public Utilities Commission, the Governor's Office of Energy Independence and Security and the Office of the Public Advocate shall develop model governance requirements for the regional transmission organization, formally propose such model governance requirements to the comparable commissions or bodies in the other New England states and shall examine whether there is agreement on governance transparency and accountability among the various state entities; and be it further

**Sec. 3. Report. Resolved:** That the Public Utilities Commission shall report the results and recommendations under sections 1 and 2 to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters in its annual report for the years 2011, 2012 and 2013. The committee may submit legislation to the next session of the Legislature based on the report submitted by the commission pursuant to this section.

See title page for effective date.

## CHAPTER 69

## H.P. 1075 - L.D. 1466

### Resolve, To Direct the Public Utilities Commission To Develop a Plan To Reform Telecommunications Regulation

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

**Whereas,** in order to ensure the Public Utilities Commission has adequate time to develop a plan for reforming telecommunications regulation for consideration by the Legislature in the second regular session, it is necessary that this resolve take effect 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

**Sec. 1. Regulatory reform plan. Resolved:** That the Public Utilities Commission, referred to in this resolve as "the commission," shall develop a plan to reform telecommunications regulation in the State in accordance with the following.

1. The plan must be consistent with the following legislative findings:

A. A plan for regulatory reform is needed because of the competition that exists in the telecommunications industry, which continues to grow and which the Legislature seeks to promote;

B. Regulatory burdens should be the minimum necessary to protect the public welfare and, to the maximum extent practicable, the regulatory burdens on different modes of providing telecommunications services should be the same;

C. Regulatory reform may not result in any provider being required to submit to a net increase in regulatory burden. This does not preclude reforms that establish options under which a provider may choose for its own benefit to take on new regulatory obligations, such as provider-of-last-resort obligations, or reforms that replace existing regulatory requirements with more appropriate requirements as long as no provider is required to submit to a net increase in regulatory burden; and

D. Regulatory reform may not relieve any provider from complying with wholesale obligations under either state or federal law, including but not limited to those relating to access to network elements, interconnection, inter-carrier compensation, pole attachments, switched access and any other obligations established under the federal Communications Act of 1934, as amended, and must preserve any related rights of any provider under that Act.

2. In developing the plan, the commission shall consider, at a minimum, the following:

A. The extent of existing and anticipated competition for residential and business services;

B. The characteristics of provider-of-last-resort service and the obligations and support mechanisms, if any, that should accompany provider-of-last-resort service;

C. The extent to which any telecommunications provider should be able to choose to be subject to particular regulatory provisions;

D. The implications of federal support mechanisms, preemption of state regulation of certain services and other federal issues;

E. The degree, if any, to which any services, including provider-of-last-resort services, should be subject to cost-of-service regulation;

F. The need for a robust telecommunications infrastructure in the State; and

G. The status of eligible telecommunications carriers.

3. In developing the plan, the commission:

A. Shall seek input from interested parties but is not required to conduct an adjudicatory proceeding; and

B. Shall examine the current regulatory structure in accordance with the findings in subsection 1 and may not presume existing laws and rules are appropriately designed for the current competitive environment.

4. The commission shall submit its plan to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2011. The plan must describe necessary changes to law, rules or procedures and any other necessary actions to implement the plan. To the maximum extent practicable, the commission shall establish target dates for implementation of the elements of the plan that are no later than 90 days after the adjournment of the Second Regular Session of the 125th Legislature. The commission shall include with the plan a draft of any legislation necessary to implement the plan and, consistent with the requirements of the Maine Revised Statutes, Title 5, chapter 375, changes to rules necessary to implement the plan.

The Joint Standing Committee on Energy, Utilities and Technology may report out a bill to reform telecommunications regulation to the Second Regular Session of the 125th Legislature; and be it further

**Sec. 2. Action on filings. Resolved:** That, consistent with the purposes of this resolve and the findings in section 1, the commission shall seek to process any filings submitted by telephone utilities for exemptions under the Maine Revised Statutes, Title 35-A with as much deliberative speed as possible, within the constraints of existing resources; and be it further

**Sec. 3. Specific regulatory modifications. Resolved:** That the following modifications to telecommunications regulation are made. Except as otherwise may be provided by superseding legislation implementing the plan developed under section 1, the provisions of this section apply between the effective date of this resolve and 90 days after the adjournment of the Second Regular Session of the 125th Legislature. For purposes of this section, "incumbent local exchange carrier" has the same meaning as in the Maine Revised Statutes, Title 35-A, section 9216, subsection 1, paragraph B.

1. The commission may not enforce provisions of any order establishing an alternative form of regulation pursuant to Title 35-A, chapter 91 that prohibit an incumbent local exchange carrier from charging rates for nonresidential service that are below the long-run incremental cost of providing that service or that establish some other minimum price requirement for services to nonresidential customers.

2. The commission may not enforce provisions of any order establishing an alternative form of regulation pursuant to Title 35-A, chapter 91 that impose on an incumbent local exchange carrier multiplier penalties for repeated failures to meet service quality index performance standards with respect to any actions, inactions or other performance of that carrier occurring after July 31, 2010. Nothing in this subsection affects the authority of the commission to impose base penalties for violations of service quality index performance standards or to require continued payment of penalties that have been established for violations that occurred prior to August 1, 2010. The Legislature finds that the provisions of this subsection are appropriate because of extraordinarily compelling and unique circumstances, including but not limited to dramatic changes in the telecommunications market in recent years, the bankruptcy and subsequent emergence from bankruptcy of the largest telecommunications provider in the State and, as reflected in the findings in section 1, the need for regulatory reform of the telecommunications industry. The commission shall include with the plan submitted under section 1, subsection 4 the service quality performance data required to be submitted to the commission by incumbent local exchange carriers affected by this subsection, together with any summary or analysis the commission may develop to assist the Legislature in reviewing whether this subsection has had any effect on service quality performance.

3. The commission may not require any local exchange carrier to prepare or submit pursuant to section 3 of the commission's rule Chapter 140: Utility Service Area and Infrastructure Maps, or pursuant to any similar provision of any successor rule, infrastructure maps:

A. In a format different from or that contain a level of detail that is greater than the maps most recently submitted by that utility pursuant to that rule prior to the effective date of this resolve; or

B. Depicting the infrastructure connecting interoffice facilities to remote terminals and digital loop carriers.

4. The commission may not require any telecommunications carrier, pursuant to the commission's rule Chapter 200: Telecommunications Carrier Outage Reporting, to submit notices of unscheduled service outages or notices of restorations of service earlier than 7 calendar days following the restoration of service.

5. Notwithstanding Title 35-A, section 708, a reorganization of an incumbent local exchange carrier is not subject to commission approval unless the reorganization results in a merger, sale or transfer of a controlling interest of the incumbent local exchange carrier or any entity that owns more than 50% of the incumbent local exchange carrier. For purposes of this subsection, "controlling interest" has the same meaning as that term is used in the commission's rule Chapter 280: Provision of Competitive Telecommunications Services, Section 12(B).

6. The commission may not enforce its rule Chapter 230: Installation, Maintenance and Ownership of Customer Premises Wire; and be it further

**Sec. 4. Rescinded order. Resolved:** That, notwithstanding any contrary provision of law in effect on the effective date of this resolve, the commission may not regulate interconnected voice over Internet protocol service as a telephone service under the Maine Revised Statutes, Title 35-A unless otherwise directed by law enacted after the effective date of this resolve and any commission order that is inconsistent with this prohibition is void. It is the intent of the Legislature in establishing this prohibition that interconnected voice over Internet protocol service be treated and providers of such service conduct themselves in accordance with those requirements and practices that existed prior to the issuance by the commission of its October 27, 2010 order, in docket number 2008-421, including but not limited to requirements or practices relating to the payment of fees, assessments or other charges, the filing of reports and any other regulatory or procedural matters.

Notwithstanding any limitation that the findings in section 1, subsection 1, paragraph C might impose on the commission as a result of the regulatory effects of this section, the commission may, free of any such limitations, examine and develop recommendations regarding interconnected voice over Internet protocol service when developing its plan pursuant to section 1.

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

Effective June 9, 2011.

## CHAPTER 70

## H.P. 1139 - L.D. 1552

### Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located in Rockwood and Sinclair in the Unorganized Territory and To Extend the Dates To Sell Real Property in Bangor, Augusta, Skowhegan, Frenchville and Hallowell

### PART A

**Sec. A-1. Authority to convey state property. Resolved:** That, notwithstanding any other provision of law, the State, by and through the Commissioner of Administrative and Financial Services, referred to in this Part as "the commissioner," may:

1. Enter into a lease or leases or convey by sale the interests of the State in the state property described in section 2 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. A-2. Property interests that may be conveyed. Resolved:** That the state property authorized to be sold or leased is:

1. A parcel of land in Rockwood formerly occupied by the Rockwood Elementary School consisting of approximately 6.35 acres conveyed to the Town of Rockwood School District and recorded in the Somerset County Registry of Deeds, Book 1516, Page 154; and

2. A parcel of land in Sinclair occupied by the Patrick Theriault School consisting of approximately 73 acres conveyed to the Town of Sinclair School District and recorded in the Aroostook County Registry of Deeds, Book 939, Page 228; and be it further

**Sec. A-3. Property to be sold as is. Resolved:** That the commissioner may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property described in section 2 must be sold as is, with no representations or warranties.

Title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

**Sec. A-4. Exemptions. Resolved:** That any lease or conveyance pursuant to this Part is exempt from any statutory or regulatory requirement that the state property described in section 2 first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. A-5. Appraisal. Resolved:** That the commissioner shall have the current market value of the state property described in section 2 determined by an independent appraiser. The commissioner may list the state property for sale or lease with private real estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers; and be it further

**Sec. A-6. Proceeds. Resolved:** That any proceeds from the sale or lease of unorganized territory property pursuant to this Part must be deposited into the Unorganized Territory Education and Services Fund, as designated by the commissioner; and be it further

**Sec. A-7. Repeal. Resolved:** That this Part is repealed 5 years from its effective date.

### PART B

**Sec. B-1. Definitions. Resolved:** That, as used in this Part, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the real estate described in section 3 of this Part with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

**Sec. B-2. Authority to convey property. Resolved:** That the State, by and through the commissioner, may:

1. Enter into a lease or leases or convey by sale the interests of the State in the state property;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 304, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, at the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, at the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. B-3. Property interests that may be conveyed. Resolved:** That the state property authorized to be sold or leased is: Town of Hallowell Tax Map 6, Lot 27 consisting of 63.5 acres, more or less; and be it further

**Sec. B-4. Property to be sold as is. Resolved:** That the commissioner may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property must be sold "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant and executed by the commissioner; and be it further

**Sec. B-5. Exemptions. Resolved:** That any lease or conveyance pursuant to this Part is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. B-6. Appraisal. Resolved:** That the commissioner must have the current market value of the state property determined by an independent appraiser. The commissioner may list the property for sale or lease with private real estate brokers at their appraised value of the state property and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers.

The commissioner shall establish the rent or purchase price and the terms of lease or sale.

If the commissioner elects to solicit bids, the commissioner shall publish notices of sale sufficient to advertise the state property. The commissioner may reject any bids; and be it further

**Sec. B-7. Proceeds. Resolved:** That any proceeds from sales pursuant to this Part must be deposited in the Maine State Housing Authority's Housing Opportunities for Maine Fund, established in the Maine Revised Statutes, Title 30-A, section 4853; and be it further

**Sec. B-8. Repeal. Resolved:** That this Part is repealed September 13, 2016.

## PART C

**Sec. C-1. Definitions. Resolved:** That, as used in this Part, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the real estate described in section 3 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

**Sec. C-2. Authority to convey state property. Resolved:** That the State, by and through the commissioner, may:

1. Enter into a lease or leases or convey by sale the interests of the State in the state property;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. C-3. Property interests that may be conveyed. Resolved:** That the state properties authorized to be sold or leased are the following:

1. A parcel of land in the Town of East Machias consisting of approximately 0.999 acres conveyed to the State of Maine in October 1984 and recorded in the Washington County Registry of Deeds, Book 1298, Page 201;

2. A parcel of land in the Town of Thomaston occupied by the State Police barracks in the Town of Thomaston consisting of approximately 15,400 square feet, conveyed to the State of Maine in December 1966 and recorded in the Knox County Registry of Deeds, Book 457, Page 322;

3. A parcel of land in the Town of Skowhegan consisting of approximately 1.4 acres conveyed to the

State of Maine in September 1951 and recorded in the Somerset County Registry of Deeds, Book 533, Page 414; and

4. A parcel of land in the City of Augusta occupied by the "brick farmhouse" on Hospital Street in Augusta, shown on Tax Map 10, Lot 8B. This parcel is part of the State's East Campus as described in the Maine Revised Statutes, Title 1, section 814, subsection 2, paragraph A and must be conveyed with a suitable amount of land to meet municipal zoning ordinances to the extent they are applicable; and be it further

**Sec. C-4. Property to be sold as is. Resolved:** That the commissioner may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property must be sold "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

**Sec. C-5. Exemptions. Resolved:** That any lease or conveyance pursuant to this Part is exempt from any statutory or regulatory requirement that the state property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. C-6. Appraisal. Resolved:** That the commissioner shall have the current market value of the state property determined by an independent appraiser. The commissioner may list the state property for sale or lease with private real estate brokers at the state property's appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers; and be it further

**Sec. C-7. Proceeds. Resolved:** That any proceeds generated pursuant to this Part must be distributed as follows:

1. Any proceeds from the sale of state property pursuant to this Part must be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the commissioner; and

2. Any proceeds from the lease of state property pursuant to this Part must be deposited in the General Fund; and be it further

**Sec. C-8. Repeal. Resolved:** That this Part is repealed June 11, 2016.

## PART D

**Sec. D-1. Definitions. Resolved:** That, as used in this Part, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the real estate described in section 3 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

**Sec. D-2. Authority to convey state property. Resolved:** That the State, by and through the commissioner, may:

1. Enter into a lease or leases or convey by sale the interests of the State in the state property;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. D-3. Property interests that may be conveyed. Resolved:** That the state property authorized to be sold or leased is Hedin Hall located at the Dorothea Dix Psychiatric Center, formerly known as the Bangor Mental Health Institute, together with a suitable amount of land to support its use as veterans' housing and to meet any applicable municipal zoning ordinances. The amount of land and the boundary of the state property leased or sold pursuant to this Part must be determined by the commissioner, in the commissioner's sole discretion, to be in the best interests of the State.

The state property must be conveyed with the restriction that it be used for veterans' housing. If the state property ceases to be used for veterans' housing, it must revert to the State. If the state property reverts to the State, the commissioner, after consultation with the Superintendent of the Dorothea Dix Psychiatric Center, may seek qualified developers and proposals for sale or lease of the state property so long as the proposals are compatible with other uses on the Dorothea Dix Psychiatric Center campus; and be it further

**Sec. D-4. Property to be sold as is. Resolved:** That the commissioner may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; how-

ever, the state property must be sold "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant or release deed except as provided in section 3 and executed by the commissioner; and be it further

**Sec. D-5. Exemptions. Resolved:** That any lease or conveyance pursuant to this Part is exempt from any statutory or regulatory requirement that the state property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. D-6. Appraisal. Resolved:** That the commissioner shall have the current market value of the state property determined by an independent appraiser. The commissioner may list the state property for sale or lease with private real estate brokers at the state property's appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers; and be it further

**Sec. D-7. Proceeds. Resolved:** That any proceeds generated pursuant to this Part must be distributed as follows:

1. Any proceeds from the sale of the state property must be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the commissioner; and

2. Any proceeds from the lease of state property pursuant to this Part must be deposited in the General Fund; and be it further

**Sec. D-8. Repeal. Resolved:** That this Part is repealed May 8, 2016.

## PART E

**Sec. E-1. Definitions. Resolved:** That, as used in this Part, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the real estate described in section 3 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

**Sec. E-2. Authority to convey state property. Resolved:** That the State, by and through the commissioner, may:

1. Enter into a lease or leases or convey by sale the interests of the State in the state property;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. E-3. Property interests that may be conveyed. Resolved:** That the state property authorized to be sold or leased is part of Lot No. 97 in Frenchville, Aroostook County. The property begins at a point 83 feet north from the center of Star Barn Road, so-called, and 121 feet west from the west line of Arthur Bourgoin's land, and moves in a northerly direction 100 feet to a stake; then in a westerly direction 100 feet to a stake; then in a southerly direction 100 feet south to a stake; and then in an easterly direction 100 feet to the point of beginning. The property includes a right-of-way 20 feet wide leading from Star Barn Road to the southwest corner of the premises described in this section; and be it further

**Sec. E-4. Property to be sold as is. Resolved:** That the commissioner may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate; however, the state property must be sold "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant or release deed except as provided in section 3 and executed by the commissioner.

The commissioner may negotiate with the owner of the abutting land to exchange or otherwise acquire, in the name of the State, by lease, purchase, exchange or otherwise, another suitable section of land for the purpose of siting communications structures and equipment required by the Department of Administrative and Financial Services, Office of Information Technology pursuant to the Maine Revised Statutes, Title 5, section 1520; and be it further

**Sec. E-5. Exemptions. Resolved:** That any lease or conveyance pursuant to this Part is exempt from any statutory or regulatory requirement that the state property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. E-6. Appraisal. Resolved:** That the commissioner shall have the current market value of

the state property determined by an independent appraiser prior to any sale. The commissioner may list the state property for sale or lease with private real estate brokers at the state property's appraised value and negotiate sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers and may decline to seek any offers; and be it further

**Sec. E-7. Proceeds. Resolved:** That any proceeds from sales pursuant to this Part must be deposited into the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements or other account to benefit the statewide radio and network system under the Maine Revised Statutes, Title 5, section 1520 as designated by the commissioner; and be it further

**Sec. E-8. Repeal. Resolved:** That this Part is repealed June 30, 2016.

See title page for effective date.

## CHAPTER 71

## S.P. 452 - L.D. 1461

### Resolve, To Implement the Recommendations of the Report on Services for Elders and Other Adults Who Need Long-term Home-based and Community-based Care

**Preamble. Whereas,** as a result of legislation in the 124th Legislature, the Department of Health and Human Services engaged over 30 interested parties in a so-called "lean thinking" process that examined Maine's system of long-term services and supports; and

**Whereas,** this process resulted in a report to the Legislature that included recommendations and a specific Lean Implementation Plan; and

**Whereas,** the Lean Implementation Plan contains important changes and modifications that improve the efficiency, cost-effectiveness and quality of services delivered to consumers of long-term services; and

**Whereas,** it is the intent of the 125th Legislature to promote equity and optimize consumer use by streamlining the long-term care system into one structure that meets all long-term care needs within existing resources; now, therefore, be it

**Sec. 1. Plan adoption. Resolved:** That the Commissioner of Health and Human Services, within the limits of existing resources, shall adopt the Lean Implementation Plan effective July 1, 2012 and make its action items a work priority. For the purposes of this resolve, "Lean Implementation Plan" means the plan developed as part of the report prepared for the 124th Legislature by the Department of Health and Human Services entitled "Services for Elders and Other Adults Who Need Long-Term Home- and Community-Based Care," dated January 20, 2010; and be it further

**Sec. 2. Elements. Resolved:** That the specific action items under section 1 include, but are not limited to:

1. Consolidating the 2 existing waivers for adult and elderly community-based services, currently codified under MaineCare rule as Chapter II, Section 19 and Section 22 and taking any appropriate action with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to achieve the consolidation;

2. Consolidating the 2 personal care assistant programs currently codified under MaineCare rule as Chapter II, Section 12 and Section 96, exploring the feasibility of providing homemaker services under the consolidated programs and taking any appropriate action with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to achieve the consolidation;

3. Consolidating the 2 state-funded in-home care and community support services programs for elderly and other adults, currently codified under Chapter 65, Section 63 of the Office of Elder Services manual and Chapter 11 of the Office of Cognitive and Physical Disabilities Services manual;

4. Developing a long-term care services statewide plan that ensures access to care in the least restrictive environment;

5. Maximizing federal opportunities available through the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services;

6. Consolidating the 3 existing consumer-directed service models into a single uniform self-directed model;

7. Maximizing individualization and flexibility of plan of care to ensure that appropriate and timely services are provided, including, but not limited to, allowing a care coordinator to make adjustments within a plan of care without requiring a new assessment as long as the net adjustment remains below the maximum value under the consumer's level of care;

8. Improving value and respect for direct care workers through initiatives that include, but are not limited to, creating strategy and standards for ensuring workforce training for all persons accountable to the long-term care system and exploring the feasibility of

equalizing hourly reimbursement rates across the direct care worker continuum; and

9. Designing and establishing effective quality management strategy across funding streams and population groups to ensure a high-quality long-term care service system; and be it further

**Sec. 3. Report. Resolved:** That the Commissioner of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the progress of the Department of Health and Human Services in completing the Lean Implementation Plan action items under sections 1 and 2 by January 5, 2012.

See title page for effective date.

## CHAPTER 72

## S.P. 341 - L.D. 1132

### Resolve, To Authorize the Exchange of Interest in Certain Lands Owned by the State

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Conservation may sell or exchange lands or interests in lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in Oxford County. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for exchange of land or interests in land of comparable market value, and on such other terms and conditions as the director may direct, convey road access rights by easement to the owners of certain lands managed by Pingree Associates, Inc., along approximately 8,710 feet of the Lincoln Pond Road and approximately 990 feet of the Torpedo Junction Road in Township 5, Range 2, also known as Lincoln Plantation; along approximately 3,990 feet of the Richardson Pond Road in Township 4, Range 2, also known as Adamstown Township; and along approximately 29,160 feet of the South Arm Road and 2,912 feet of the Icicle Brook Road in Township 4, Range 1, also known as Richardsontown Township, all in Oxford County.

See title page for effective date.

## CHAPTER 73

## S.P. 86 - L.D. 280

### Resolve, Reauthorizing the Balance of the 2005 Maine Biomedical Research Fund and Marine Infrastructure and Technology Fund Bond Issues

**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 Treasurer of State may not sell the remaining $750,000 in bonds authorized but not yet issued from the $8,000,000 Maine Biomedical Research Fund bond issue authorized by the voters in 2005 unless the Legislature reauthorizes the issuance of those bonds; and

**Whereas,** the Maine Technology Institute requires this $750,000 in bonds to meet its obligations for previously authorized research and development projects with the University of Maine and nonprofit research laboratories; and

**Whereas,** the Treasurer of State may not sell the remaining $150,000 in bonds authorized but not yet issued from the $4,000,000 Marine Infrastructure and Technology Fund bond issue authorized by the voters in 2005 unless the Legislature reauthorizes the issuance of those bonds; and

**Whereas,** the Maine Technology Institute requires this $150,000 in bonds to meet its obligations for previously authorized research and development projects with the University of Maine and nonprofit research laboratories; 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

**Sec. 1. Extension for issuing. Resolved:** That, pursuant to the provisions of the Constitution of Maine, Article IX, Section 14, the period for issuance of bonds or of bond anticipation notes authorized but unissued pursuant to Public Law 2005, chapter 462, authorized by the voters in a statewide election held on November 8, 2005, to support capital infrastructure and equipment for eligible institutions delineated in the Maine Revised Statutes, Title 5, section 13103 and

to support competitive capital infrastructure grants to nonprofit marine research laboratories, institutions and state governmental and quasi-governmental agencies, is further extended for a one-year period.

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

Effective June 13, 2011.

## CHAPTER 74

## S.P. 318 - L.D. 1085

### Resolve, Regarding Prequalification Standards for Contractors

**Sec. 1. Single prequalification process. Resolved:** That the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation shall jointly adopt one annual prequalification process to be used by contractors that wish to prequalify for projects administered by either agency. The agencies shall include contractors and other interested parties in developing the single prequalification process. The prequalification process developed pursuant to this section must be used by contractors for projects administered by either agency on or after January 1, 2012. The Bureau of General Services and the Department of Transportation shall jointly report to the Joint Standing Committee on State and Local Government on the prequalification process developed pursuant to this section by January 15, 2012. The Joint Standing Committee on State and Local Government may report out a bill relating to the prequalification process to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 75

## H.P. 736 - L.D. 1000

### Resolve, Directing the Secretary of State To Examine Centralization of the Petition Signature Verification Process

**Sec. 1. Secretary of State to examine centralizing the process for verifying petition signatures. Resolved:** That the Secretary of State shall examine the potential for centralizing the process for verifying signatures on candidate petitions, citizens' initiatives and people's veto referendum petitions within the office of the Secretary of State using the central voter registration system. The Secretary of State shall consult with municipal clerks and others to determine the benefits of centralization and to identify any legal or logistical barriers to proceeding with centralization of the process. The Secretary of State shall submit a report on the findings of the examination under this section no later than February 1, 2012 to the Joint Standing Committee on Veterans and Legal Affairs.

See title page for effective date.

## CHAPTER 76

## H.P. 761 - L.D. 1027

### Resolve, To Coordinate Stakeholders To Review Best Practices in the Management of Strangulation and Determine Methods To Address the Issue in Maine

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

**Whereas,** there is a national increased awareness of the severity of strangulation, including its high prevalence in domestic and sexual assaults, its serious impacts, including life-threatening levels of anoxic brain damage, and its use as a tool of intimidation; and

**Whereas,** public and professional awareness of the prevalence and impact of strangulation in Maine may lag behind research data; and

**Whereas,** stakeholders should promptly review best practices models and tailor them to fit Maine's needs; 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

**Sec. 1. Review of best practices in management of strangulation. Resolved:** That the Maine Commission on Domestic and Sexual Abuse, created in the Maine Revised Statutes, Title 19-A, section 4013 and referred to in this resolve as "the commission," shall study strangulation to determine the presence and patterns of strangulation in domestic and sexual violence in the State and the current management of strangulation within criminal law. The commission shall review model practices and research in other states, including the impacts of other states' legislation, public awareness activities and changes in policy. The commission shall invite interested parties, including but not limited to representatives from state and local law enforcement, prosecutors, the judicial

branch, the Criminal Law Advisory Commission under Title 17-A, section 1351, the Maine Coalition to End Domestic Violence, the Maine Coalition Against Sexual Assault, first responders and other emergency care providers; and be it further

**Sec. 2. Report. Resolved:** That the commission shall submit a report by February 15, 2012 to the Joint Standing Committee on Criminal Justice and Public Safety. The report must include the commission's findings and recommendations regarding methods to deal with strangulation in the State, including, as it determines necessary, proposed legislation; proposed education and training for law enforcement, prosecutors and the judiciary; and proposed programs and outreach for public awareness and advocacy. Upon receipt of the commission's report and recommendations, the committee may report out legislation to the Second Regular Session of the 125th Legislature.

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

Effective June 13, 2011.

## CHAPTER 77

## H.P. 1105 - L.D. 1504

### Resolve, To Ensure a Strong Start for Maine's Infants and Toddlers by Extending the Reach of High-quality Home Visitation

**Sec. 1. State plan to coordinate current home visitation programs. Resolved:** That the Department of Health and Human Services, referred to in this resolve as "the department," shall develop a comprehensive plan for fiscal years 2011-12, 2012-13 and 2013-14 relating to home visitation programs and services for vulnerable families in at-risk communities. The plan must reflect an emphasis on proven strategies to improve early childhood health and cognition, in order to increase future productivity and reduce future demand on tax-supported services, and on serving infants who are at risk due to physical, emotional, developmental or environmental factors. The plan must ensure that these programs and services, to the greatest extent possible, are funded by federal, private, local and other special revenue resources, particularly seeking to leverage both cash and in-kind private match wherever possible; and be it further

**Sec. 2. Supporting direct services. Resolved:** That the plan developed under section 1 must support direct services and continued investment in quality assurance, evaluation and professional development infrastructure, including training and ongoing supervision; and be it further

**Sec. 3. Reporting. Resolved:** That, by February 1, 2012, the department shall submit a report, including suggested legislation, to the Joint Standing Committee on Health and Human Services regarding the plan under section 1 and the status of all state-funded home visitation programs, including a brief description of each program, an evaluation to date of each program and the next steps the department recommends to ensure the improved health outcomes, reduced costs to taxpayers and enhanced future productivity through these programs, as well as how the programs further the State's goal of coordinated home visitation for all vulnerable families in at-risk communities. The Joint Standing Committee on Health and Human Services may report out a bill to the Second Regular Session of the 125th Legislature concerning the programs.

See title page for effective date.

## CHAPTER 78

## H.P. 550 - L.D. 743

### Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101, MaineCare Benefits Manual Chapter III, Section 21: Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective June 14, 2011.

## CHAPTER 79

## H.P. 1128 - L.D. 1536

### Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct Meetings To Review the Issue of Compliance with the Laws Governing Guaranteed Price Home Heating Oil, Kerosene and Liquefied Petroleum Gas Contracts

**Sec. 1. Commissioner of Professional and Financial Regulation to review options for reporting compliance with the laws governing guaranteed price home heating oil, kerosene and liquefied petroleum gas contracts. Resolved:** That the Commissioner of Professional and Financial Regulation shall convene a working group with interested parties to determine what information could be included in a report from dealers of home heating oil, kerosene and liquefied petroleum gas to the State that would demonstrate their compliance with the current law that requires dealers to secure their prepaid guaranteed price home heating oil, kerosene and liquefied petroleum gas contracts, pursuant to the Maine Revised Statutes, Title 10, section 1110, and to develop recommendations to improve the State's ability to ensure compliance with that law and with new reporting requirements that do not place any undue burden on the businesses involved; and be it further

**Sec. 2. Reporting date established. Resolved:** That, no later than January 15, 2012, the Commissioner of Professional and Financial Regulation shall submit a report of the findings and recommendations of the working group convened under section 1 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. That committee is authorized to introduce a bill on the subject matter of the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 80

## S.P. 373 - L.D. 1252

### Resolve, To Develop a Plan To Improve Public Guardianship Services to Adults with Cognitive Disabilities

**Sec. 1. Stakeholder group for a working plan created. Resolved:** That the Maine Developmental Disabilities Council, as established in the Maine Revised Statutes, Title 34-B, section 17001, referred to in this resolve as "the council," shall convene a stakeholder group to develop a working plan for a program for the transition, beginning July 1, 2012, of public guardianship responsibilities for adults with cognitive disabilities from the Department of Health and Human Services to an entity independent of that agency for a transition to begin by July 1, 2012. The council shall invite at least one representative from each of the following organizations:

1. The Disability Rights Center;

2. Speaking Up for Us of Maine, a self-advocacy organization;

3. The Department of Health and Human Services, Office of Advocacy, established in Title 34-B, section 5005;

4. The Department of Health and Human Services, Office of Adults with Cognitive and Physical Disability Services;

5. The Office of the Attorney General;

6. The Maine Developmental Services Oversight and Advisory Board, established in Title 34-B, section 1223;

7. The Maine Association for Community Service Providers; and

8. The Maine Probate Judges Assembly; and be it further

**Sec. 2. Duties. Resolved:** That the stakeholder group shall investigate and develop a plan for the Department of Health and Human Services to separate the service coordination for individuals with cognitive disabilities function from the public guardianship function for individuals who are wards of the State and shall include in its findings:

1. Information regarding models used in other states, including New Hampshire, for independent administration of public guardianship;

2. Recommendations for the model the group determines is the most appropriate for implementation in this State;

3. A work plan for transition to the new model to begin July 1, 2012;

4. Necessary statutory changes and the fiscal implications of those changes to enable the implementation of this model; and

5. The feasibility of merging the correspondent program overseen by the Maine Developmental Services Oversight and Advisory Board under the Maine Revised Statutes, Title 34-B, section 1223 with public guardianship responsibilities under the proposed model; and be it further

**Sec. 3. Report to the Commissioner of Health and Human Services. Resolved:** That the council shall report the working plan of the program to the Joint Standing Committee on Health and Human Services by January 15, 2012, with suggested implementing legislation. The joint standing committee may submit a bill to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 81

## H.P. 1102 - L.D. 1501

### Resolve, To Reduce Opioid Overprescription, Overuse and Abuse

**Sec. 1. Work group on prescribing opioid drugs for chronic, noncancer-related pain. Resolved:** That the Substance Abuse Services Commission, as established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 13-C and referred to in this resolve as "the commission," shall convene a work group of commission members and public and private stakeholders, referred to in this resolve as "the work group," to review and make recommendations for improvements in how physicians and other prescribers treat patients in chronic, noncancer-related pain without causing addiction or diversion.

**1. Tasks.** The work group's tasks include, but are not limited to:

A. Review of current efforts in the State aimed at preventing addiction and diversion;

B. Examination of similar efforts in other states, including Washington State, which in 2010 enacted comprehensive legislation on this subject;

C. Consideration of additional tools that could lead to decreased abuse while not unduly restricting access to adequate pain control; and

D. Consideration of enhancements to the Controlled Substances Prescription Monitoring Program established in the Maine Revised Statutes, Title 22, section 7248.

**2. Chair; membership.** The commission shall appoint a chair of the work group from among the work group members. The membership of the work group must include representatives appointed or invited to participate by the commission from all of the following state agencies, advocacy organizations and the public:

A. Licensing boards of licensees who prescribe narcotics;

B. Representatives of professional associations representing the major health professions that prescribe controlled substances;

C. The Maine Hospice Council, established in the Maine Revised Statutes, Title 22, section 8611;

D. Representatives of licensed pharmacies; and

E. Representatives of the Department of Health and Human Services, Office of MaineCare Services, the Maine Hospital Association, specialists in substance abuse treatment and services, specialists in the treatment of addiction and specialists in the treatment of pain.

**3. Funding.** The commission shall fund the work of the work group from within existing resources.

**4. Report.** The commission shall report the findings and any recommendations of the work group to the Joint Standing Committee on Health and Human Services not later than December 1, 2011.

See title page for effective date.

## CHAPTER 82

## H.P. 563 - L.D. 756

### Resolve, To Examine Cyber Security and Privacy Issues Relating to Smart Meters

**Sec. 1. Examination of cyber security and privacy issues relating to smart meters. Resolved:** That the Public Utilities Commission shall examine current cyber security and privacy requirements that exist under federal and state law, rules and utility policies and practices that apply to transmission

and distribution utilities and identify potential regulatory gaps that may exist by examining the extent to which existing federal requirements may or may not apply to cyber security and privacy issues regarding smart meters and related systems. To the extent regulatory gaps exist, the commission shall develop recommendations to address them. As part of this examination, the commission also shall consider issues related to access to customer data and the disclosure of transmission and distribution utility residential electric energy consumption and cost information pursuant to the Maine Revised Statutes, Title 14, section 6045; and be it further

**Sec. 2. Monitor federal cyber security initiative. Resolved:** That the Public Utilities Commission shall actively monitor the efforts by the United States Department of Energy to launch a cyber security initiative to enhance cyber security on the electric grid with input from the Federal Energy Regulatory Commission, the United States Department of Homeland Security and publicly and privately owned utilities; and be it further

**Sec. 3. Report. Resolved:** That the Public Utilities Commission shall report the results of its examination and recommendations required pursuant to section 1 and the progress of the federal cyber security initiative as it applies to smart meters and related systems under section 2 to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2012. The Joint Standing Committee on Energy, Utilities and Technology may submit a bill to the Second Regular Session of the 125th Legislature based on the report.

See title page for effective date.

## CHAPTER 83

## S.P. 295 - L.D. 949

### Resolve, To Require the Department of Education To Submit a Plan for the Implementation of Standards-based Education

**Sec. 1. Plan to implement standards-based education. Resolved:** That the Department of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 1, 2011 consisting of:

1. Draft legislation to require that, in order to graduate from high school after January 1, 2016, a student must:

A. Demonstrate proficiency in meeting state standards in all 8 content areas of the system of learning results established in the Maine Revised Statutes, Title 20-A, section 6209;

B. Demonstrate proficiency in each of the 5 guiding principles outlined in the Department of Education Rule Chapter 132, Learning Results: Parameters for Essential Instruction; and

C. Meet other locally developed requirements to graduate from high school not inconsistent with state requirements.

The legislation must also include any changes necessary to conform current state law to the needs of schools engaged in standards-based education, including allowing students to graduate from high school in more or fewer than 4 years;

2. An outline of rules or additional guidance that the department may propose to more fully develop the requirements for awarding a high school diploma, including guidance regarding how schools are to track and report student mastery of standards and how schools are to ensure the validity of student assessments; and

3. A proposed system of technical assistance for schools in implementing standards-based education, which may include development of training guides and other resources, the collection and sharing of rubrics and other materials and coordination and support for professional development, including professional learning communities that involve educators who are already engaged in standards-based education. The department must include proposed timelines for implementation of the proposed system of technical assistance; and be it further

**Sec. 2. Report. Resolved:** That, in preparing its report under section 1, the Department of Education shall consult with teachers and administrators with experience in standards-based education, as well as the education associations in the State, for advice on determining the needs of educators and on developing a plan for joint efforts to achieve the goal of ensuring that students graduating from high schools in the State are proficient in all 8 content areas of the system of learning results established in the Maine Revised Statutes, Title 20-A, section 6209 and in each of the 5 guiding principles outlined in the Department of Education Rule Chapter 132. The Joint Standing Committee on Education and Cultural Affairs is authorized to report out a bill to the Second Regular Session of the 125th Legislature related to the recommendations included in this report.

See title page for effective date.

## CHAPTER 84

## H.P. 929 - L.D. 1238

### Resolve, Authorizing the Bureau of Unemployment Compensation To Study Establishment of a Voluntary Workplace Training Program

**Sec. 1. Bureau of Unemployment Compensation within the Department of Labor to determine the most cost-effective proposal for establishing a workplace training program. Resolved:** That, within existing resources, the Director of the Bureau of Unemployment Compensation within the Department of Labor shall determine the most cost-effective proposal for establishing a voluntary workplace training program. The director shall examine programs in the states of Georgia, New Hampshire and Utah to guide the study; and be it further

**Sec. 2. Reporting date established. Resolved:** That, no later than December 15, 2011, the Director of the Bureau of Unemployment Compensation within the Department of Labor shall report the results of the study under section 1 along with any recommended legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. The committee may submit a bill related to the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 85

## H.P. 829 - L.D. 1117

### Resolve, To Require the Commissioner of Labor To Convene a Stakeholder Group To Determine the Most Appropriate Amount of Time an Employer May Employ an Employee without Being Subject to Unemployment Compensation Requirements

**Sec. 1. Stakeholder group; report. Resolved:** That the Commissioner of Labor or the commissioner's designee shall convene a stakeholder group to determine the most appropriate amount of time an employer may employ an employee without the employer's being subject to unemployment compensation requirements. The commissioner or the commissioner's designee shall invite the participation of representatives from the Maine Merchants Association, the Maine State Chamber of Commerce, the National Federation of Independent Businesses and the Maine Tourism Association. The commissioner or the commissioner's designee shall submit a report with the stakeholder group's recommendations to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 15, 2012. The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 86

## H.P. 848 - L.D. 1142

### Resolve, Directing the Department of Administrative and Financial Services, Bureau of Revenue Services To Review the Farm and Open Space Tax Law

**Sec. 1. Review. Resolved:** That the Department of Administrative and Financial Services, Bureau of Revenue Services, referred to in this resolve as "the bureau," shall work with guidance from the Department of Agriculture, Food and Rural Resources to evaluate land used directly and indirectly for or in support of agricultural activities associated with a parcel enrolled in the farm and open space tax law pursuant to the Maine Revised Statutes, Title 36, chapter 105, subchapter 10. The bureau shall invite representatives from a statewide farming association and a statewide association representing municipalities to participate in the review. The bureau's review must consider land within the footprint of agriculture-related buildings, including greenhouses, dairy barns and buildings used to feed or shelter livestock. The bureau's review must consider the method for the valuation of such lands under a current use valuation methodology and an assessment of the thresholds for acreage and income that allow farmland to be assessed at current use; and be it further

**Sec. 2. Report. Resolved:** That, no later than December 31, 2011, the bureau shall submit a report that includes the findings of the review under section 1 and provides recommendations, including suggested legislation to implement the recommendations, to the Joint Standing Committee on Taxation and the Joint Standing Committee on Agriculture, Conservation and Forestry; and be it further

**Sec. 3. Authority to submit legislation. Resolved:** That the Joint Standing Committee on Taxation may submit a bill pertaining to recommendations

pursuant to section 2 to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 87

## S.P. 375 - L.D. 1254

### Resolve, Directing the Executive Director of the Commission on Governmental Ethics and Election Practices To Review the Law Governing Push Polling

**Sec. 1. Executive director of the Commission on Governmental Ethics and Election Practices to review the laws governing push polling. Resolved:** That the executive director of the Commission on Governmental Ethics and Election Practices shall by February 1, 2012 submit a report to the Joint Standing Committee on Veterans and Legal Affairs regarding the laws governing push polling, including any advances in the commissioner's ability to enforce the provisions of the laws governing push polling. The report must consider changes proposed through legislation submitted in the 124th and 125th Legislatures to amend what constitutes push polling and consider whether those proposed changes would strengthen the intent and efficacy of the push polling laws. The report may include suggested legislation. The Joint Standing Committee on Veterans and Legal Affairs is authorized to submit a bill based on the recommendations of the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 88

## S.P. 498 - L.D. 1559

### Resolve, To Transfer the Gilford Butler School to Regional School Unit 13

**Sec. 1. Definitions. Resolved:** That, as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the real estate described in section 3 with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies; and be it further

**Sec. 2. Authority to convey property. Resolved:** That the State, by and through the commissioner, may:

1. Convey the interests of the State in the state property to Regional School Unit 13;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed conveyance of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

**Sec. 3. Property interests that may be conveyed. Resolved:** That the state property authorized to be conveyed is the following:

1. A parcel of land described in a deed dated June 14, 1954 from Amos Makinen of South Thomaston to the Maine School Building Authority, recorded in Book 336, Page 135, Knox County Registry of Deeds; and be it further

**Sec. 4. Property to be sold "as is." Resolved:** That the commissioner may convey the state property without consideration upon terms the commissioner considers appropriate; however, the state property must be conveyed "as is," with no representations or warranties.

Title must be transferred by quitclaim deed without covenant and executed by the commissioner; and be it further

**Sec. 5. Exemptions. Resolved:** That any conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the property first be offered to the Maine State Housing Authority or another state or local agency; and be it further

**Sec. 6. Repeal. Resolved:** That this resolve is repealed 5 years from its effective date.

See title page for effective date.

## CHAPTER 89

## S.P. 215 - L.D. 726

### Resolve, To Reduce Funding to Maine Clean Election Act Candidates

**Sec. 1. Funding reduced for Maine Clean Election Act candidates. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 21-A, chapter 14, the amount distributed to certified candidates by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Clean Election Act during the 2012 election cycle must be 5% less than the amount distributed to certified candidates by the commission during the 2010 election cycle; and be it further

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

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

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Deallocates payments to candidates to reduce the amount distributed during the 2012 election cycle to 5% less than the amount distributed during the 2010 election cycle.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| All Other | ($245,835) | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | ($245,835) | $0 |

See title page for effective date.

## CHAPTER 90

## S.P. 500 - L.D. 1567

### Resolve, To Authorize the State To Acquire a Landfill in the Town of East Millinocket

**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 owner of pulp and paper mills in the Town of Millinocket and the Town of East Millinocket has announced the closure of the mills after failing to find buyers for them; and

**Whereas,** this closure would have an immediate negative effect on the economy in the Town of Millinocket, the Town of East Millinocket and the surrounding area, including the loss of approximately 400 jobs; and

**Whereas,** the ability of the State to enter into negotiations for acquiring the existing solid waste disposal facility on the East Millinocket mill property will help the effort to sell and reopen the mills, retain the jobs and reverse the potential negative economic effect of the mills' closure; and

**Whereas,** the acquisition of real estate associated with the solid waste disposal facility by donation will not involve the purchase or sale of real estate within the meaning of the Constitution of Maine; 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

**Sec. 1. Acquisition of landfill authorized. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 5, section 1825-B, subsection 1; Title 38, section 1310-X; and Title 38, chapter 24, the following provisions apply.

1. The Executive Department, State Planning Office, referred to in this section as "the office," may acquire, own and cause to be operated an existing Department of Environmental Protection-licensed and generator-owned solid waste disposal facility in the Town of East Millinocket, known as the Dolby Landfill and consisting of 3 separate areas known as "Dolby Landfill Site 1," "Dolby Landfill Site 2" and "Dolby Landfill Site 3," including unused solid waste capacity, expansion potential and the rights and obligations of all related solid waste licenses, together with such related property, if any, and appurtenant rights as may be necessary or desirable for the operation of such property as a commercial landfill, referred to in this resolve collectively as "the disposal facility."

The office may only acquire real estate associated with the disposal facility by donation and may establish the terms and conditions of acquisition by donation and execute and deliver, in the name of and on behalf of the State, all contracts the office determines are necessary or appropriate to effect the acquisition and operation of the disposal facility. Such a donation is conditioned upon the execution of an agreement by a buyer for the acquisition of the pulp and paper mills in the Town of Millinocket and the Town of East Millinocket; the office's endeavoring to identify and implement measures to mitigate the State's closure costs, including the consideration of cost caps on the closure costs, including the consideration of cost caps on the closure of the Dolby Landfill; and the office's having

received from the buyer an acceptable business plan, including employment projections. The office shall undertake all actions the office determines necessary or appropriate to fully perform all obligations established under the contracts.

2. Notwithstanding the Maine Revised Statutes, Title 38, section 1310-U, the municipality in which the disposal facility is located may not regulate the operation or any other aspect of the disposal facility as provided in Title 38, section 2173 or by means of any municipal ordinances, regulations, licenses or permits.

3. If the type of waste permitted to be disposed of at the disposal facility changes, the municipal officers of the Town of East Millinocket and the Town of Millinocket shall establish a joint citizen advisory committee consisting of 7 members, of whom 4 must be from the Town of East Millinocket and 3 must be from the Town of Millinocket. In appointing members to the committee, the municipal officers shall use the Maine Revised Statutes, Title 38, section 2171, subsection 1 as guidance. The committee shall meet as soon as practical following appointment of its members and shall select a chair from among its members. The committee shall establish procedures for the conduct of meetings. The committee may:

A. Review proposed contracts, site analyses, applications and other documents relating to the expansion, permitting and operation of the disposal facility;

B. Hold periodic public meetings to solicit the opinions of residents concerning the disposal facility and any permit applications, contracts or other provisions relating to the disposal facility;

C. Provide the office and the disposal facility operator with suggested contract provisions, permit conditions, plans or procedures the committee considers appropriate; and

D. Serve as a liaison between the towns and the office and the disposal facility operator to facilitate communications during the development and operation of the disposal facility and provide residents with updated information about the disposal facility, including providing explanations of any technical terms.

4. Nothing in this resolve permits the abrogation of, abrogates or intends to abrogate the sovereign immunity of the State with respect to any agreement authorized under this resolve; and be it further

**Sec. 2. Report. Resolved:** That, by February 15, 2012, the Executive Department, State Planning Office shall submit a report to the Joint Standing Committee on Environment and Natural Resources on actions taken related to the acquisition of the disposal facility authorized under section 1 and a review of the operations related to that disposal facility.

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

Effective June 17, 2011.

## CHAPTER 91

## H.P. 1060 - L.D. 1446

### Resolve, To Develop and Implement a Farm and Fish to School Pilot Program

**Sec. 1. Pilot program to examine the benefits of promoting the purchasing of food grown or raised and fish raised or caught by Maine food producers for use in primary and secondary school meal programs. Resolved:** That the Department of Agriculture, Food and Rural Resources, the Department of Education and the Department of Marine Resources, referred to collectively in this resolve as "the departments," shall, within existing resources, support or otherwise assist one or more cooperating nonprofit organizations in the development and implementation of a pilot program to examine the benefits of promoting the purchasing of food grown or raised and fish raised or caught by Maine food producers for use in primary and secondary school meal programs. If grant or other funding is obtained to support the pilot program:

1. Up to 2 schools agreed upon by the departments may choose to participate, one of which must be in an urban area and one of which must be in a rural area;

2. The program may provide to each participating school for up to 2 years up to 6¢ per meal served by the school to promote purchasing food grown or raised and fish raised or caught by Maine food producers for use in the school's meal program; and

3. The departments shall, within existing resources and in coordinating with each cooperating nonprofit organization and each participating school, monitor and receive information generated by the pilot program with respect to the economic impacts, benefits to farmers and producers and impacts on student eating habits and participation in the school's meal program.

The departments shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters by January 1, 2013 on the pilot program, including information generated by the pilot program regarding economic impacts, benefits to farmers and producers and impacts on student eating habits and participation in school meal programs.

See title page for effective date.

## CHAPTER 92

## S.P. 338 - L.D. 1105

### Resolve, To Study Oral Health Care in Maine and Make Recommendations Regarding How To Address Maine's Oral Health Care Needs

**Preamble. Whereas,** many Mainers face barriers to oral health care; and

**Whereas,** parts of each of Maine's 16 counties have been identified as federally designated dental health professional shortage areas; and

**Whereas,** there is no single answer to addressing Maine's oral health care needs; and

**Whereas,** ongoing challenges to Maine's oral health care needs include reimbursement, geography, personal decisions, workforce issues and many other factors; and

**Whereas,** the Legislature has in recent years sought to address Maine's oral health care needs through changes to the dental workforce and scopes of practice; and

**Whereas,** no comprehensive study has been completed regarding Maine's oral health care needs or the effect of the legislative changes and evaluations of strategies to address the outstanding needs; and

**Whereas,** this resolve directs the Executive Director of the Legislative Council to designate Medical Care Development, Inc. to contract with a qualified consultant to conduct a study of Maine's oral health care needs; now, therefore, be it

**Sec. 1. Oral health care needs; study. Resolved:** That the Executive Director of the Legislative Council shall request Medical Care Development, Inc. to conduct a study, without any cost to the State, pursuant to this resolve. Medical Care Development, Inc. shall solicit funds to pay for the cost of the study. Upon receiving adequate funding, Medical Care Development, Inc. shall contract with a qualified consultant that has sufficient resources and experience to perform a study of the State's oral health care needs that examines the type and geographic distribution of oral health care providers and analyzes barriers to oral health care in the State. The Department of Health and Human Services shall cooperate with Medical Care Development, Inc. by providing assistance in obtaining relevant information and data. In conducting the study, Medical Care Development, Inc. shall invite the input of members of the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Labor, Commerce, Research and Economic Development and shall seek the advice of statewide organizations representing dentists, dental hygienists, low-income persons, federally qualified health centers and dental clinics. The study may reference or incorporate information from other relevant research. The study must specifically examine and report on:

1. Existing public and private financial resources for oral health care in the State;

2. Limitations on access to oral health care for citizens of the State;

3. The sustainability of public financing programs for oral health care;

4. The actual and projected dental workforce needs for the State;

5. The effect of recent changes surrounding oral health care in the State, such as the development of a dental school based in the State and the creation of expanded function dental assistants, dental hygienists with public health supervision status and independent practice dental hygienists; and

6. Possible policy models from other states and countries that have been effective in addressing identified workforce shortages; and be it further

**Sec. 2. Funding. Resolved:** That Medical Care Development, Inc. shall seek nonstate funding to fully fund all costs of the study requested in section 1. The Department of Health and Human Services shall assist Medical Care Development, Inc. in seeking nonstate funding, including collaborating in seeking any available federal grant funds. State funds may not be expended to conduct the study. The study must be completed and the report submitted by Medical Care Development, Inc., with recommendations as appropriate for each issue, no later than January 1, 2012 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development and the Joint Standing Committee on Health and Human Services.

See title page for effective date.

## CHAPTER 93

## H.P. 1005 - L.D. 1366

### Resolve, To Clarify the Expectation for the 2012 Assessment of Progress on Meeting Wind Energy Development Goals

**Sec. 1. Expectations for assessment. Resolved:** That, when the Governor's Office of Energy Independence and Security, referred to in this resolve as "the office," undertakes its 2011 annual assessment of progress on meeting the wind energy development goals pursuant to Public Law 2007, chapter 661, Part A, section 8, as amended by Public Law 2009, chapter

642, Part A, section 9, it shall consider the following specific issues.

1. In its examination of the experiences from the permitting process, the office shall specifically examine:

A. Whether statewide permitting standards should be applied to wind energy development, including, but not limited to, noise standards, visual standards, setback requirements and decommissioning plans;

B. The criteria used during the permitting process to consider the visual impact of an expedited grid-scale wind energy development, the permits issued and any recommended changes to the criteria, including, but not limited to, changes to the criteria that require the primary siting authorities to consider insignificant the visual impacts greater than 8 miles from a scenic resource of state or national significance as defined in the Maine Revised Statutes, Title 35-A, section 3451, subsection 9;

C. The quality of submitted decommissioning plans and recommendations for mechanisms to provide financial assurance for funding the decommissioning; and

D. The time required for completing the permitting process, including the time required for conducting environmental surveys and preparing and submitting the applications and the associated costs.

2. In its examination of the status of this State and each of the other New England states in making progress toward reducing greenhouse gas emissions, the office shall specifically evaluate the accuracy of the estimates generated by state agencies and wind energy developers for greenhouse gas reductions that are a result of wind energy development in this State and make recommendations for a standardized protocol, if necessary.

3. In developing its recommendations regarding the wind energy development goals established in Title 35-A, section 3404, subsection 2, the office shall consider the number of wind turbines necessary to meet the goals, market conditions, development trends, emissions goals, siting policies, cumulative impacts and other factors that may indicate it is necessary to amend the wind energy development goals.

4. In developing its recommendations regarding identification of places within the State's unorganized and deorganized areas for inclusion in the expedited permitting area established pursuant to Title 35-A, chapter 34-A, the office shall also consider whether places should be removed from the expedited permitting area, including, but not limited to, mountain area protection subdistricts, as described by the Department of Conservation, Maine Land Use Regulation Commission Rule Chapter 10.

Notwithstanding Public Law 2007, chapter 661, Part A, section 8, as amended by Public Law 2009, chapter 642, Part A, section 9, the assessment submitted in 2012 is due February 1, 2012. Following receipt and review of the report, the Joint Standing Committee on Energy, Utilities and Technology may submit a bill to the Second Regular Session of the 125th Legislature; and be it further

**Sec. 2. Additional considerations. Resolved:** That, to the extent resources are available, the office shall include the following in the annual assessment of progress on meeting the wind energy development goals pursuant to Public Law 2007, chapter 661, Part A, section 8, as amended by Public Law 2009, chapter 642, Part A, section 9, in the assessment submitted in 2012:

1. Recommendations for the method by which permitting authorities should consider the cumulative impact on natural resources at the state or regional level, including but not limited to mountain areas and to scenic resources of state or national significance as defined in the Maine Revised Statutes, Title 35-A, section 3451, subsection 9;

2. The economic effects of wind energy development on the tourism industry, to the extent data are available;

3. In collaboration with the Office of the Public Advocate, an evaluation of the costs associated with transmission upgrades for the purpose of transmitting wind energy; and

4. The implications of the intermittency of wind power for regional markets and the grid, including capacity charges, the forward capacity market and electricity price volatility; and be it further

**Sec. 3. Use of existing data and stakeholder input. Resolved:** That, when completing the assessments under sections 1 and 2, the office and the Office of the Public Advocate may draw on existing state data and studies rather than new analyses, including, but not limited to, those developed for the New England Wind Integration Study published by ISO New England in December 2010, the state climate action plan pursuant to the Maine Revised Statutes, Title 38, section 577 and progress evaluation in Title 38, section 578, the State of Maine Comprehensive Energy Plan 2008-2009 and any reports from the Department of Economic and Community Development, as well as on analyses by the Federal Government, nonprofit organizations and other parties. The office and the Office of the Public Advocate may also draw on input from stakeholders and interested parties to complete the assessments; and be it further

**Sec. 4. Health effects. Resolved:** That, to the extent that resources are available, the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall conduct an analysis of the research on health effects from wind turbines, including effects from noise, and provide a report to the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2012. The report must include recommendations for making the information in the report easily accessible to the public.

See title page for effective date.

## CHAPTER 94

## H.P. 321 - L.D. 403

### Resolve, To Encourage School Administrative Units To Adopt a Mission Statement for Each of the Public Schools Operated by the School Administrative Unit

**Sec. 1. Mission statement. Resolved:** That the Department of Education shall encourage each school administrative unit to adopt a mission statement for each school under its jurisdiction and shall encourage each school board to solicit input from teachers, administrators, parents, students and community members in the development and adoption of a mission statement. This resolve does not apply to a school administrative unit that has already adopted mission statements for each of the schools under its jurisdiction; and be it further

**Sec. 2. Technical assistance. Resolved:** That, upon the request of a school board, the Department of Education shall provide technical assistance to the school administrative unit in the development of mission statements as set forth under section 1; and be it further

**Sec. 3. Review. Resolved:** That, by June 15, 2014, the Department of Education shall conduct a review of the adoption of mission statements by school administrative units; and be it further

**Sec. 4. Report. Resolved:** That, by September 1, 2014, the Department of Education shall submit a written report of the findings of the review under this resolve, including any recommendations resulting from the review, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs.

See title page for effective date.

## CHAPTER 95

## S.P. 232 - L.D. 739

### Resolve, To Amend the Rules Concerning Long-term Care Services To Better Support Family Caregivers

**Sec. 1. Resolved:** That, within the limits of its existing resources, the Department of Health and Human Services shall engage parties interested in the well-being of elderly and disabled adults for the purpose of creating a standard-form written contract that would satisfy existing MaineCare rules requiring a written contract for long-term care personal support services delivered by a relative in a home setting. The use of this contract form may not preclude the use of other forms. The Department of Health and Human Services shall post the contract form on its publicly accessible website, and shall adopt rules to implement the standard-form written contract. Rules adopted pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 96

## H.P. 265 - L.D. 332

### Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Major Substantive Rule of the Department of Health and Human Services

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective June 21, 2011.

## CHAPTER 97

## H.P. 1164 - L.D. 1581

### Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 50: Principles of Reimbursement for Intermediate Care Facilities for the Mentally Retarded, a Major Substantive Rule of the DHHS

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 50: Principles of Reimbursement for Intermediate Care Facilities for the Mentally Retarded, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective June 21, 2011.

## CHAPTER 98

## H.P. 1173 - L.D. 1585

### Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, Appendix D: Principles of Reimbursement for Child Care Facilities, a Major Substantive Rule of the Department of Health and Human Services

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, Appendix D: Principles of Reimbursement for Child Care Facilities, a provi-

sionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective June 21, 2011.

## CHAPTER 99

## H.P. 1172 - L.D. 1584

### Resolve, To Allow the State To Continue Efforts To Sell or Lease Certain Real Property in the City of Hallowell

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

**Whereas,** Resolve 2009, chapter 102 establishes conditions for the sale or transfer of certain property in the City of Hallowell and provides for the lease for the administrative office for Regional School Unit 2; and

**Whereas,** it is necessary to update certain dates contained in that resolve in order to prevent the expiration of critical provisions, including provisions regarding the preservation of historic properties and the preservation of public open space and to ensure the continuation of the lease for the administrative office for the Regional School Unit 2; 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

**Sec. 1. Resolve 2009, c. 102, §1, amended. Resolved:** That Resolve 2009, c. 102, §1 is amended to read:

**Sec. 1. Conditions of sale or transfer. Resolved:** That the Department of Administrative and Financial Services shall, prior to the sale or transfer of any portions of the property authorized for sale ~~by Resolve 2003, chapter 92~~ that is located in the City of Hallowell Tax Map 6, Lot 27 consisting of 63.5 acres, more or less, incorporate the following provisions into the conditions of sale or transfer. The sale or transfer must:

1. Reserve for the use or transfer to the City of Hallowell a portion of the parcel agreed to by the State and the City of Hallowell for municipal uses. This right for reservation or transfer may be surrendered by the City of Hallowell;

2. Reserve for the use or transfer to the City of Hallowell or any school administrative unit that includes the City of Hallowell whatever portion of the parcel as agreed to by the State, the City of Hallowell and the school administrative unit for purposes of education, educational administration or educational services to be provided by the school administrative unit. This right for reservation or transfer may be surrendered by the City of Hallowell and the school administrative unit. The State shall by September 30, ~~2009~~ 2011 enter into a lease to extend the current terms of School Administrative District 16 or any successor school administrative unit that includes the City of Hallowell as a tenant at the site through ~~September 13, 2011~~ June 30, 2015, subject to existing laws and with the additional provision that such lease must survive any transfer of ownership prior to that date until the expiration of the lease;

3. Reserve a portion of the parcel for public open space or public recreation either by the developer retaining ownership but reserving the parcel or by transfer to any qualified governmental or qualified nonprofit entity; and

4. Condition sale or transfer on the preservation and rehabilitation of the 5 buildings and surrounding grounds known as the Industrial School for Girls Historic District consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties" as interpreted or otherwise determined appropriate by the Maine Historic Preservation Commission.

The Commissioner of Administrative and Financial Services, prior to issuance of any request for qualifications associated with the transfer of the site, shall establish and convene a stakeholder group to guide reuse, assist in crafting a request for qualifications to be issued by the Department of Administrative and Financial Services and review qualifications of developers. The stakeholder group must have representation from interested parties, unless they decline to participate, including City of Hallowell officials, any school administrative unit that includes the City of Hallowell, the members of the Legislature whose districts include the parcel, the Maine Historic Preservation Commission, the Department of Administrative and Financial Services and others as determined by the commissioner. A subgroup of the stakeholders may participate in whole or in part in interviews of qualified developers scheduled as part of the request for qualifications process and review parameters for development, recognizing that the selection decision is under the authority of the commissioner; and be it further

; and be it further

**Sec. 2. Report. Resolved:** That the Commissioner of Administrative and Financial Services shall provide a written report on the status of all efforts to-

ward the sale or transfer of property pursuant to Resolve 2009, chapter 102 by February 1, 2012 to the Joint Standing Committee on State and Local Government.

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

Effective June 22, 2011.

## CHAPTER 100

## H.P. 1174 - L.D. 1586

### Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Section 40, Chapters II and III: Home Health Services, a Major Substantive Rule of the Department of Health and Human Services

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101, MaineCare Benefits Manual, Section 40, Chapters II and III: Home Health Services, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. That portion of the rule concerning psychotropic medications is amended to correct references to persons who receive in-home psychotropic medications; and

2. That portion of the rule concerning face-to-face encounters between a member and the member's physician is amended to require documentation of the face-to-face encounter only at the start of care.

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

Effective June 22, 2011.

## CHAPTER 101

## H.P. 1058 - L.D. 1444

### Resolve, To Enhance Agriculture and Farming

**Sec. 1. Department of Environmental Protection to review restrictions on bringing land into agricultural production. Resolved:** That the Department of Environmental Protection, referred to in this resolve as "the department," shall review provisions in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, articles 2-B and 5-A and rules authorized under those articles that affect a person's ability to clear or till land for agriculture. For the purposes of this resolve, "agriculture" means the production, keeping or maintenance for sale or lease of plants or animals, including but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and greenhouse products.

The department, in consultation with the Department of Agriculture, Food and Rural Resources, shall solicit input from farmers and representatives of agricultural associations when reviewing its rules. The department shall examine the setbacks in which tilling of soil is prohibited and consider options to allow land formerly used for forage crops and pasture to return to those uses; and be it further

**Sec. 2. Report to the Joint Standing Committee on Agriculture, Conservation and Forestry. Resolved:** That the department shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2013 on its findings upon completion of the review under section 1 and recommendations for actions to increase land available for agricultural uses in an environmentally responsible manner; and be it further

**Sec. 3. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Land and Water Quality 0248**

Initiative: Appropriates funds on a one-time basis for the Department of Environmental Protection to review statutes and rules including setbacks and forage and pasture regulations that restrict use of lands for agricultural purposes, to consult with the Department of Agriculture, Food and Rural Resources, to solicit data from farmers and agricultural associations and to report findings and recommendations to the Legislature no later than January 15, 2013.

| GENERAL FUND | 2011-12 | 2012-13 |
|---|---|---|
| All Other | $0 | $3,000 |
| GENERAL FUND TOTAL | $0 | $3,000 |

; and be it further

**Sec. 4. Effective date. Resolved:** That this resolve takes effect July 1, 2012.

Effective July 1, 2012.

## CHAPTER 102

## H.P. 486 - L.D. 656

### Resolve, To Establish a Task Force on Franco-Americans

**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 Task Force on Franco-Americans is established to find ways to promote and preserve the Franco-American heritage that is shared by a great number of Maine citizens; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report prepared in time for submission to the next legislative session; 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

**Sec. 1. Task force established. Resolved:** That, notwithstanding Joint Rule 353, the Task Force on Franco-Americans, referred to in this resolve as "the task force," is established; and be it further

**Sec. 2. Task force membership. Resolved:** That the task force consists of 13 members appointed as follows:

1. Four members of the public appointed by the Governor;

2. Four members appointed by the President of the Senate as follows:

A. One Senator; and

B. Three members of the public; and

3. Five members appointed by the Speaker of the House as follows:

A. Two members of the House of Representatives; and

B. Three members of the public; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

**Sec. 4. Appointments; convening of task force. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the task force, upon determining a definition for who is a Franco-American, shall gather basic data about Franco-Americans, including, but not limited to, how many Franco-Americans reside in the State, the percentage of the State's population that is Franco-American, if they speak French, their educational achievement, their annual income and where they live, and shall find ways to promote and preserve the Franco-American heritage that is shared by a great number of Maine citizens. The Franco-American Center at the University of Maine shall work in conjunction with the task force in fulfilling the duties of the task force. The task force may also work with individuals or nonprofit or charitable organizations toward the completion of its duties and responsibilities; and be it further

**Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the task force; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 7, 2011, the task force shall provide a pre-

liminary report with draft recommendations to the Second Regular Session of the 125th Legislature. The final report, including findings and recommendations, must be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by November 7, 2012. That joint standing committee is authorized to introduce a bill to the First Regular Session of the 126th Legislature related to the subject matter of the report; and be it further

**Sec. 8. Outside funding. Resolved:** That the task force shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

**Sec. 9. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**

**Study Commissions - Funding 0444**

Initiative: Provides allocations to authorize expenditures for the Task Force on Franco-Americans in the event that funding for the task force is received by the Legislature from outside sources.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $660 | $660 |
| All Other | $3,485 | $3,485 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,145 | $4,145 |

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

Effective July 6, 2011.

## CHAPTER 103

## S.P. 251 - L.D. 848

### Resolve, Directing the Commission on Governmental Ethics and Election Practices To Study Modifying the Maine Clean Election Act

**Sec. 1. Commission on Governmental Ethics and Election Practices to study the Maine Clean Election Act. Resolved:** That the Commission on Governmental Ethics and Election Practices shall study the Maine Clean Election Act to address any adverse rulings by the United States Supreme Court in the case of McComish v. Bennett, No. CV-08-1550-PHX-ROS (D. Ariz. Jan. 20, 2010); and be it further

**Sec. 2. Report. Resolved:** That the Commission on Governmental Ethics and Election Practices shall submit a report of its findings including any suggested changes to the Maine Clean Election Act pursuant to the study under section 1 by October 15, 2011 to the Joint Standing Committee on Veterans and Legal Affairs. The Joint Standing Committee on Veterans and Legal Affairs shall report out legislation based on the report by December 1, 2011 for presentation to the Second Regular Session of the 125th Legislature; and be it further

**Sec. 3. Transfer of funds; Commission on Governmental Ethics and Election Practices - Other Special Revenue Funds.** On the effective date of this resolve, the State Controller shall transfer $3,250 from the Commission on Governmental Ethics and Election Practices, Clean Elections Other Special Revenue Funds account to the Legislative General Fund account in the Legislature to fund the costs of 2 interim meetings of the Joint Standing Committee on Veterans and Legal Affairs to review the commission's report under section 2 and report out legislation.

See title page for effective date.

## CHAPTER 104

## S.P. 297 - L.D. 951

### Resolve, Establishing the Commission To Study Priorities and Timing of Judicial Proceedings in State Courts

**Sec. 1. Commission To Study Priorities and Timing of Judicial Proceedings in State Courts established. Resolved:** That the Commission To Study Priorities and Timing of Judicial Proceedings in State Courts, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 9 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including

at least one member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Two members appointed by the Chief Justice of the Supreme Judicial Court;

4. One member appointed by the Attorney General; and

5. One representative of the Maine Trial Lawyers Association designated by the Maine Trial Lawyers Association; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Participation. Resolved:** That the commission shall seek the participation of the Maine State Bar Association, the Maine Prosecutors Association, Pine Tree Legal Assistance, the Maine Commission on Indigent Legal Services and the Maine Association of Criminal Defense Lawyers and may seek the participation of any other individuals or organizations whose participation or input may be helpful; and be it further

**Sec. 6. Duties. Resolved:** That the commission shall study the priority and timing of judicial proceedings in state courts including, but not limited to, judicial proceedings that require priority treatment pursuant to statute; and be it further

**Sec. 7. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 8. Reimbursement. Resolved:** That, notwithstanding Joint Rule 353, public members of the commission are not entitled to reimbursement for expenses; and be it further

**Sec. 9. Report. Resolved:** That, no later than December 7, 2011, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Judiciary. The Joint Standing Committee on Judiciary is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 125th Legislature.

See title page for effective date.

## CHAPTER 105

## H.P. 1165 - L.D. 1582

### Resolve, Creating the Advisory Committee on Maine's Health Insurance Exchange

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

**Whereas,** to be eligible for health insurance exchange funding, the Federal Government requires the states to make substantial progress in the following core areas: background research; stakeholder consultation; legislative and regulatory action; governance; program integration; exchange information technology systems; financial management; oversight and program integrity; health insurance market reforms; providing assistance to individuals and small businesses, coverage appeals and complaints; and business operation; and

**Whereas,** the deadlines for applying for the next round of federal funding are September 30, 2011 and December 31, 2011; 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

**Sec. 1. Advisory Committee on Maine's Health Insurance Exchange established. Resolved:** That the Advisory Committee on Maine's Health Insurance Exchange, referred to in this resolve as "the advisory committee," is established to develop and provide recommendations, including suggested enabling legislation, to the Governor and the Legislature for a health insurance exchange that addresses the core areas specified by the Federal Government and consider the views of the health care industry and other stakeholders; and be it further

**Sec. 2. Membership of the advisory committee. Resolved:** That the advisory committee consists of no more than 9 members appointed by the Governor, after consultation with the chairs and lead minority members of the Joint Standing Committee on Insurance and Financial Services. The Governor shall appoint members that represent the diverse interests of stakeholders related to the establishment of a health insurance exchange. The members must include repre-

sentatives of key constituencies, including, but not limited to, health care providers, insurers, health insurance producers, consumers, employers with more than 50 employees, employers with 50 or fewer employees and the Board of Trustees of Dirigo Health. Prior to making appointments to the advisory committee, the Governor shall seek nominations from statewide associations representing the interests of stakeholders identified in this section and other entities as appropriate; and be it further

**Sec. 3. Chair. Resolved:** That the Governor shall appoint a chair from among the members of the advisory committee; and be it further

**Sec. 4. Duties of the advisory committee. Resolved:** That the advisory committee shall:

1. Review and consider the recommendations issued by the 124th Legislature's Joint Select Committee on Health Care Reform with respect to a health insurance exchange;

2. Consider the rules issued by the Federal Government subsequent to the passage of the Patient Protection and Affordable Care Act and their impact on the creation and operations of a health insurance exchange;

3. In an effort to create efficiencies, review the work products of other states to consider what elements of their health insurance exchange activities might be used in this State;

4. Establish technical committees or seek the advice of technical experts when necessary to execute the duties included in this resolve; and

5. Seek input from and report regularly to legislative leadership, the Joint Standing Committee on Insurance and Financial Services and the Governor's office throughout the advisory committee's deliberations; and be it further

**Sec. 5. Meetings. Resolved:** That meetings of the advisory committee must be conducted in public in accordance with the Maine Revised Statutes, Title 1, chapter 13. The advisory committee shall provide notice of its meetings to the Joint Standing Committee on Insurance and Financial Services; and be it further

**Sec. 6. Consultation with Legislature. Resolved:** That the Joint Standing Committee on Insurance and Financial Services is authorized to hold 3 meetings before the Second Regular Session of the 125th Legislature for the purpose of consulting with the advisory committee; and be it further

**Sec. 7. Staffing. Resolved:** That Dirigo Health shall provide staffing services to the advisory committee. As necessary, the Department of Professional and Financial Regulation, Bureau of Insurance; the Department of Administrative and Financial Services, Office of Information Technology; the Department of Health and Human Services; and the State Coordinator for Health Information Technology shall also provide staffing assistance to the advisory committee; and be it further

**Sec. 8. Report. Resolved:** That the advisory committee shall submit a report, including its recommendations and suggested legislation, to the Governor and the Joint Standing Committee on Insurance and Financial Services no later than September 1, 2011.

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

Effective July 6, 2011.

## CHAPTER 106

## S.P. 219 - L.D. 790

### Resolve, To Foster Energy Efficiency Improvements and Other Needed Renovations at Residential Care Facilities Funded by MaineCare

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

**Whereas,** energy efficiency improvements and other capital expenditures at residential care facilities funded by MaineCare require approval; and

**Whereas,** in order for residential care facilities to receive reimbursement for energy efficiency improvements and other capital expenditures, this resolve must take effect 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

**Sec. 1. Department rules governing reimbursement for energy efficiency improvements and other capital expenditures at MaineCare-funded residential care facilities. Resolved:** That the Department of Health and Human Services shall amend its rules governing principles of reimbursement for residential care facilities funded by MaineCare to permit those facilities, without a requirement of prior approval, to receive fixed or capital cost reimbursement for new construction, acquisitions, equipment, renovations or other improvements when the aggregate capital expenditure does not exceed $350,000 in one fiscal year. Capital expenditures for energy efficiency improvements, for replacement

equipment, for information systems, for communications systems and for parking lots and garages must be excluded from the cost of the project in determining whether it is subject to review and prior approval. When capital costs subject to review exceed $350,000 in one fiscal year, residential care facilities must submit plans, financial proposals and projected operating costs to the department for approval in order for costs to be reimbursed. The rules must require that, for an energy efficiency improvement to be reimbursable, the energy efficiency improvement is recommended as a cost-effective energy efficiency improvement in an energy audit or is determined to be cost-effective by the Efficiency Maine Trust established in the Maine Revised Statutes, Title 35-A, section 10103. The Department of Health and Human Services shall consult with the Efficiency Maine Trust in the amendment of the rules. The rules requiring modification are Chapter 115: Principles of Reimbursement for Residential Care Facilities - Room and Board Costs in Section 20.21(e) relating to energy efficiency improvements and Section 20.5 relating to new construction, acquisitions and renovations. The changes to the rules must be adopted on an emergency basis to be effective immediately upon adoption.

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

Effective July 8, 2011.

## CHAPTER 107

## H.P. 711 - L.D. 967

### Resolve, To Study the Cost of Providing Behavioral Health Care and Substance Abuse Services

**Sec. 1. Review of emergency department usage. Resolved:** That the Department of Health and Human Services, referred to in this resolve as "the department," shall consult with agencies and entities that possess relevant data regarding usage of hospital services and shall determine, on an annual basis, the number and percentage of persons who present at hospital emergency departments with behavioral health or substance abuse issues and the number and percentage of persons who present at hospital emergency departments for only behavioral health or substance abuse issues and the number and percentage of those persons who could be served through more appropriate community-based services; and be it further

**Sec. 2. Work with stakeholders. Resolved:** That the department shall work with a broad group of stakeholders to determine the reasons that persons present at hospital emergency departments for only behavioral health or substance abuse issues, the barriers to care that prevent them from seeking care from more appropriate community-based services and the estimated potential cost savings associated with shifting care from hospital emergency departments to community-based services; and be it further

**Sec. 3. Review best practice models. Resolved:** That the department shall review best practice models for training emergency department personnel, for triage to determine appropriate care settings and, when appropriate, for diverting care to community-based services for persons who present for only behavioral health or substance abuse issues. The department shall pay special attention to consumer preference; peer support services; sharing of assessments, information and records among community-based services and hospitals; licensing, regulatory and contractual changes required for diversion to community-based services; and innovations to address the requirements of the federal Emergency Medical Treatment and Active Labor Act; and be it further

**Sec. 4. Report; recommendations. Resolved:** That, by June 1, 2012, the department shall report to the Joint Standing Committee on Health and Human Services recommendations for augmented community-based services, including peer support services, in at least 2 different best practice models for service delivery that could be funded by the cost savings identified in section 2 resulting from diversion from hospital emergency departments of cases better served through community-based services.

See title page for effective date.

## CHAPTER 108

## H.P. 638 - L.D. 841

### Resolve, To Establish the Blue Ribbon Commission on Affordable Housing

**Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule 353, the Blue Ribbon Commission on Affordable Housing, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of the following 17 members appointed as follows:

1. Two members from the Senate, appointed by the President of the Senate. In making these appointments, the President shall give preference to a member of the Joint Standing Committee on Labor, Commerce, Research and Economic Development;

2. Two members from the House of Representatives, appointed by the Speaker of the House of Repre-

sentatives. In making these appointments, the Speaker shall give preference to a member of the Joint Standing Committee on Labor, Commerce, Research and Economic Development;

3. The Executive Director of the Maine State Housing Authority or the executive director's designee;

4. The Commissioner of Economic and Community Development or the commissioner's designee;

5. One representative of a statewide group dedicated to providing affordable housing, appointed by the Speaker of the House;

6. One representative of a statewide nonprofit group advocating on behalf of seniors, appointed by the Speaker of the House;

7. One representative of an organization practicing conservation planning, appointed by the Speaker of the House;

8. One representative of a statewide real estate organization, appointed by the Speaker of the House;

9. One representative of a developer of affordable housing, appointed by the Speaker of the House;

10. One representative of a statewide construction organization, appointed by the President of the Senate;

11. One representative who is an advocate for low-income persons, appointed by the President of the Senate;

12. One representative of a company producing modular housing, appointed by the President of the Senate;

13. One representative of a statewide supportive housing developer, appointed by the President of the Senate;

14. One representative of a provider of services to the homeless, appointed by the President of the Senate; and

15. One representative of the board of trustees of the Midcoast Regional Redevelopment Authority, appointed by the President of the Senate.

The commission shall invite the state director of the Maine office of the United States Department of Agriculture or the director's designee to participate; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair of the commission and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall conduct a study of affordable housing policy in this State, review the status of housing in the State and develop a plan to maximize the investment of available resources and best meet the housing needs of the people of this State. The commission shall consider both single-family and multifamily housing.

1. In conducting its study, the commission shall:

A. Review current data and research on affordable housing among the New England states and nationally;

B. Assess the economic impact of affordable housing in this State;

C. Review innovative affordable housing programs in other states; and

D. Identify regulatory barriers to affordable housing.

2. The commission shall make recommendations to:

A. Make the most effective use of state and federal resources, including leveraging private investment;

B. Make the most effective use of the Housing Opportunities for Maine Program as established in the Maine Revised Statutes, Title 30-A, section 4852 to provide access to housing that is decent, safe and sound;

C. Improve the economy through a measurable increase in construction of affordable housing;

D. Address the housing needs of Maine's elderly;

E. Address the severe affordable housing shortage that leaves thousands homeless each year;

F. Preserve existing affordable housing, including preserving access to energy efficiency programs; and

G. Reduce emergency service expenditures by state and local government by creating permanent supportive housing for the homeless.

The recommendations must, to the fullest extent possible, build upon current efforts and include an estimate of the costs associated with implementing them; and be it further

**Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, and upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Compensation. Resolved:** That the members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings; and be it further

**Sec. 8. Report. Resolved:** That the commission shall submit its report, including the recommendations required by section 5, together with any necessary implementing legislation, to the Second Regular Session of the 125th Legislature no later than February 15, 2012. The report must be presented to the Joint Standing Committee on Labor, Commerce, Research and Economic Development, which may report out a bill to the Second Regular Session of the 125th Legislature; and be it further

**Sec. 9. Funding. Resolved:** That the commission shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

**Sec. 10. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**LEGISLATURE**

**Study Commissions - Funding 0444**

Initiative: Authorizes the expenditure of funding that may be received from outside sources for the Blue Ribbon Commission on Affordable Housing.

| OTHER SPECIAL REVENUE FUNDS | 2011-12 | 2012-13 |
|---|---|---|
| Personal Services | $880 | $0 |
| All Other | $3,750 | $0 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | $4,630 | $0 |

See title page for effective date.

## CHAPTER 109
## H.P. 1076 - L.D. 1467

### Resolve, To Evaluate the All-payor Claims Database System for the State

**Sec. 1. Creation of working group. Resolved:** That the Department of Health and Human Services, referred to in this resolve as "the department," shall establish and convene a working group to evaluate options and actions available to improve the availability of and access to health care data and to examine the all-payor claims database system in the State; and be it further

**Sec. 2. Membership. Resolved:** That the Commissioner of Health and Human Services shall invite 17 persons to participate in the working group, as follows:

1. Two representatives of health insurance carriers;

2. Two representatives of health care providers, one member representing hospitals and one member representing physicians;

3. Two representatives of employers, one member representing a statewide health management coalition and one member representing a statewide chamber of commerce;

4. One representative of consumers;

5. One expert in both state and federal privacy laws;

6. One representative of the Maine Health Data Organization;

7. One representative of the Maine Health Data Processing Center;

8. One representative of Onpoint Health Data;

9. One representative of the Department of Administrative and Financial Services, Office of Information Technology;

10. One representative of HealthInfoNet;

11. One representative of the MaineCare program within the department;

12. One representative of the federal Medicare program;

13. One representative of the Office of the Attorney General; and

14. One representative of the Maine Quality Forum; and be it further

**Sec. 3. Cochairs. Resolved:** That the members of the working group shall select 2 of the members to serve as cochairs; and be it further

**Sec. 4. Evaluation. Resolved:** That the working group shall consider changes to the State's all-payor claims database system to improve the availability of and access to health care data by:

1. Reviewing the current structures of and relationships among the Maine Health Data Organization, the Maine Health Data Processing Center and Onpoint Health Data in order to evaluate the timeliness and effectiveness of the data received;

2. Reviewing the current purposes and uses of the data and limitations on access to the data and considering additional uses for the data and changes that might be necessary to achieve and facilitate additional uses;

3. Considering federal and state privacy and security laws regarding the use and release of protected health information, including policy and technical changes needed to allow increased access to protected health information and the feasibility of those changes; and

4. Considering the availability of the data, the most appropriate sources of the data and the cost of providing the data; and be it further

**Sec. 5. Funding and staffing. Resolved:** That the department shall provide staffing assistance to the working group through contracted professional services and shall seek outside nonstate funding to support staffing services and administrative costs for the working group. If adequate funding is not obtained, the working group may not convene or incur any expenses; and be it further

**Sec. 6. Report. Resolved:** That, by January 31, 2012, the department shall report the recommendations based on the findings and conclusions, determined by vote, of the working group, along with any recommended implementing legislation, to the Joint Standing Committee on Health and Human Services.

See title page for effective date.

## CHAPTER 110

## H.P. 940 - L.D. 1281

### Resolve, To Ensure Cost-effective Services for Persons Needing Neuropsychological Testing

**Sec. 1. MaineCare Benefits Manual. Resolved:** That the Department of Health and Human Services shall adopt rules to amend its Chapter 101: MaineCare Benefits Manual to permit neuropsychological testing assistants, also known as psychometricians, to administer and score neuropsychological and psychological tests of MaineCare patients under the supervision of a licensed psychologist. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 111

## H.P. 1086 - L.D. 1477

### Resolve, To Review Issues Dealing with Regulatory Takings

**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 Committee to Review Issues Dealing with Regulatory Takings is established to study issues associated with property rights and the public welfare; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

**Sec. 1. Committee established. Resolved:** That, notwithstanding Joint Rule 353, the Committee to Review Issues Dealing with Regulatory Takings, referred to in this resolve as "the committee," is established; and be it further

**Sec. 2. Committee membership. Resolved:** That the committee consists of 11 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including no more than 2 members from the party holding the largest number of seats in the Legislature;

3. One member representing private property owners with over 100 acres of real property, appointed by the President of the Senate. The President of the Senate may consider recommendations made by the Maine Farm Bureau, the Maine Forest Products Council and the Small Woodland Owners Association of Maine;

4. One member representing municipal government, appointed by the President of the Senate. The President of the Senate may consider recommendations made by the Maine Municipal Association;

5. One member representing conservation interests, appointed by the President of the Senate. The President of the Senate may consider recommendations made by the Natural Resources Council of Maine, the state chapter of the Nature Conservancy and Maine Audubon;

6. One member representing the business sector, appointed by the Speaker of the House. The Speaker of the House may consider recommendations from the Maine State Chamber of Commerce and the Maine National Federation of Independent Business;

7. One member representing private attorneys who have experience practicing in the subject area of takings law in the State, appointed by the Speaker of the House; and

8. The Attorney General or the Attorney General's designee; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the committee; and be it further

**Sec. 4. Appointments; convening of committee. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the committee shall study the issues associated with property rights and the public welfare. In examining these issues, the committee shall review whether barriers to relief from a regulatory taking currently exist. The committee may, without limitation, in the course of evaluating whether such barriers exist:

1. Review and analyze the Report of the Study Commission on Property Rights and the Public Health, Safety and Welfare, completed in 1995, and the recommendations made in the report;

2. Study the experiences of the land use mediation program, established in the Maine Revised Statutes, Title 5, section 3341 by the 117th Legislature for the purpose of providing private landowners with an independent forum for mediation of governmental land use actions as an alternative to court action;

3. Study regulatory takings legislation considered in other states, including Oregon and Florida, and also states where such legislation has been considered and not adopted and the experiences of landowners, municipalities, State Government and the public. The committee shall evaluate fiscal, legal and policy matters raised by these laws;

4. Examine specific cases in which state and municipal laws, regulations, ordinances and investments have affected property values in this State, both positively and negatively; and

5. Suggest measures to mitigate and remove any barriers to relief as may be identified; and be it further

**Sec. 6. Consideration of legislation elements. Resolved:** That the committee in determining whether to recommend legislation as part of its report shall consider at least the following legislation elements:

1. An appropriate definition of "land use regulation" that should be considered in determining whether a regulatory taking has occurred;

2. An appropriate percentage of diminution in value to establish a compensable regulatory taking;

3. Appropriate governmental agencies and entities to which new regulatory takings standards and procedures should apply;

4. Whether the cumulative effect of multiple land use regulations should be considered in determining whether a compensable regulatory taking has occurred;

5. If multiple land use regulations are cumulated to determine whether a compensable regulatory taking has occurred, how compensation should be allocated among the governmental agencies and entities responsible for those land use regulations;

6. How fair market value is established, including whether written bona fide appraisals are required;

7. Whether property value increases resulting from land use regulations should be taken into account;

8. An effective system for resolution of compensable regulatory takings claims, including payment of compensation when appropriate, without resorting to filing a claim in court;

9. Creation of a Superior Court cause of action seeking appropriate compensation for regulatory takings, including standards for awarding damages;

10. The appropriateness of awarding attorney's fees and costs to a landowner or governmental entity;

11. How to ensure that a claim for a compensable regulatory taking can proceed in a timely manner without unnecessary delay based on ripeness;

12. Whether a new compensable regulatory takings program should be applied to existing land use regulations;

13. Whether the "whole parcel rule" should be part of a new compensable regulatory takings program;

14. Establishment of an appropriate statute of limitations for filing claims for compensation for regulatory takings;

15. Whether a waiver of sovereign immunity is necessary; and

16. Whether a dedicated state fund should be established to pay claims for compensation; and be it further

**Sec. 7. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the committee; and be it further

**Sec. 8. Reimbursement. Resolved:** That public members of the committee are not entitled to reimbursement for expenses; and be it further

**Sec. 9. Report. Resolved:** That, no later than December 7, 2011, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Judiciary. The Joint Standing Committee on Judiciary may report out legislation relating to the report to the Second Regular Session of the 125th Legislature.

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

Effective July 8, 2011.

## CHAPTER 112

## H.P. 1144 - L.D. 1558

### Resolve, To Study Allocations of the Fund for a Healthy Maine

**Sec. 1. Commission established. Resolved:** That the Commission To Study Allocations of the Fund for a Healthy Maine, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of no more than 13 members appointed as follows:

1. The President of the Senate shall:

A. Appoint 3 members of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature. At least one of the appointees must serve on the Joint Standing Committee on Appropriations and Financial Affairs and at least one of the appointees must serve on the Joint Standing Committee on Health and Human Services; and

B. Appoint one person representing municipal public health departments and one person representing a major voluntary nonprofit health organization; and

2. The Speaker of the House of Representatives shall:

A. Appoint 4 members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature. At least one of the appointees must serve on the Joint Standing Committee on Appropriations and Financial Affairs and at least one of the appointees must serve on the Joint Standing Committee on Health and Human Services; and

B. One person representing a statewide organization of public health professionals, one person representing a public health organization or agency operating in a rural community, one person representing the organizations providing services supported by funds from the Fund for a Healthy Maine and one person who possesses expertise in the subject matter of the study under this resolve; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 10 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The chairs of the commission shall call and convene the first meeting of the commission within 15 days of the effective date of this resolve. If a majority of but not all appointments have been made within 10 days of the effective date of this resolve, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Meetings. Resolved:** That the commission may meet only when the Legislature is not in

regular or special session. The commission is authorized to meet up to 6 times to accomplish its duties; and be it further

**Sec. 6. Duties. Resolved:** That the commission shall review the alignment of allocations from the Fund for a Healthy Maine, established in the Maine Revised Statutes, Title 22, section 1511, with the State's current public health care and preventive health priorities and goals. The commission shall gather information and data from public and private entities as necessary to:

1. Identify or review the State's current public health care and preventive health priorities and goals;

2. Identify or review strategies for addressing priorities and goals and potential effectiveness of those strategies;

3. Assess the level of resources needed to properly pursue the strategies identified in subsection 2;

4. Make recommendations for how Fund for a Healthy Maine funds should be allocated to most effectively support the State's current public health and preventive health priorities, goals and strategies; and

5. Make recommendations for processes to be used to ensure that Fund for a Healthy Maine allocations stay aligned with the State's health priorities and goals; and be it further

**Sec. 7. Cooperation. Resolved:** That the Commissioner of Administrative and Financial Services, the Commissioner of Education, the Commissioner of Health and Human Services and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall provide information and data to the commission as necessary for its work; and be it further

**Sec. 8. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 9. Report. Resolved:** That, no later than December 7, 2011, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services; and be it further

**Sec. 10. Transfer of funds; Office of Program Evaluation and Government Accountability, General Fund. Resolved:** That, on the effective date of this resolve, the State Controller shall transfer $6,960 from the Office of Program Evaluation and Government Accountability, General Fund account to the Miscellaneous Studies Legislative, General Fund account in the Legislature to fund the costs of the study.

See title page for effective date.

## CHAPTER 113

## H.P. 1126 - L.D. 1534

### Resolve, To Reform the Land Use and Planning Authority in the Unorganized Territory

**Sec. 1. Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory established. Resolved:** That the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territory, referred to in this resolve as "the commission," is established to advise the Joint Standing Committee on Agriculture, Conservation and Forestry on matters relating to land use planning and regulation in the unorganized territory; and be it further

**Sec. 2. Membership. Resolved:** That the commission consists of 13 members, as follows:

1. The Commissioner of Conservation or the commissioner's designee;

2. Two residents of the unorganized territory, one appointed by the President of the Senate and one appointed by the Speaker of the House;

3. One representative of a large landowner in the unorganized territory engaged in the forest products industry, appointed by the Governor;

4. One representative of a small landowner in the unorganized territory engaged in the forest products industry, appointed by the Governor;

5. Two county commissioners from counties with significant acreage in the unorganized territory, one appointed by the President of the Senate, and one appointed by the Speaker of the House;

6. One representative of a statewide sportsmen's organization, appointed by the Governor;

7. One representative of a statewide environmental or conservation organization, appointed by the President of the Senate;

8. One representative of a regional environmental or conservation organization, appointed by the Speaker of the House;

9. One representative of the tourism or outdoor recreation industry in the unorganized territory, appointed by the Governor;

10. One representative of a regional or local economic development organization serving an area that

includes unorganized territory, appointed by the President of the Senate; and

11. One regional planner from a council of governments in a county with significant acreage in the unorganized territory, appointed by the Speaker of the House; and be it further

**Sec. 3. Chair. Resolved:** That, after all members of the commission have been named, the Governor shall designate one member to serve as chair and another member to serve as vice-chair; and be it further

**Sec. 4. Duties. Resolved:** That the commission shall:

1. Consider reforming the governance of land use planning in the unorganized territory and make recommendations on the role of state agencies and county government, the planning and appeals process and opportunities for increased self-determination in land use planning in the unorganized territory;

2. Ensure that any recommendation that entails the elimination of the Maine Land Use Regulation Commission, referred to in this resolve as "LURC," provides an effective transition process, including a plan for LURC to complete any pending work or transfer the work to relevant agencies;

3. Ensure uniform standards across the unorganized territory for timber harvesting activities and forest management, wildlife habitat protection and issues under the jurisdiction of the Natural Resources Protection Act; and

4. Consider options for reforming the governance of land use planning in the unorganized territory; and be it further

**Sec. 5. Meetings; interim update. Resolved:** That the commission shall meet as necessary to complete the assigned duties. The commission shall hold no fewer than 2 public listening sessions on dates determined by the commission. The commission shall meet with the Joint Standing Committee on Agriculture, Conservation and Forestry no later than October 28, 2011 for an update on the progress of the commission; and be it further

**Sec. 6. Staffing. Resolved:** That the Department of Conservation shall provide staff support to the commission within existing resources. The Commissioner of Conservation shall invite resource people to assist as appropriate, including individuals with past experience as LURC commissioners and staff; and be it further

**Sec. 7. Compensation. Resolved:** That members of the commission do not receive compensation for their time, travel or other expenses; and be it further

**Sec. 8. Report. Resolved:** That the commission shall complete its work no later than December 15, 2011 and submit its report and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 4, 2012; and be it further

**Sec. 9. Authority to submit legislation. Resolved:** That the Joint Standing Committee on Agriculture, Conservation and Forestry shall submit legislation reforming the governance of land use planning in the unorganized territory to the Second Regular Session of the 125th Legislature to take effect in fiscal year 2012-13.

See title page for effective date.

## CHAPTER 1

## H.P. 387 - L.D. 494

### RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Schedule for Redistricting

**Constitutional amendment. Resolved:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

**Constitution, Art. IV, Pt. First, §2** is amended to read:

**Section 2. Number of Representatives; biennial terms; division of the State into districts for House of Representatives.** The House of Representatives shall consist of 151 members, to be elected by the qualified electors, and hold their office 2 years from the day next preceding the first Wednesday in December following the general election. The Legislature which convenes in ~~1983~~ 2013, and also the Legislature which convenes in 2021 and every 10th year thereafter, shall cause the State to be divided into districts for the choice of one Representative for each district. The number of Representatives shall be divided into the number of inhabitants of the State exclusive of foreigners not naturalized according to the latest Federal Decennial Census or a State Census previously ordered by the Legislature to coincide with the Federal Decennial Census, to determine a mean population figure for each Representative District. Each Representative District shall be formed of contiguous and compact territory and shall cross political subdivision lines the least number of times necessary to establish as nearly as practicable equally populated districts. Whenever the population of a municipality entitles it to more than one district, all whole districts shall be drawn within municipal boundaries. Any population remainder within the municipality shall be included in a district with contiguous territory and shall be kept intact.

**Constitution, Art. IV, Pt. First, §3** is amended to read:

**Section 3. Submission of reapportionment plan to Clerk of House; Legislature's action on commission's plan.** The apportionment plan of the commission established under Article IV, Part Third, Section 1-A shall be submitted to the Clerk of the House no later than ~~120 calendar days after the convening of the Legislature~~ June 1st of the year in which apportionment is required. In the preparation of legislation implementing the plan, the commission, following a unanimous decision by commission members, may adjust errors and inconsistencies in accordance with the standards set forth in this Constitution, so long as substantive changes are not made. The Legislature shall enact the submitted plan of the commission or a plan of its own by a vote of 2/3 of the Members of each House ~~within 30 calendar days after the plan of the commission is submitted~~ by June 11th of the year in which apportionment is required. Such action shall be subject to the Governor's approval as provided in Article IV, Part Third, Section 2.

In the event that the Legislature shall fail to make an apportionment ~~within 130 calendar days after convening~~ by June 11th, the Supreme Judicial Court shall, within 60 days following the period in which the Legislature is required to act, but fails to do so, make the apportionment. In making such apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

The Supreme Judicial Court shall have original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group thereof. If any challenge is sustained, the Supreme Judicial Court shall make the apportionment.

**Constitution, Art. IV, Pt. Second, §2** is amended to read:

**Section 2. Submission of reapportionment plan to Secretary of Senate; Legislature's action on commission's plan; division of State into Senatorial Districts; division by Supreme Judicial Court.** The Legislature which shall convene in the year ~~1983~~ 2013, and also the Legislature which shall convene in the year 2021 and every tenth year thereafter, shall cause the State to be divided into districts for the choice of a Senator from each district, using the same method as provided in Article IV, Part First, Section 2 for apportionment of Representative Districts.

The apportionment plan of the commission established under Article IV, Part Third, Section 1-A shall be submitted to the Secretary of the Senate no later than ~~120 calendar days after the convening of the Legislature~~ June 1st of the year in which apportionment is

required. In the preparation of legislation implementing the plan, the commission, following a unanimous decision by commission members, may adjust errors and inconsistencies in accordance with the standards set forth in this Constitution, so long as substantive changes are not made. The Legislature shall enact the submitted plan of the commission or a plan of its own by a vote of 2/3 of the Members of each House~~, within 30 calendar days after the plan of the commission is submitted~~ by June 11th of the year in which apportionment is required. Such action shall be subject to the Governor's approval as provided in Article IV, Part Third, Section 2.

In the event that the Legislature shall fail to make an apportionment ~~within 130 days after convening~~ by June 11th, the Supreme Judicial Court shall, within 60 days following the period in which the Legislature is required to act but fails to do so, make the apportionment. In making such apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

The Supreme Judicial Court shall have original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group thereof. If any challenge is sustained, the Supreme Judicial Court shall make the apportionment.

**Constitution, Art. IX** is amended by adding after Section 23 the following:

**Section 24. Reapportionment.** Congressional districts must be reapportioned as follows.

**1. Procedure.** Beginning in 2021 and every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the Legislative Apportionment Commission, established every 10 years pursuant to Article IV, Part Third, Section 1-A, shall review the existing congressional districts. If the districts do not conform to Supreme Judicial Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall ensure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish districts as equally populated as possible. The commission shall submit its plan to the Clerk of the House of Representatives no later than June 1st of the year in which apportionment is required. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the members of each House by June 11th of the year in which apportionment is required to the Clerk of the House of Representatives. This action is subject to the Governor's approval, as provided in Article IV, Part Third, Section 2.

**2. Court apportionment.** If the Legislature fails to make an apportionment by June 11th, the Supreme Judicial Court shall make the apportionment within 60 days following the period in which the Legislature is required to act but fails to do so. In making the apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

**3. Judicial review.** The Supreme Judicial Court has original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group of citizens. If a challenge is sustained, the Supreme Judicial Court shall make the apportionment.

**Section 25. Apportionment of county commissioner districts.** County commissioner districts must be apportioned as follows.

**1. Redistricting, generally.** Beginning in 2021 and every 10 years thereafter, the apportionment commission established under Article IV, Part Third, Section 1-A shall review the existing county commissioner districts and, as necessary, reapportion those districts in each county to establish as nearly as practicable equally populated districts. The Speaker of the House of Representatives is responsible for calling the commission together to review the county commissioner districts. No action may be taken by the commission without a quorum of 7.

A. The apportionment commission shall divide the number of commissioners in each county into the number of inhabitants of the county, excluding foreigners not naturalized, according to the latest Federal Decennial Census or a state census previously ordered by the Legislature to coincide with the Federal Decennial Census, to determine a mean population figure for each county commissioner district. Each county commissioner district must be formed of contiguous and compact territory and must cross political subdivision lines the least number of times necessary to establish as nearly as practicable equally populated districts. Whenever the population of a municipality entitles it to more than one district, all whole districts must be drawn within the municipal boundaries. Any population remainder within the municipality must be included in a district drawn to cross the municipal boundary as long as the population remainder within the municipality is contiguous to another municipality or municipalities included in the district. Any county that already meets the standards and guidelines for equally populated districts, as established by this section, this Con-

stitution and the Constitution of the United States, need not be reapportioned.

B. Interested parties from each county may submit redistricting plans for the commission to consider. Those plans must be submitted to the commission no later than 30 calendar days after the commission is called together by the Speaker of the House of Representatives under this subsection. The commission may hold public hearings on plans affecting each county.

C. The commission shall submit its plan to the Clerk of the House of Representatives no later than June 1st of the year in which apportionment is required. The Clerk of the House of Representatives shall submit to the Legislature, no later than January 15, 2022, and every 10th year thereafter, one legislative document to reapportion the county commissioner districts based on the plan submitted by the apportionment commission. The Legislature must enact the submitted plan or a plan of its own in regular or special session by a vote of 2/3 of the members of each House within 30 calendar days after the plan is submitted to it by the Clerk of the House of Representatives. This action is subject to the Governor's approval, as provided in Article IV, Part Third, Section 2.

**2. Supreme Judicial Court.** If the Legislature fails to make an apportionment within the 30 calendar days, the Supreme Judicial Court shall make the apportionment within 60 calendar days following the period in which the Legislature is required to act but fails to do so. In making the apportionment, the Supreme Judicial Court shall consider plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

; and be it further

**Constitutional referendum procedure; form of question; effective date. Resolved:** That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to change the years of redistricting the Maine Legislature, congressional districts and county commissioner districts after 2013 from 2023 and every 10th year thereafter to 2021 and every 10th year thereafter?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it further

**Secretary of State shall prepare ballots. Resolved:** That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

Effective pending referendum.

**INITIATED BILL OF THE STATE OF MAINE**
**REFERRED TO THE VOTERS BY**
**THE ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**
**AND APPROVED AT REFERENDUM**

## CHAPTER 2

## I.B. 5 - L.D. 1808

## An Act To Allow a Casino in Oxford County

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

**Sec. 1. 8 MRSA §1001, sub-§2,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**2. Associated equipment.** "Associated equipment" means any component part used, or intended for use, in a slot machine or table game, including, but not limited to, software, integrated circuit chips, printed wired assemblies, printed wired boards, printing mechanisms, video display monitors and metering devices.

**Sec. 2. 8 MRSA §1001, sub-§5-A** is enacted to read:

**5-A. Casino.** "Casino" means a facility in Oxford County, other than a commercial track, where gambling activities occur, including, but not limited to, the operation of slot machines and table games.

**Sec. 3. 8 MRSA §1001, sub-§5-B** is enacted to read:

**5-B. Casino operator.** "Casino operator" means a person who is licensed under this chapter to operate a casino.

**Sec. 4. 8 MRSA §1001, sub-§15,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**15. Gambling activity.** "Gambling activity" means off-track betting, pari-mutuel wagering at a race track, high-stakes beano, beano, ~~game~~ games of chance or slot machine or table game operation.

**Sec. 5. 8 MRSA §1001, sub-§16,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**16. Gambling facility.** "Gambling facility" means a race track, off-track betting facility, high-stakes beano or beano facility, ~~a~~ game of chance facility ~~or~~, slot machine facility or casino.

**Sec. 6. 8 MRSA §1001, sub-§17,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**17. Gambling services.** "Gambling services" means any goods or services provided to an operator licensed under this chapter or at a gambling facility that are used directly in connection with the operation of a slot machine or table game, including, but not limited to, ~~slot machine~~ maintenance, security services or junket services, and excluding slot machine or table game distribution by a slot machine distributor or table game distributor.

**Sec. 7. 8 MRSA §1001, sub-§20,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**20. Gaming employee.** "Gaming employee" means any person connected directly with a gambling facility, including cashiers, change personnel, counting room personnel, hosts, persons who extend credit or offer complimentary services, machine mechanics, security personnel, supervisors or managers. "Gaming employee" also includes employees of a slot machine distributor or table game distributor whose duties are directly involved with repair or distribution of slot machines ~~or~~, gaming devices or table games.

**Sec. 8. 8 MRSA §1001, sub-§21-A** is enacted to read:

**21-A. Gross table game income.** "Gross table game income" means the total value of money, tokens, credits or similar objects or things of value used to actually play a table game before payback is distributed to a player.

**Sec. 9. 8 MRSA §1001, sub-§27,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**27. Key executive.** "Key executive" means any executive of a licensee having power to exercise a significant influence over decisions concerning the operation or distribution of slot machines or table games.

**Sec. 10. 8 MRSA §1001, sub-§29-B** is enacted to read:

**29-B. Net table game income.** "Net table game income" means money, tokens, credits or similar objects or things of value used to play a table game minus money, credits or prizes paid out to winners.

**Sec. 11. 8 MRSA §1001, sub-§30,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**30. Nongambling services.** "Nongambling services" means any goods or services, other than gam-

bling services and slot machine or table game distribution by a slot machine distributor or table game distributor, provided to an operator licensed under this chapter or at a gambling facility, including, but not limited to, hotel concessions, restaurant concessions or food service.

**Sec. 12. 8 MRSA §1001, sub-§38,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**38. Registration.** "Registration" means an approval or board action that authorizes a company to be a holding company of a company that holds or applies for a slot machine operator license ~~or~~, a casino operator license, a slot machine distributor license or a table game distributor license or of other persons required to be licensed under this chapter.

**Sec. 13. 8 MRSA §1001, sub-§41,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**41. Slot machine facility.** "Slot machine facility" means a facility, not including a casino, at which a slot machine operator operates slot machines.

**Sec. 14. 8 MRSA §1001, sub-§42,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**42. Slot machine operator.** "Slot machine operator" means a person, not including a casino operator, who is licensed under this chapter to operate slot machines and associated equipment in the State.

**Sec. 15. 8 MRSA §1001, sub-§43-A** is enacted to read:

**43-A. Table game.** "Table game" means a card game, dice game or other game of chance, including, but not limited to, blackjack, poker, dice, craps, roulette, baccarat, money wheels, wheel of fortune or any electronic facsimile of such a game located in a casino. Table games are governed under this chapter and excluded from the definition of "game of chance" in Title 17, section 330, subsection 2.

**Sec. 16. 8 MRSA §1001, sub-§43-B** is enacted to read:

**43-B. Table game distributor.** "Table game distributor" means a person who is licensed under this chapter to distribute table games and associated equipment for use in the State.

**Sec. 17. 8 MRSA §1001, sub-§44,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**44. Uniform location agreement.** "Uniform location agreement" means a written agreement in a form prescribed by the board between a slot machine operator or casino operator and a slot machine distributor or table game distributor that governs the terms and conditions of that agreement, including the placement of slot machines or table games on the premises of the slot machine operator or casino operator.

**Sec. 18. 8 MRSA §1003, sub-§1, ¶A,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

A. Regulate, supervise and exercise general control over the ownership and operation of slot machines and table games, the distribution of slot machines and table games and slot machine facilities and casinos;

**Sec. 19. 8 MRSA §1003, sub-§2, ¶I,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

I. Adopt rules to prevent undesirable conduct relating to the ownership, distribution and operation of slot machines and table games and slot machine facilities and casinos, including, but not limited to, the following:

(1) The practice of any fraud or deception upon a player of a slot machine or table game or a licensee;

(2) The presence or location of a slot machine or table game in or at premises that may be unsafe due to fire hazard or other public safety conditions;

(3) The infiltration of organized crime into the ownership, distribution or operation of slot machines or table games and slot machine facilities or casinos; and

(4) The presence of disorderly persons in a location where slot machines or table games are in use;

**Sec. 20. 8 MRSA §1003, sub-§2, ¶Q,** as amended by PL 2005, c. 663, §4, is further amended to read:

Q. Certify monthly to the department a full and complete statement of all slot machine and table game revenue, credits disbursed by licensees, administrative expenses and the allocation of slot machine and table game income for the preceding month;

**Sec. 21. 8 MRSA §1003, sub-§2, ¶R,** as amended by PL 2005, c. 663, §5, is further amended to read:

R. Submit by March 15th an annual report to the Governor and the joint standing committee of the Legislature having jurisdiction over gambling affairs on slot machine and table game revenue, credits disbursed by slot machine operators and table game operators, administrative expenses and

the allocation of slot machine and table game income for the preceding year;

**Sec. 22. 8 MRSA §1003, sub-§3, ¶E,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

E. The location and hours of operation of slot machines and table games, types of slot machines and table games permitted, methods of operation of slot machines and table games and distribution and servicing of slot machines and table games and associated equipment;

**Sec. 23. 8 MRSA §1003, sub-§3, ¶G,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

G. Minimum procedures for the exercise of effective control over the internal fiscal affairs of slot machine operators, casino operators, slot machine distributors, table game distributors, gambling services vendors and nongambling services vendors, including provisions for the safeguarding of assets and revenues, the recording of cash and evidence of indebtedness and the maintenance of reliable records, accounts and reports of transactions, operations and events, including reports to the board;

**Sec. 24. 8 MRSA §1003, sub-§3, ¶H,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

H. Procedures for the annual audit of the books and records of slot machine operators, casino operators, slot machine distributors, table game distributors and gambling services vendors;

**Sec. 25. 8 MRSA §1003, sub-§3, ¶I,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

I. Establishment of a list of persons who are to be excluded or removed from any slot machine facility or casino, including those persons who voluntarily request that their names be included on the list of excluded persons. These rules must define the standards for exclusion and removal and include standards regarding persons who are career or professional offenders, as defined by rules of the board, whose presence in a slot machine facility or casino would, in the opinion of the board, be inimical to the interest of the State;

**Sec. 26. 8 MRSA §1004-A** is enacted to read:

**§1004-A. Surveillance and monitoring of table games**

**1. Casino facility requirements.** A casino operator shall arrange the facilities of its casino in such a manner as to promote optimum security for the casino facility operations and shall comply in all respects with rules of the board pertaining to security.

**2. Internal controls.** The following provisions govern internal procedures and controls of a casino.

A. The casino operator shall submit to the board a description of its system of internal procedures and administrative and accounting controls for table games operations accompanied by a certification by its chief financial officer or equivalent officer that the submitted procedures provide adequate and effective controls, establish a consistent overall system of internal procedures and administrative and accounting controls and conform to generally accepted accounting principles. An applicant for licensure under section 1011, subsection 2-A shall make its initial submission at least 30 business days before table game operations are to commence unless otherwise directed by the board.

B. The casino must contain a count room and such other secure facilities as may be required by the board for the counting and storage of cash, coins, tokens, checks, plaques, gaming vouchers, coupons and other devices or items of value used in wagering and approved by the board that are received in the conduct of gaming and for the inspection, counting and storage of dice, cards, chips and other representatives of value. A drop box or other device in which these items are deposited at the gaming tables, and any area in which these boxes and devices are kept while in use, must be equipped with a locking device to which there are 2 keys, one of which must be under the exclusive control of the board and the other of which must be under the exclusive control of the casino operator. These drop boxes and other devices may not be brought into or removed from a casino room except at such times, in such places and according to such procedures as the board may require.

**Sec. 27. 8 MRSA §1005, sub-§1,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**1. Powers.** In addition to powers conferred by any other provision of law, the department may:

A. Without notice, and at any time during regular hours of operation, enter the offices, facilities or other places of business of slot machine operators, casino operators, slot machine distributors, table game distributors and gambling services vendors to conduct administrative inspections to determine compliance with this chapter and rules adopted under this chapter; and

B. Request the director to disable any slot machine or table game if the department has a reasonable articulable suspicion that the slot machine or table game is being operated in violation of this chapter or of any rule adopted under this chapter.

**Sec. 28. 8 MRSA §1006, sub-§4,** as enacted by PL 2005, c. 11, §1, is amended to read:

**4. Monitoring and surveillance records and information.** Financial, statistical and surveillance information obtained by the board or department from the central site monitoring system or surveillance devices is confidential and may not be disclosed. The board shall prepare and make publicly available monthly and annual reports on the results of slot machine and table game operations using the information described in this subsection pursuant to section 1003, subsection 2, paragraphs Q and R, as long as the board takes appropriate measures to protect the confidentiality of specific information designated as confidential by this section.

**Sec. 29. 8 MRSA §1011,** as amended by PL 2005, c. 663, §6, is further amended to read:

**§1011. License to operate**

The board shall exercise authority over the licensing of all persons participating in the operation, distribution and maintenance of slot machines and table games and slot machine facilities and casinos and over the registration of slot machines and table games.

**1. Operator license required for slot machine facility.** A person may not operate any slot machine in a slot machine facility in the State unless the person has been issued a license to operate slot machines by the board. A slot machine operator license authorizes a licensee to own or lease slot machines operated at a licensed gambling facility.

**1-A. Operator license required for casino.** A person may not operate both slot machines and table games in the State unless the person has been issued a casino operator license by the board. A casino operator license authorizes a licensee to own or lease slot machines and table games operated at a casino.

**2. Persons eligible for slot machine operator license.** The board may accept applications for a license to operate slot machines from any person who is licensed to operate a commercial track that satisfies the following criteria:

A. The commercial track is located at or within a 5-mile radius of the center of a commercial track that conducted harness racing with pari-mutuel wagering on more than 25 days during calendar year 2002; and

B. The operation of slot machines at the commercial track is approved by the voters of the municipality in which the commercial track to be licensed is located by referendum election held at any time after December 31, 2002 and before December 31, 2003.

**2-A. Person eligible for casino operator license.** The board may accept an application for a casino operator license to operate slot machines and table games at a casino from any person if that person and casino satisfy the following criteria:

A. The casino is located on a parcel of land that is:

(1) No less than 50 acres in size; and

(2) Located not more than:

(a) Thirty miles from a Level I or Level II trauma center verified as such by the American College of Surgeons or successor organization;

(b) Fifteen miles from the main office of a county sheriff;

(c) Twenty-five miles from the main office of a state police field troop;

(d) Thirty miles from an interchange of the interstate highway system;

(e) Ten miles from a fire station;

(f) Ten miles from a facility at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year; and

(g) One-half mile from a state highway as defined in Title 23, section 1903, subsection 15.

For the purposes of this paragraph, distances are determined by measuring along the most commonly used roadway, as determined by the Department of Transportation;

B. The criteria adopted through rulemaking by the board regarding the licensing of the operation of slot machines and table games;

C. The operation of a casino is approved by the voters of the municipality in which the casino to be licensed is located in a referendum election or by a vote of the municipal officers in the municipality in which the casino is to be licensed and located held at any time after October 1, 2009 and on or before December 31, 2011;

D. The person owns a facility that is within 10 miles of the proposed casino at which harness racing was conducted pursuant to a license from the State Harness Racing Commission for the 2009 racing year; and

E. The slot machines and table games are located and operated in the casino.

**3. Requirements for license; continued commercial track licensure.** The board may not issue a license to operate a slot ~~machines~~ machine facility or a casino to any person unless that person demonstrates

compliance with the qualifications set forth in sections 1016 and 1019. ~~A person who is granted a license to operate slot machines must maintain a license to operate a commercial track, without lapse, suspension or revocation for the duration of the slot machine operator's license.~~ To maintain eligibility for a slot machine operator license, a licensed commercial track must at all times maintain a license to operate a commercial track, without lapse, suspension or revocation, and a licensed commercial track is not eligible for a license to operate table games but may apply for a license to operate slot machines as long as the licensed commercial track satisfies the requirements of this chapter.

**4. Requirement for license; agreement with municipality where slot machines are located.** A slot machine operator shall enter into an agreement with the municipality where the slot machine operator's slot machines are located that provides for revenue sharing or other compensation, including, but not limited to, a provision requiring the preparation, in conjunction with the municipality, of a security plan for the premises on which the slot machines are located. The revenue-sharing agreement must provide for a minimum payment to the municipality of 3% of the net slot machine income derived from the machines located in the municipality.

**5. Renewal.** Licenses to operate slot ~~machines~~ machine facilities or a casino may be renewed upon application for renewal in accordance with this subchapter, subject to board rules.

**Sec. 30. 8 MRSA §1012-A** is enacted to read:

**§1012-A. Local approval for renewal of casino operator license**

An application for renewal of a casino operator license must first be approved under this section by the municipal officers of the municipality in which the casino is located or, if the casino is in an unincorporated place, the application must be approved by the county commissioners of the county in which the casino is located.

**1. Hearings.** Municipal officers or county commissioners, as the case may be, may hold a public hearing for the consideration of a request for the renewal of a license to operate a casino, except that, when an applicant has held a license for the prior 5 years and a complaint has not been filed with the board against the applicant within that time, the applicant may request a waiver of the hearing.

A. The board shall prepare and supply application forms for public hearings under this subsection.

B. Municipal officers or county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing, at the applicant's prepaid expense, a notice stating the name and place of the hearing to appear on at least 3 consecutive days before the date of the hearing in a daily newspaper having general circulation in the municipality where the premises of the casino are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If municipal officers or county commissioners, as the case may be, fail to take final action on an application for a renewal of a casino operator license within 60 days of the filing of an application, the application is considered approved and ready for action by the board. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners.

**2. Findings.** In granting or denying an application under this section, municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the premises of the casino and caused by persons patronizing or employed by the casino or other such conditions caused by persons patronizing or employed by the casino that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the casino to use their property in a reasonable manner;

B. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the premises of the casino and caused by persons patronizing or employed by the casino; and

C. A violation of any provision of this chapter.

**3. Appeal to board.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the board within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The board shall hold a public hearing in the city, town or unincorporated place where the premises of the casino are situated. In acting on such an appeal, the board may consider all licensure requirements and findings referred to in subsection 2. If the decision appealed is an application denial, the board may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

**4. Appeal to District Court.** Any person or governmental entity aggrieved by a board decision under this section may appeal the decision to the District Court within 30 days of receipt of the written de-

cision of the board. An applicant who files an appeal or who has an appeal pending shall pay the license renewal fee the applicant would otherwise pay. Upon resolution of the appeal, if the applicant's license renewal is denied, the board shall refund the applicant the prorated amount of the unused license fee.

**Sec. 31. 8 MRSA §1013-A** is enacted to read:

**§1013-A. Licensing of table game distributors**

**1. License to distribute required.** A person may not distribute table games in the State unless the person has been issued a license to distribute table games by the board.

**2. Requirements for license.** The board may issue a license to distribute table games to an applicant that meets the qualifications set out in sections 1016 and 1019.

**Sec. 32. 8 MRSA §1015,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**§1015. Licensing of employees of slot machine and casino operators, slot machine and table game distributors and gambling services vendors**

**1. License required.** A person may not be employed by a slot machine operator, casino operator, slot machine distributor, table game distributor or gambling services vendor unless the person is licensed to do so by the board or granted a waiver by the board pursuant to subsection 3.

**2. Requirements for license.** The board may issue an employee license to an employee of a slot machine operator, casino operator, slot machine distributor, table game distributor or gambling services vendor if the applicant meets the qualifications set out in sections 1016 and 1019.

**3. Requirements for waiver.** Upon application by a slot machine operator, casino operator, slot machine distributor, table game distributor or gambling services vendor, the board may waive the employee license requirement under this section if the slot machine operator, casino operator, slot machine distributor, table game distributor or gambling services vendor demonstrates to the board's satisfaction that the public interest is not served by the requirement of the employee license.

**Sec. 33. 8 MRSA §1016, sub-§1,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**1. Minimum qualifications.** Notwithstanding Title 5, chapter 341, and in addition to any requirements imposed by rules adopted by the board, a person must satisfy the following qualifications to be a slot machine operator, a casino operator, a slot machine distributor, a table game distributor, a gambling services vendor or an employee of these entities:

A. The person has completed the application form, promptly and truthfully complied with all information requests of the board and complied with any applicable rules adopted by the board;

B. The person has sufficient financial assets and responsibility to meet any financial obligations imposed by this chapter and, if applying for a slot machine operator license ~~or~~, casino operator license, slot machine operator license renewal or casino operator license renewal, has sufficient financial assets and responsibility to continue operation of a commercial track or casino;

C. The person has not knowingly or recklessly made a false statement of material fact in applying for a license under this chapter or any gambling-related license in any other jurisdiction;

D. In the case of a person applying to be a slot machine operator or casino operator, the person has sufficient knowledge and experience in the business of operating slot machines or casinos to effectively operate the slot machine facilities or casino to which the license application relates in accordance with this chapter and the rules and standards adopted under this chapter;

E. The person has not had a gambling-related license application denied or an adverse action taken against a gambling-related license by authorities in this State or any other jurisdiction. For purposes of this paragraph, "adverse action" includes, but is not limited to, a condition resulting from an administrative, civil or criminal violation, a suspension or revocation of a license or a voluntary surrender of a license to avoid or resolve a civil, criminal or disciplinary action;

F. If the applicant is a business organization, the applicant is organized in this State, although that business organization may be a wholly or partially owned subsidiary of an entity that is organized pursuant to the laws of another state or a foreign country; and

G. The person and all key executives are citizens or permanent residents of the United States.

A person may not hold more than one class of license under this chapter unless the 2nd license is an employee license under section 1015.

**Sec. 34. 8 MRSA §1018, sub-§1,** as amended by PL 2005, c. 663, §7, is further amended to read:

**1. Fees.** The application fee for a license and the annual fee for a registered slot machine or table game under this chapter are as set out in this subsection.

A. The initial registration fee for a registered slot machine is $100. The annual renewal fee is $100 for each registered slot machine.

A-1. The initial registration fee for a registered table game is $100. The annual renewal fee is $100 for each registered table game.

B. The initial application fee for a slot machine distributor license is $200,000. The annual renewal fee is $75,000.

B-1. The initial application fee for a table game distributor license is $5,000. The annual renewal fee is $1,000.

C. The initial application fee for a slot machine operator license is $200,000. The annual renewal fee is $75,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing slot machine operators and determined by dividing the costs of administering the slot machine operator licenses by the total number of slot machine operators licensed by the board.

C-1. The initial application fee for a casino operator license is $225,000. The annual renewal fee is $80,000 plus an amount, set by rules of the board, equal to the cost to the board of licensing casino operators and determined by dividing the costs of administering the casino operator licenses by the total number of casino operators licensed by the board.

D. The annual application fee for a license for a gambling services vendor is $2,000.

E. The initial application fee for an employee license under section 1015 is $250. The annual renewal fee is $25.

In addition to the application fee for a license or annual fee for a registered slot machine or table game, the board may charge a one-time application fee for a license or registration listed in paragraphs A to E in an amount equal to the projected cost of processing the application and performing any background investigations. If the actual cost exceeds the projected cost, an additional fee may be charged to meet the actual cost. If the projected cost exceeds the actual cost, the difference may be refunded to the applicant. All fees collected pursuant to this section must be deposited directly to the General Fund, except that $25,000 of the annual renewal fee for a slot machine operator or casino operator must be deposited to the Gross Slot Income Other Special Revenue Fund account within the Gambling Control Board to be transferred to the municipality in which the slot ~~machines are~~ machine facility or casino is operated, in accordance with subsection 2. All application and registration fees are nonrefundable and are due upon submission of the application.

**Sec. 35. 8 MRSA §1019, sub-§6,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**6. Proximity of licensed casinos and slot machine facilities.** A casino operator license or slot machine operator license may not be issued under this chapter ~~at~~ to operate any ~~commercial track~~ casino or slot machine facility located within 100 miles of a licensed casino or slot machine facility.

**Sec. 36. 8 MRSA §1019, sub-§7** is enacted to read:

**7. Referendum and municipal vote.** After January 1, 2011, any proposed casino or slot machine facility may not be issued a license unless it has been approved by a statewide referendum vote and a vote of the municipal officers or municipality in which the casino or slot machine facility is to be located.

**Sec. 37. 8 MRSA §1020, sub-§3,** as amended by PL 2005, c. 663, §9, is further amended to read:

**3. Limits on total slot machines.** The board shall determine the number of slot machines to be registered in the State. The board shall make this determination based upon the minimum net slot machine income, when distributed pursuant to section 1036, necessary to maintain the harness horse racing industry in this State, except that:

A. The total number of slot machines registered in the State may not exceed ~~1,500~~ 3,000; and

B. A slot machine operator may not operate more than 1,500 slot machines at any one commercial track and a casino operator may not operate more than 1,500 slot machines at a casino.

**Sec. 38. 8 MRSA §1021** is enacted to read:

**§1021. Registration of table games**

**1. Registration required.** A table game may not be operated or distributed pursuant to this chapter unless the table game is registered by the board and the casino operator and the table game distributor are each licensed by the board.

**2. Requirements for registration.** To be registered, a table game:

A. May not have any means of manipulation that affect the random probabilities of winning a game; and

B. Must have, in addition to the requirements of paragraph A, other such characteristics as the board may establish by rule.

**3. Examination of table games.** The board shall, in cooperation with the department, examine table games and associated equipment of table game distributors seeking registration as required in this chapter. The board shall require the table game dis-

tributor seeking examination and approval of the table game or associated equipment to pay the anticipated cost of the examination before the examination occurs. After the examination occurs, the board shall refund overpayments or charge and collect amounts sufficient to reimburse the board for underpayments of actual cost. The board may contract for the examinations of table games and associated equipment as required by this section.

**4. Unregistered or noncompliant table games subject to confiscation.** A table game that is not registered as required by this section or that does not comply with the requirements of this chapter or rules adopted under this chapter is contraband and a public nuisance and the table game and the table game's monetary contents, monetary proceeds and associated equipment are subject to confiscation by any law enforcement officer. Table games and any monetary contents, monetary proceeds and associated equipment confiscated pursuant to this section are subject to forfeiture in accordance with the procedures outlined in Title 17-A, section 959 or 960.

**Sec. 39. 8 MRSA §1031,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**§1031. Age limit on slot machine and table game use; access by minors; credit prohibited**

**1. Minimum age.** A slot machine operator or casino operator may not permit a person under 21 years of age to play a slot machine or table game.

**2. Placement of slot machines and table games.** A slot machine operator, casino operator, slot machine distributor, table game distributor or gambling services vendor shall prohibit persons under 21 years of age from any area in which a slot machine or table game is located, except that a person 18 to 20 years of age may be present if that person is a licensed employee under section 1015.

**3. Credit prohibited.** A slot machine operator or casino operator may not allow the use of a credit card or debit card by a person to play a slot machine or table game.

**4. Table game wagering.** Each table game must be equipped with a sign indicating the permissible minimum and maximum wagers pertaining to that table game. A casino operator may not require any wager to be greater than the stated minimum or less than the stated maximum, and any wager actually made by a patron and not rejected by a casino operator prior to the commencement of play must be treated as a valid wager.

**Sec. 40. 8 MRSA §1032,** as amended by PL 2005, c. 663, §10, is further amended to read:

**§1032. Payment of credits by slot machine or casino operator**

A slot machine operator or casino operator shall redeem credits for players who earn credits on a slot machine or table game located on the premises of that slot machine ~~operator~~ facility or casino in accordance with rules adopted by the board. A slot machine operator or casino operator may not redeem a credit slip more than 365 days from the date of issuance. The funds reserved for the payment of such a credit slip or expired unclaimed jackpot must be retained by the slot machine operator or casino operator and treated as gross slot machine income or gross table game income and do not constitute property subject to the requirements of Title 33, chapter 41.

**Sec. 41. 8 MRSA §1033,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**§1033. Uniform location agreement**

Each slot machine or table game is subject to a uniform location agreement between the slot machine distributor or table game distributor and the slot machine operator or casino operator. A copy of the agreement must be submitted to the board for approval. The uniform location agreement is the complete and sole agreement between the slot machine operator or casino operator and the slot machine distributor or table game distributor regarding slot machines and table games. No other agreement between the slot machine operator or casino operator and the slot machine distributor or table game distributor is legally binding.

**Sec. 42. 8 MRSA §1034,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**§1034. Disclosure of other contracts and agreements**

A slot machine operator or casino operator must submit to the board all contracts or agreements the slot machine operator or casino operator establishes with a slot machine distributor, table game distributor, licensed gambling services vendor or ~~a~~ key executive.

**Sec. 43. 8 MRSA §1035,** as amended by PL 2007, c. 611, §11, is further amended to read:

**§1035. Location of slot machines**

Slot machines may be located only on the premises of a commercial track or the premises of a casino. For the purposes of this section, "premises of a commercial track" means property owned by the person who owns the property on which a commercial track is located and that is either within 200 feet of the outside edge of the racing oval or, if the commercial track was owned by a municipality when a license to operate slot machines in association with that commercial track

was issued, within 2,000 feet of the center of the racing oval.

**Sec. 44. 8 MRSA §1035-A** is enacted to read:

**§1035-A. Location of table games**

Table games may be located only on the premises of a casino.

**Sec. 45. 8 MRSA §1036, sub-§2-A** is enacted to read:

**2-A. Distribution from casino of slot machine income.** A casino operator shall collect and distribute 46% of the net slot machine income from slot machines operated by the casino operator to the board for distribution by the board as follows:

A. Twenty-five percent of the net slot machine income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

B. Four percent of the net slot machine income must be forwarded by the board to the University of Maine System Scholarship Fund created in Title 20-A, section 10909;

C. Three percent of the net slot machine income must be forwarded by the board to the Board of Trustees of the Maine Community College System to be applied by the board of trustees to fund its scholarships program under Title 20-A, section 12716, subsection 1;

D. Four percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall distribute the funds to the tribal governments of the Penobscot Nation and the Passamaquoddy Tribe;

E. Three percent of the net slot machine income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board;

F. Two percent of the net slot machine income must be forwarded directly to the municipality in which the casino is located;

G. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Agricultural Fair Support Fund established in Title 7, section 91;

H. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the fund established in section 298 to supplement harness racing purses;

I. One percent of the net slot machine income must be credited by the board to the Sire Stakes Fund created in section 281;

J. One percent of the net slot machine income must be forwarded directly to the county in which the casino is located to pay for mitigation of costs resulting from gaming operations; and

K. One percent of the net slot machine income must be forwarded by the board to the Treasurer of State, who shall credit the money to the Department of Agriculture, Food and Rural Resources to fund dairy farm stabilization pursuant to Title 7, section 3153-B.

If a recipient of net slot machine income in paragraph D, H or I owns or receives funds from a slot machine facility or casino, other than the casino in Oxford County or the slot machine facility in Bangor, then the recipient may not receive funds under this subsection, and those funds must be retained by the Oxford County casino operator.

**Sec. 46. 8 MRSA §1036, sub-§2-B** is enacted to read:

**2-B. Distribution from casino of table game income.** A casino operator shall collect and distribute 16% of the net table game income from table games operated by the casino operator to the board for distribution by the board as follows:

A. Ten percent of the net table game income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

B. Three percent of the net table game income must be deposited to the General Fund for administrative expenses of the board, including gambling addiction counseling services, in accordance with rules adopted by the board;

C. Two percent of the net table game income must be forwarded directly to the municipality in which the table games are located; and

D. One percent of the net table game income must be forwarded directly to the county in which the table games are located to pay for mitigation of costs resulting from gaming operations.

**Sec. 47. 8 MRSA §1036, sub-§3,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**3. Failure to deposit funds.** A slot machine operator or casino operator who knowingly or intentionally fails to comply with this section commits a Class C crime. In addition to any other sanction available by law, the license of ~~that person~~ the operator may be

revoked by the board and the slot machines or table games operated by that slot machine operator or casino operator may be disabled, and the slot machines or table games, slot machines' or table games' proceeds and associated equipment may be confiscated by the board and are subject to forfeiture under Title 17-A, section 959 or 960.

**Sec. 48. 8 MRSA §1041, sub-§2,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**2. Location.** A slot machine operator or casino operator shall maintain all records required by this chapter or by rules adopted under this chapter at the operator's primary business office within this State or on the premises where the slot machine or table game is operated. A slot machine distributor or table game distributor shall maintain these records at the distributor's primary business office within this State. The primary business office must be designated by the license holder in the license application. All records must be open to inspection and audit by the board or its designee and a license holder may not refuse the board or its designee the right to inspect or audit the records. Refusal to permit inspection or audit of the records constitutes grounds for revocation or suspension of the license or registration.

**Sec. 49. 8 MRSA §1054,** as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

**§1054. Criminal violations**

A person commits a Class C crime if that person knowingly or intentionally:

**1. Tampering with slot machine or table game.** Manipulates or intends to manipulate the outcome, payback or operation of a slot machine or table game by physical tampering or any other means;

**2. Interference.** Interferes with the board's ability to monitor compliance with this chapter;

**3. Operation or distribution without license.** Operates or distributes a slot machine or table game in this State without a license;

**4. Operation or distribution of unregistered slot machine or table game.** Operates or distributes a slot machine or table game that is not registered in this State;

**5. Possession of tools for purpose of tampering with slot machine or table game.** Possesses or makes any tool, implement, instrument or other article that is adopted, designed or commonly used for manipulating the outcome, payback or operation of a slot machine or table game with intent to use that tool, implement, instrument or other article to commit the manipulation of a slot machine or table game;

**6. Failure to disclose contracts and agreements.** Violates section 1034;

**7. Underage use of slot machine or table game.** Violates section 1031, subsection 1;

**8. Failure to deposit funds.** Violates section 1036, subsection 2; or

**9. Failure to grant access to premises, equipment and records.** Violates section 1042.

**Sec. 50. 17 MRSA §330, sub-§2,** as repealed and replaced by PL 1995, c. 674, §1, is amended to read:

**2. Game of chance.** "Game of chance" means any 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 can not 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 or decks of cards, a roll of a die or dice or a random drawing or generation of an object or objects that may include, but are not limited to, a card or cards, a die or dice, a number or numbers or simulations of any of these. A shuffle of a deck or decks of cards, a roll of a die or dice, a random drawing or generation of an object or objects 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 table games as defined in Title 8, section 1001, subsection 43-A are not games of chance.

Effective January 14, 2011.

## JOINT STUDY ORDERS

(There were none.)

## CHAPTER 2

**Sec. 1. 3 MRSA §427,** as enacted by PL 1975, c. 593, §3, is corrected to read:

**§427. Testimony**

Taking of testimony ~~shall~~ must be by the investigating committee's counsel, or other staff personnel or the members of the committee. A quorum ~~shall~~ must be present. Unless otherwise decided by investigating committee action, all testimony ~~shall~~ must be taken in open session. However, if any witness so requests, ~~his~~ that witness's testimony ~~shall~~ must be taken in executive session, ~~unles otherwie~~ unless otherwise decided by investigating committee action.

**EXPLANATION**

This section corrects clerical errors, makes grammatical changes and removes gender-specific language.

---

**Sec. 2. 5 MRSA §282, sub-§4-A,** as enacted by PL 1985, c. 785, Pt. A, §23, is corrected to read:

**4-A. Engage in planning.** To engage in short-term and long-term planning with ~~repect~~ respect to:

A. The structure and operation of the department;

B. The fiscal needs of State Government; and

C. The means by which the collection of revenues and payment of State Government obligations may be most efficiently realized;

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 3. 5 MRSA §17057, sub-§4, ¶A,** as enacted by PL 2009, c. 633, §1, is corrected to read:

A. Documentary material, data or information in the possession of the retirement system that consists of trade secrets or commercial or financial information that relates to the investments or potential investments of the retirement system pursuant to the innovation finance program under Title 10, section 1026-T is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3 if, in the sole discretion of the retirement system, the disclosure of the material, data or information may:

(1) Impair the retirement system's ability to obtain such material, data or information in the future; or

(2) ~~May cause~~ Cause substantial harm to the competitive position of the retirement system or of the person or entity from whom the information was obtained.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 4. 6 MRSA §55, sub-§1, ¶A,** as enacted by PL 1977, c. 678, §32 and amended by PL 1995, c. 504, Pt. B, §10, is corrected to read:

A. The commissioner may suspend or revoke, for such period of time as ~~he~~ the commissioner determines reasonable, a registration certificate issued by the Bureau of Aeronautics whenever ~~he~~ the commissioner determines, after notice of an opportunity for a hearing as provided, that the holder has made any false statement in an application for a certificate or any report required by the commissioner, or that any provisions of chapters 1 ~~thru~~ to 17 or any regulation promulgated thereunder has been violated.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 5. 7 MRSA §403, sub-§1,** as enacted by PL 1981, c. 335, §1, is corrected to read:

**1. State of Maine Building.** The department shall operate and maintain the State of Maine Building, previously erected upon the Eastern States Agricultural and Industrial Exposition, Inc., at West Springfield, ~~Masssehusetts~~ Massachusetts, for the purpose of exhibiting, publicizing and advertising Maine's products and resources in agriculture, industry, fisheries, forests, wildlife and recreation. Except as otherwise provided in this section, the department ~~shall have~~ has complete control and supervision of all exhibits held in these buildings.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 6. 7 MRSA §762, sub-§6,** as enacted by PL 1987, c. 425, §§1 and 3, is corrected to read:

**6. Commissioner.** "Commissioner" means the Commissioner of ~~Agricultural~~ Agriculture, Food and Rural Resources.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 7. 8 MRSA §295, sub-§1,** as enacted by PL 1997, c. 528, §46, is corrected to read:

**1. Payment.** Amounts calculated as off-track betting facility simulcast fund share under section 286 must be paid to the commission for distribution as provided in subsection 2~~,~~.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 8. 9-B MRSA §813, sub-§5, ¶B,** as enacted by PL 1975, c. 500, §1, is corrected to read:

B. ~~Nothwithstanding~~ Notwithstanding the limitation in paragraph A, the superintendent may extend the period in which business shall be commenced for a period not to exceed 6 months, upon written application by the organizers setting forth the reasons for such extension. If an extension is approved by the superintendent, the Secretary of State ~~shall~~ must be so notified by the superintendent.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 9. 9-B MRSA §1026, sub-§2,** as enacted by PL 1975, c. 500, §1, is corrected to read:

**2. Examination.** The superintendent shall at least once in each calendar year, and whenever ~~he~~ the superintendent deems it necessary or expedient, examine every such mutual trust investment company. On every such examination of a mutual trust investment company, the ~~sperintendent~~ superintendent shall make inquiry as to its financial condition, the policies of its management, whether it is complying with the laws of this State and such other matters as the superintendent may prescribe. The reasonable expenses of each examination of a mutual trust investment company pursuant to this section ~~shall~~ must be charged to the company in accordance with the provision of section 214.

**EXPLANATION**

This section corrects a clerical error, makes a grammatical change and removes gender-specific language.

---

**Sec. 10. 10 MRSA §1074,** as amended by PL 1987, c. 393, §15, is corrected to read:

**§1074. Taxable bond option**

With respect to all or any portion of any issue of bonds or any series of bonds which any municipality may issue in accordance with the limitations and restrictions of this subchapter, the municipality may covenant and consent that the interest on the bonds shall be includable, under the United States Internal Revenue Code of 1954 or any subsequent corresponding internal revenue law of the United States, in the gross income of the holders of the bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law. Bonds issued pursuant to this section shall not be subject to any limitations or restrictions of any law which may limit the municipality's power to issue those bonds or to the procedures set forth in section 1063 or in section 1064, subsection 1. Any bonds or issue or series of bonds with respect to which the municipality ~~convenants~~ covenants and consents that the interest on the bonds shall be includable, under the United States Internal Revenue Code of 1954 or any subsequent corresponding internal revenue law of the United States in the gross income of the holders of the bonds to the same extent and in the same manner that interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law shall be a properly authorized, legal, valid, binding and enforceable obligation of the municipality, regardless of whether the bonds were authorized, executed, delivered or issued prior to or after the effective date of this section. The foregoing grant of power shall not be construed as limiting the inherent power of municipalities under any other provision of law to issue debt, the interest on which is includable in the gross income of the holders of the interest under the United States Internal Revenue Code or any subsequent law.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 11. 10 MRSA §1314, sub-§2,** as amended by PL 1981, c. 610, §7, is corrected to read:

**2. Contents of notice.** The notice to the consumer, which is required by the preceding subsection ~~shall~~, must clearly and ~~conspicously~~ conspicuously:

A. Disclose to the consumer that an investigative consumer report including information as to ~~his~~ the consumer's character, general reputation, personal characteristics and mode of living, whichever is applicable, may be made;

B. Inform the consumer that ~~he~~ the consumer may request and receive from the person who in-

tends to procure such a report, within 5 business days of that person's receipt of ~~his~~ the consumer's request, the name, address and telephone number of the nearest unit designated to handle inquiries of each consumer reporting agency issuing an investigative consumer report about ~~him~~ the consumer; and

C. Inform the consumer that ~~he~~ the consumer may request and promptly receive from all such consumer reporting agencies copies of any such investigative consumer reports.

**EXPLANATION**

This section corrects clerical and punctuation errors, makes a grammatical change and removes gender-specific language.

---

**Sec. 12. 10 MRSA §1317, sub-§4,** as amended by PL 1991, c. 453, §3 and affected by §10, is corrected to read:

**4. Agency action, if error.** If, after conducting the reinvestigation prescribed by subsection 2, the consumer reporting agency finds that an item is inaccurate or that it can no longer be verified, it shall:

A. Promptly expunge the item and otherwise correct the file; and

B. Refrain from reporting the item in subsequent consumer reports, unless the item is later verified.

Notwithstanding anything ~~is~~ in this section, if a consumer reporting agency is requested to act pursuant to this subsection, it may retain the report that is found to be inaccurate; provided that the report is kept separate from other reports about the consumer, that it is conspicuously marked as containing inaccurate information which shall not be disclosed, and that it shall not be disclosed by the consumer reporting agency except in connection with its defense to a civil action brought pursuant to sections 1322 and 1323.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 13. 10 MRSA §1322, sub-§3,** as enacted by PL 1977, c. 514, is corrected to read:

**3. Costs of attorney's fees.** In the case of any successful action to enforce any liability under this section, the costs of the action together with ~~reasonably~~ reasonable attorney's fees as determined by the court.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 14. 10 MRSA §1375, sub-§6,** as enacted by PL 1989, c. 62, is corrected to read:

**6. ~~Insufficent~~ Insufficient process.** If proceeds of the sale are not sufficient to satisfy the occupant's outstanding obligations to the operator, the occupant ~~shall remain~~ remains liable to the operator for such deficiency.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 15. 10 MRSA §1432, sub-§12-A, ¶C,** as enacted by PL 2009, c. 562, §8, is corrected to read:

C. Have lengths and interior floor plans that distinguish the recreational vehicles from other recreational vehicles with substantially the same decor, ~~equipment,~~ features, equipment, size, weight and price range;

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 16. 10 MRSA §1432, sub-§17,** as enacted by PL 1997, c. 427, §2, is corrected to read:

**17. Recreational vehicle dealer.** "Recreational vehicle dealer" means any person who sells or solicits or advertises the sale of new recreational vehicles. "~~Recreation~~ Recreational vehicle dealer" does not include receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under judgment, decree or order of any court or public officers while performing their duties as those officers.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 17. 10 MRSA §1434, sub-§2, ¶A,** as enacted by PL 1997, c. 427, §2, is corrected to read:

A. To order or accept delivery of any recreational vehicle, appliances, equipment, parts or accessories for a recreational vehicle or any other commodity or commodities not required by law that the recreational vehicle dealer has not voluntarily ordered, or to order or accept delivery of any ~~recreation~~ recreational vehicle with special features, appliances, accessories or equipment not included in the list price of the recreational vehicle if such price exists, as publicly advertised by the manufacturer; or

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 18. 10 MRSA §1434, sub-§3, ¶C,** as enacted by PL 1997, c. 427, §2, is corrected to read:

C. To resort to or use any false or misleading advertisement in connection with the ~~manufactures~~ manufacturer's business as a manufacturer or an officer, agent or other representative of that manufacturer or to force any dealer to participate in any advertising campaign or contest, or to purchase any unnecessary or unreasonable quantities of promotional materials, display devices or display decorations or materials at the expense of the new recreational vehicle dealer;

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 19. 10 MRSA §1601** is corrected to read:

**§1601. Trademarks**

In order to better carry out the objectives of the Potato Tax Law, the Maine Potato Commission may develop and register trademarks. The Commissioner of Agriculture, Food and Rural Resources may delegate to the Maine Potato Commission the authority to regulate the use of the State of Maine trademark when used in packaging potatoes, both fresh and processed.

**EXPLANATION**

This section corrects the name of a commissioner.

---

**Sec. 20. 10 MRSA §2402, sub-§12,** as amended by PL 1977, c. 694, §177, is corrected to read:

**12. Approval or rejection.** Approve for use, and may mark, such weights and measures as ~~he~~ the state sealer finds to be correct and shall reject and mark as rejected such weights and measures as ~~he~~ the state sealer finds to be incorrect. Weights and measures that have been rejected may be seized, if not corrected within the time specified or if used or disposed of in a manner not specifically authorized. The state sealer shall condemn and may seize weights and measures found to be incorrect that are not capable of being made correct~~;~~. This approval, rejection, specification or condemnation ~~shall~~ may not be considered to be licensing or an adjudicatory proceeding, as those terms are defined by the Maine Administrative Procedure Act;

**EXPLANATION**

This section corrects a clerical error, makes a grammatical change and removes gender-specific language.

---

**Sec. 21. 12 MRSA §901,** as amended by PL 1989, c. 503, Pt. B, §56, is corrected to read:

**§901. Designation~~; payments to forestry district~~**

All the lands in Townships 2, 3, 4, 5 and 6, Range 9 W.E.L.S. and in Townships 3, 4, 5 and 6, Range 10 W.E.L.S., Piscataquis County, and Township 6, Range 8 W.E.L.S., Penobscot County, that have been donated and conveyed to the State in trust by Percival Proctor Baxter and all lands in the Townships 2, 3, 4, 5 and 6, Range 9 and in Townships 3, 4, 5 and 6, Range 10, and in Township 6, Range 8 and all lands in Piscataquis and Penobscot Counties that hereafter shall be donated and conveyed to the State by Percival Proctor Baxter in trust for state forest, public park and public recreational purposes are named and shall hereafter be named "Baxter State Park" in honor of the donor, and the same hereafter shall forever be so designated on the official maps and records of the State. They shall be under the joint supervision and control of, and shall be administered by the Director of the Bureau of Forestry, the Commissioner of Inland Fisheries and Wildlife and the Attorney General, and the commissioner, director and Attorney General shall have full power in the control and management of the same, under the title of Baxter State Park Authority, as authorized by Title 5, section 12004-G, subsection 11. The authority shall receive moneys available from trust funds established by the donor of the park and shall include fees collected, income from park trust funds invested by the Treasurer of State and other miscellaneous income derived from the park for maintenance and operation of the park.

The authority is further designated the agency of the State to receive such sums as are, from time to time, paid to the State by the trustee under clause THIRD of a certain inter vivos trust dated July 6, 1927, as from time to time amended, created by said Baxter for the purchase or other acquisition of additional land for said Baxter State Park, and for the purchase of other lands for recreational or reforestation purposes, and the authority is authorized to expend such sums so received for such purposes and shall hold and use such lands as specified in the trust.

**EXPLANATION**

This section corrects a headnote.

---

**Sec. 22. 12 MRSA §6301, sub-§2, ¶S,** as enacted by PL 2009, c. 523, §3, is reallocated to 12 MRSA §6301, sub-§2, ¶V.

**Sec. 23. 12 MRSA §6301, sub-§2, ¶T,** as enacted by PL 2009, c. 561, §10, is corrected to read:

T. A seaweed buyer's license issued under section 6803-A expires on March 31st of each year; ~~and~~

**Sec. 24. 12 MRSA §6301, sub-§2, ¶U,** as enacted by PL 2009, c. 561, §11, is corrected to read:

U. A limited wholesale shellfish harvester's license issued under section 6851-A expires on March 31st of each year~~.~~; and

**EXPLANATION**

These sections correct a lettering problem created by Public Law 2009, chapters 523 and 561, which enacted 2 substantively different provisions with the same paragraph letter, and make technical corrections.

---

**Sec. 25. 12 MRSA §6545,** as enacted by PL 1977, c. 661, §5, is corrected to read:

**§6545. Enforcement cooperation**

The Commissioner of Marine Resources and the Commissioner of Agriculture, Food and Rural Resources shall cooperate in the enforcement of sections 6542 and 6543.

**EXPLANATION**

This section corrects the name of a commissioner.

---

**Sec. 26. 12 MRSA §8427, sub-§7,** as enacted by PL 1979, c. 737, §12, is corrected to read:

**7. Review of assessments, supplemental assessments.** Any forest landowner aggrieved by an assessment made under this subchapter may petition the State Tax Assessor for reconsideration, pursuant to Title 36, section 151, provided that the petition is filed within 45 days of the date of assessment. If justice requires, the State Tax Assessor may, with the approval of the Governor, abate, within 3 years from the date of assessment, all or part of any tax assessed under this subchapter by the State Tax Assessor.

Within 3 years of an assessment made under this subchapter, the State Tax Assessor may make a supplemental assessment if ~~he~~ the State Tax Assessor finds that any previous assessment is imperfect or incomplete in any material aspect. An assessment may be made at any time with respect to a time period for which a fraudulent application has been filed.

The State Tax Assessor may require the assistance of the director in the performance of ~~his~~ the State Tax Assessor's duties under this subsection. The director shall ~~recommed~~ recommend to the State Tax Assessor an appropriate disposition of any matter brought under this subsection. That recommendation ~~shall~~ must be made within 15 days of the request and ~~shall~~ must be in writing.

**EXPLANATION**

This section corrects a clerical error, makes grammatical changes and removes gender-specific language.

---

**Sec. 27. 13 MRSA §1371-A, sub-§1, ¶A,** as enacted by PL 2009, c. 310, §1, is corrected to read:

A. When the construction or excavation is performed pursuant to a lawful order or permit allowing the relocation of bodies; or

**Sec. 28. 13 MRSA §1371-A, sub-§1, ¶B,** as enacted by PL 2009, c. 310, §1, is corrected to read:

B. When necessary for the construction of a public improvement, as approved by the governing body of a municipality or, in the case of a state highway, by the Commissioner of Transportation~~;~~ ~~or~~.

**EXPLANATION**

These sections make technical corrections.

---

**Sec. 29. 14 MRSA §101** is corrected to read:

**§101. ~~Trepass~~ Trespass on land; tender**

In actions for trespass on lands, the defendant may by answer disclaim all title to the land described, and allege that the trespass was involuntary, or by negligence or mistake, or in the prosecution of a legal right, and that before action brought ~~he~~ the defendant tendered sufficient amends therefor or that ~~he~~ the defendant brings money into court to satisfy the damages with costs to that time. If on trial ~~he~~ the defendant establishes the truth of ~~his~~ the defendant's allegations, ~~he~~ the defendant recovers costs.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 30. 14 MRSA §153,** as amended by PL 1985, c. 290, §2, is corrected to read:

**§153. Mitigation of damages in action for libel**

The defendant in an action for libel may prove in mitigation of damages that the charge was made by mistake or through error or by inadvertence and that ~~he~~ the defendant has in writing, within a reasonable time after the publication of the charge, retracted the charge and denied its truth as publicly and as fully as ~~he~~ the defendant made the charge. ~~He~~ The defendant may prove in mitigation of damages that the plaintiff failed to notify the defendant of the libel in a timely fashion and that the defendant was therefore unable to

lessen damage to the ~~plantiff's~~ plaintiff's reputation. ~~He~~ The defendant may prove in mitigation of damages that the plaintiff has already recovered or has brought action for damages for, or has received or has agreed to receive compensation for, substantially the same libel.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 31. 15 MRSA §1029, sub-§3,** as enacted by PL 1987, c. 758, §20, is corrected to read:

**3. Evidence.** The evidence ~~shall consist~~ consists of the information of record submitted in the Harnish bail proceeding under section 1027 and any additional information the parties may ~~chose~~ choose to present.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 32. 15 MRSA §2130,** as amended by PL 1981, c. 238, §6, is corrected to read:

**§2130. Relief**

If the court determines that relief should be granted, it shall order appropriate relief, including: Release from incarceration or other restraint; reversal of the criminal judgment, including one entered upon a plea of ~~guility~~ guilty or nolo contendere; entry of judgment for a lesser included offense; reversal of another order or decision, with or without affording the State or other party a new hearing; granting the right to take an appeal from the criminal judgment; correction of errors appearing as a matter of record; resentencing or a new sentence; and entry of an order altering the amount of time that a person incarcerated under a sentence has served or must serve. The judgment making final disposition ~~shall be~~ is a final judgment for purposes of review by the Law Court. When relief is granted to the petitioner and release is appropriate, the justice may release a petitioner on bail pending appeal.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 33. 15 MRSA §3003, sub-§4-B,** as enacted by PL 1991, c. 493, §1, is corrected to read:

**4-B. Detention.** "Detention" means the holding of a person in a facility characterized by either physically restrictive construction or intensive staff ~~supervison~~ supervision that is intended to prevent a person who is placed in or admitted to the facility from departing at will.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 34. 15 MRSA §3103, sub-§1, ¶B,** as repealed and replaced by PL 2003, c. 305, §1, is corrected to read:

B. Offenses involving illegal drugs or drug paraphernalia as follows:

(1) The possession of a useable amount of marijuana, as provided in Title 22, section 2383, unless the juvenile is authorized to possess marijuana for medical use pursuant to Title 22, ~~section 2383-B, subsection 5~~ chapter 558-C;

(2) The use or possession of drug paraphernalia as provided in Title 17-A, section 1111-A, subsection 4, paragraphs A and B; and

(3) Illegal transportation of drugs by a minor as provided in Title 22, section 2389, subsection 2;

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 35. 15 MRSA §3314, sub-§1, ¶E,** as amended by PL 2009, c. 608, §1, is corrected to read:

E. The court may require the juvenile to make restitution for any damage to the victim or other authorized claimant as compensation for economic loss upon reasonable conditions that the court determines appropriate. For the purposes of this paragraph, the provisions of Title 17-A, chapter 54 apply, except that section 1329 does not apply. Enforcement of a restitution order is available pursuant to subsection 7. If the restitution was a condition of probation, the attorney for the State may, with written consent of the juvenile community corrections officer, file a motion to revoke probation.

**EXPLANATION**

This section corrects clerical errors.

---

**Sec. 36. 15 MRSA §3314, sub-§3-A,** as amended by PL 2003, c. 305, §6, is corrected to read:

**3-A. Operator's license suspension for drug offenses.** The court may suspend for a period of up to 6 months the license or permit to operate, right to operate a motor vehicle and right to apply for and obtain a

license of any person who violates Title 17-A, chapter 45; Title 22, section 2383, unless the juvenile is authorized to possess marijuana for medical use pursuant to Title 22, ~~section 2383-B, subsection 5~~ chapter 558-C; Title 22, section 2389, subsection 2; or Title 28-A, section 2052 and is adjudicated pursuant to this chapter to have committed a juvenile crime.

The court shall give notice of suspension and take physical custody of an operator's license or permit as provided in Title 29-A, section 2434. The court shall immediately forward the operator's license and a certified abstract of suspension to the Secretary of State.

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 37. 17 MRSA §2912, sub-§1,** as enacted by PL 1979, c. 127, §123, is corrected to read:

**1. Prohibition.** No book, magazine or newspaper containing obscene material on its cover and offered for sale ~~shall~~ may be ~~diplayed~~ displayed in a location accessible to minors unless the cover of that book, magazine or newspaper is covered with an opaque material sufficient to prevent the obscene material from being visible.

**EXPLANATION**

This section makes a grammatical change and corrects a clerical error.

---

**Sec. 38. 17-A MRSA §452, sub-§1,** as enacted by PL 1975, c. 499, §1, is corrected to read:

**1.** A person is guilty of false swearing if:

A. ~~He~~ The person makes a false statement under oath or affirmation or swears or affirms the truth of such a statement previously made and ~~he~~ the person does not ~~be believe~~ believe the statement to be true, provided

(1) the falsification occurs in an official proceeding as defined in section 451, subsection 5, paragraph A, or is made with the intention to mislead a public servant performing ~~his~~ the public servant's official duties; or

(2) the statement is one which is required by law to be sworn or affirmed before a notary or other person authorized to administer oaths; or

B. ~~He~~ The person makes inconsistent statements under oath or affirmation, both within the period of limitations, one of which is false and not believed by ~~him~~ the person to be true. In a prosecution under this subsection, it need not be alleged or proved which of the statements is false, but only that one or the other was false and not believed by the ~~defandant~~ defendant to be true.

**EXPLANATION**

This section corrects clerical errors and removes gender-specific language.

---

**Sec. 39. 17-A MRSA §1111-A, sub-§4,** as amended by PL 2005, c. 527, §§10 and 11, is corrected to read:

**4.** A person is guilty of the sale and use of drug paraphernalia if:

A. The person uses drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of $300 must be adjudged, none of which may be suspended;

B. The person possesses with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of $300 must be adjudged, none of which may be suspended;

C. The person trafficks in or furnishes drug paraphernalia knowing, or under circumstances when one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383, and the person to whom that person is trafficking or furnishing drug paraphernalia is:

(1) At least 16 years of age. Violation of this subparagraph is a Class E crime; or

(2) Less than 16 years of age. Violation of this subparagraph is a Class D crime; or

D. The person places in a newspaper, magazine, handbill or other publication an advertisement knowing, or under circumstances when one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects intended for use as drug paraphernalia. Violation of this paragraph is a Class E crime.

This subsection does not apply to a person who is authorized to possess marijuana for medical use pursuant to Title 22, ~~section 2383-B, subsection 5~~ chapter 558-C to the extent the drug paraphernalia is required for that person's medical use of marijuana.

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 40. 17-A MRSA §1177,** as enacted by PL 2009, c. 608, §7, is corrected to read:

**§1177. Certain communications by victims confidential**

The following communications are privileged from disclosure~~:~~.

**1.** Communications by a victim, as described in Title 16, section 53-A, subsection 2, to a sexual assault counselor, as defined in Title 16, section 53-A, subsection 1, paragraph B, are privileged from disclosure as provided in Title 16, section 53-A, subsection 2.

**2.** Communications by a victim, as defined in Title 16, section 53-B, subsection 1, paragraph B, to an advocate, as defined in Title 16, section 53-B, subsection 1, paragraph A, are privileged from disclosure as provided in Title 16, section 53-B, subsection 2, subject to exceptions in Title 16, section 53-B, subsection 3.

**3.** Communications by a victim, as defined in Title 16, section 53-C, subsection 1, paragraph B, to a victim witness advocate or a victim witness coordinator, as defined in Title 16, section 53-C, subsection 1, paragraph C, are privileged from disclosure as provided in Title 16, section 53-C, subsection 2, subject to exceptions in Title 16, section 53-C, subsection 3.

**EXPLANATION**

This section corrects punctuation errors.

---

**Sec. 41. 20-A MRSA §255, sub-§5, ¶A,** as amended by PL 1983, c. 859, Pt. B, §§1 and 4, is corrected to read:

A. Obtain information on school ~~system~~ systems in this State and other states and other countries and the condition and progress of public education throughout the world;

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 42. 20-A MRSA §601, sub-§1, ¶D,** as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

D. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and ~~quantitative~~ quantitative advance in educational opportunities, methods and facilities.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 43. 20-A MRSA §1353, first ¶,** as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

The following procedures ~~shall~~ apply to a district referendum.

**EXPLANATION**

This section makes a grammatical change and corrects a punctuation error.

---

**Sec. 44. 20-A MRSA §10955, sub-§3,** as enacted by PL 1987, c. 735, §14, is corrected to read:

**3. Voting power.** The power to fix the date of sale or issuance of any evidences of indebtedness, receive bids or proposals, award and sell any evidences of indebtedness ~~to~~, set the terms and provisions of any evidences of indebtedness and take all other action necessary to borrow money under this chapter and sell and deliver any evidences of indebtedness in connection with this chapter may be delegated to any officer, official or trustee of the university by a majority vote of the trustees.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 45. 20-A MRSA §13903, sub-§1,** as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

**1. Contracts.** The ~~designed~~ designated state official of a party state may make one or more contracts on behalf of that state with one or more other party states providing for the acceptance of educational personnel. Any such contract for the period of its duration ~~shall be~~ is applicable to and binding on the state whose designated state officials enter into it, and the subdivisions of those states, with the same force and effect as if incorporated in this agreement. A designated state official may enter into a contract pursuant to this Article only with states in which the official finds that there are programs of education, certification standards or other acceptable qualifications that assure preparation or qualification of educational personnel on a basis sufficiently comparable, even though not identical to that prevailing in that official's own state.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 46. 21-A MRSA §1017, sub-§3-B,** as amended by PL 2009, c. 524, §5, is corrected to read:

**3-B. Accelerated reporting schedule.** Additional reports are required from nonparticipating candidates, as defined in section 1122, subsection 5, pursuant to this subsection.

A. In addition to other reports required by law, any candidate for Governor, State Senate or State House of Representatives who is not certified as a Maine Clean Election Act candidate under chapter 14 and who receives, spends or obligates more than the primary or general election distribution amounts for a Maine Clean Election Act candidate in the same race shall file by any means acceptable to the commission, within 48 hours of that event, a report with the commission detailing the candidate's total campaign contributions, including any campaign balance from a previous election, obligations and expenditures to date.

B. A nonparticipating candidate who is required to file a report under paragraph A shall file no later than 5:00 p.m.:

(1) For legislative candidates in a primary election only, a report on the 42nd day before the date on which a primary election is held that is complete as of the 44th day before that date;

(2) For gubernatorial candidates only, a report on the 25th day before the date on which an election is held that is complete as of the 27th day before that date;

(3) A report on the 18th day before the date on which an election is held that is complete as of the 20th day before that date; and

(4) A report on the 6th day before the date on which an election is held that is complete as of the 8th day before that date.

The reports must contain the candidate's total campaign contributions, including any campaign balance from a previous election, obligations and expenditures as of the end date of the reporting period.

The nonparticipating candidate shall file only those reports that are due after the date on which the candidate filed the report required under paragraph A.

C. A candidate who is required to file a report under paragraph A must file with the commission an updated report that reports single expenditures in the following amounts that are made after the 14th day before an election and more than 24 hours before 11:59 p.m. on the date of that election:

(1) For a candidate for Governor, a single expenditure of $1,000;

(2) For a candidate for the state Senate, a single expenditure of $750; and

(3) For a candidate for the state House of Representatives, a single expenditure of $500.

A report filed pursuant to this paragraph must be filed within 24 hours of the expenditure.

The commission shall provide forms to facilitate compliance with this subsection. The commission shall notify a candidate within 48 hours if an amount reported on any report under paragraph B exceeds the primary or general election distribution amounts for a Maine Clean Election Act candidate in the same race and no report has been received under paragraph A. If all Maine Clean Election Act candidates in the same race have received authorization to spend the maximum matching funds under section 1125, ~~section~~ subsection 9, the commission may waive the reports required by this section.

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 47. 22 MRSA §682, sub-§3,** as enacted by PL 1983, c. 345, §§13 and 14 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is corrected to read:

**3. Technician certification.** The department shall promulgate rules providing for the qualifications and certification of technicians to inspect, certify and calibrate equipment capable of emitting ionizing radiation. The rules ~~shall~~ must also provide for the standardization of calibration equipment, inspection and calibration methodology and reporting procedures. The department may grant, modify or refuse to issue a certification in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375 subchapter ~~V~~ 5. The District Court ~~shall have~~ has exclusive ~~jurisdiction~~ jurisdiction to suspend or revoke a certification of any person found guilty of noncompliance with the rules pertaining to inspection, certification and reporting procedures or misrepresentation of inspection findings.

**EXPLANATION**

This section corrects a clerical error and makes grammatical changes.

---

**Sec. 48. 22 MRSA §1231** is corrected to read:

**§1231. Blood sample for laboratory test**

Every physician attending a woman in the State by reason of her being pregnant during gestation shall in the case of every woman so attended take or cause to be taken, with her consent, a sample of blood of such woman, and submit such sample for a standard serological test for syphilis and ~~R.H.~~ Rh factors to a laboratory of the department or to a laboratory approved for these tests by the department. Such laboratory tests as are required by sections 1231 to 1234 ~~shall~~ must be made on request without charge by the department.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 49. 22 MRSA §1723,** as enacted by PL 2009, c. 621, §1, is reallocated to 22 MRSA §1724.

**EXPLANATION**

This section corrects a numbering problem created by Public Law 2009, chapters 590 and 621, which enacted 2 substantively different provisions with the same section number.

---

**Sec. 50. 22 MRSA §2031,** as repealed and replaced by PL 1975, c. 218, is corrected to read:

**§2031. Tests reported**

The result of a test ~~shall~~ must be reported directly to the licensed physician or other person authorized by law who requested it. A report of results issued from a medical laboratory ~~shall~~ must clearly identify that medical ~~laboratoy~~ laboratory and the director.

**EXPLANATION**

This section corrects a clerical error and makes grammatical changes.

---

**Sec. 51. 22 MRSA §2156, sub-§3,** as amended by PL 1981, c. 470, Pt. A, §87, is corrected to read:

**3. Substances in confectionery.** If it is confectionery and it bears or contains any alcohol or nonnutritive article or substance except harmless coloring, harmless flavoring, harmless ~~resinuous~~ resinous glaze not in excess of 4/10 of 1%, harmless natural wax not in excess of 4/10 of 1%, harmless natural gum and pectin. This subsection ~~shall~~ does not apply to any confectionery by reason of its containing less than 1/2 of 1%~~,~~ by volume of alcohol derived solely from use of flavoring extracts~~,~~ or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances; or

**EXPLANATION**

This section corrects clerical errors and makes a grammatical change.

---

**Sec. 52. 22 MRSA §2159, 4th ¶** is corrected to read:

Whenever the commissioner or any of ~~his~~ the commissioner's authorized agents ~~shall find~~ finds in any room, building, vehicle of transportation or other structure any meat, ~~sea food~~ seafood, poultry, vegetable, fruit or other perishable articles ~~which~~ that are unsound or contain any filthy, decomposed or putrid substance or that may be poisonous or deleterious to health or otherwise unsafe, the same being declared to be a nuisance, the commissioner or ~~his~~ the commissioner's authorized agent shall forthwith condemn or destroy the same, or in any other manner render the same unsalable as human food. In the event that any food found on any vehicle of transportation is detained, embargoed, condemned or destroyed under any of the provisions of this section by the commissioner or ~~his~~ the commissioner's authorized agents, the commissioner shall forthwith notify the consignor, consignee and the carrier of the action taken and the amount and kind of goods detained, embargoed, condemned or destroyed.

**EXPLANATION**

This section corrects a clerical error, makes a grammatical change and removes gender-specific language.

---

**Sec. 53. 22 MRSA §2383-B,** as amended by IB 2009, c. 1, §4 and PL 2009, c. 631, §6 and affected by §51, is corrected to read:

**§2383-B. Authorized possession by individuals~~; exemptions~~**

**1. Lawfully prescribed drugs.** A person to whom or for whose use any scheduled drug, prescription drug or controlled substance has been prescribed, sold or dispensed for a legitimate medical purpose by a physician, dentist, podiatrist, pharmacist or other person acting in the usual course of professional practice and authorized by law or rule to do so and the owner or the person having the custody or control of any animal for which any scheduled drug, prescription drug or controlled substance has been prescribed, sold or dispensed for a legitimate veterinary medical purpose by a licensed veterinarian acting in the usual course of professional veterinary practice may lawfully possess the drug or substance, except when in use, only in the container in which it was delivered by the person selling or dispensing the drug or substance. For purposes of this subsection, "when in use" in-

cludes reasonable repackaging for more convenient legitimate medical use.

**2. Others lawfully in possession.** Except as otherwise authorized or restricted, the following persons are authorized to possess, furnish and have control of scheduled or prescription drugs, controlled substances or hypodermic apparatuses:

A. Common carriers or warehouse operators while engaged in lawfully transporting or storing prescription drugs or hypodermic apparatuses or any of their employees acting within the scope of their employment;

B. Employees or agents of persons lawfully entitled to possession who have temporary, incidental possession while acting within the scope of their employment or agency;

C. Persons whose possession is for the purpose of aiding public officers in performing their official duties while acting within the scope of their employment or duties;

D. Law enforcement officers while acting within the scope of their employment and official duties;

E. Physicians, dentists, podiatrists, pharmacists or other persons authorized by law or rule to administer, dispense, prescribe or sell scheduled or prescription drugs, controlled substances or hypodermic apparatuses while acting within the course of their professional practice; and

F. With regard to the possession or furnishing of hypodermic apparatuses, persons authorized by the Bureau of Health pursuant to a hypodermic apparatus exchange program, certified under chapter 252-A while acting within the scope of their employment under such programs.

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

A. "Controlled substances" has the same meaning as defined in 21 United States Code, Section 812 (1970) and 21 Code of Federal Regulations, Chapter II, Part 1308.

A-1. "Designated care giver" means a person over 18 years of age who:

(1) Is a family member or other person who has consistently assumed responsibility for the housing, health or safety of a person authorized to possess marijuana for medical use pursuant to subsection 5, paragraph A or B or who is a member of the same household as a person authorized to possess marijuana for medical use pursuant to subsection 5, paragraph A or B; and

(2) Is named in a written individual instruction or power of attorney for health care as defined in Title 18-A, section 5-801 by, or is the parent or legal guardian of, a person authorized to possess marijuana for medical use pursuant to subsection 5.

A-2. "Eligible patient" means a person authorized to possess marijuana for medical use pursuant to subsection 5.

B. "Law enforcement officer" has the same meaning as defined in Title 17-A, section 2, subsection 17.

B-1. "Physician" means a person licensed as an osteopathic physician by the Board of Osteopathic Licensure pursuant to Title 32, chapter 36 or a person licensed as a physician or surgeon by the Board of Licensure in Medicine pursuant to Title 32, chapter 48.

C. "Prescription drugs" has the same meaning as defined in Title 32, section 13702-A, subsection 30 and includes so-called legend drugs.

D. "Scheduled drug" has the same meaning as defined in Title 17-A, chapter 45.

E. "Usable amount of marijuana for medical use" means 2 1/2 ounces or less of prepared marijuana, as defined in section 2422, subsection 14, and a total of 6 plants as defined by the department pursuant to section 2424, subsection 1.

**6. Lawful possession of hypodermic apparatuses by livestock owners.** A person who owns livestock is authorized to possess and have control of hypodermic apparatuses for the purpose of administering antibiotics, vitamins and vaccines to treat medical conditions or promote the health of that person's livestock. For the purposes of this subsection, "livestock" means cattle, equines, sheep, goats, swine, members of the genus Lama, poultry, rabbits and cervids as defined in Title 7, section 1333, subsection 1.

**EXPLANATION**

This section changes a section headnote to reflect the repeal of a subsection in that section.

---

**Sec. 54. 22 MRSA §2841, first ¶,** as amended by PL 1989, c. 274, §2, is corrected to read:

Except as authorized by the department or as required under section 1596, a certificate of each death of a fetus of 20 or more weeks of gestation which occurs in this State ~~shall~~ must be filed with the clerk of the municipality where the delivery ~~occured~~ occurred within 14 days after delivery and prior to removal of the fetus from the State.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 55. 22 MRSA §3172-B, sub-§3,** as enacted by PL 1977, c. 680, §2, is corrected to read:

**3. Transfer of unencumbered balances.** All unencumbered balances generated from revenues received in prior years ~~shall~~ must be ~~transfered~~ transferred to the General Fund.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 56. 22 MRSA §3480, sub-§1, ¶B,** as amended by PL 2003, c. 653, §15, is corrected to read:

B. Obtain nonconviction data and other criminal history record information under Title 16, section 611, which ~~he~~ the commissioner, the commissioner's delegate or the legal counsel for the department deems ~~relevent~~ relevant to a case of alleged abuse, neglect or exploitation.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 57. 22 MRSA §4056, sub-§1,** as enacted by PL 1979, c. 733, §18, is corrected to read:

**1. Parent and child divested of rights.** An order terminating parental rights divests the parent and child of all legal rights, powers, privileges, immunities, duties and obligations to each other as parent and child, except the ~~inheritence~~ inheritance rights between the child and ~~his~~ parent.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 58. 22 MRSA §4307, sub-§4,** as enacted by PL 1987, c. 349, Pt. H, §15, is corrected to read:

**4. Special circumstances.** Overseers of a municipality ~~shall~~ may not move or transport an applicant or recipient into another municipality to relieve their municipality of responsibility for that applicant's or recipient's support. The municipality of ~~responsiblity~~ responsibility for relocations and institutional settings ~~shall be~~ is as follows.

A. When an applicant or recipient requests relocation to another ~~municipality~~ municipality and the overseers of a ~~municipality~~ municipality assist that person to relocate to another municipality, the municipality from which that person is moving ~~shall continue~~ continues to be responsible for the support of the recipient for 30 days after relocation. As used in this paragraph, "assist" includes:

(1) Granting financial assistance to relocate; and

(2) Making arrangements for a person to relocate.

B. If an applicant is in a group home, shelter, rehabilitation center, nursing home, hospital or other institution at the time of application and has either been in that institution for 6 months or less, or had a residence immediately prior to entering the institution which ~~he~~ the applicant had maintained and to which ~~he~~ the applicant intends to return, the municipality of responsibility ~~shall be~~ is the municipality where the applicant was a resident immediately prior to entering the institution. For the purpose of this paragraph, a hotel, motel or similar place of temporary lodging is considered an institution when a municipality:

(1) Grants financial assistance for a person to move to or stay in temporary lodging;

(2) Makes arrangements for a person to stay in temporary lodging;

(3) Advises or encourages a person to stay in temporary lodging; or

(4) Illegally denies housing assistance and, as a result of that denial, the person stays in temporary lodging.

**Sec. 59. 22 MRSA §4307, sub-§5,** as enacted by PL 1987, c. 349, Pt. H, §15, is corrected to read:

**5. Disputes between municipalities.** Nothing in this section may permit a municipality to deny assistance to an otherwise eligible applicant when there is any dispute regarding residency. In cases of dispute regarding which municipality is the municipality of ~~responsiblity~~ responsibility, the municipality where the application has been filed shall provide support until responsibility has been determined by the department. The department shall make a written determination within 30 working days of a complaint or notification of a dispute. The department's decision ~~shall~~ must include the sources of information relied upon, findings of fact and conclusions of law regarding which municipality is responsible and the reimbursement due, if any, from the responsible municipality to the municipality providing assistance. If after 30 days the reimbursement has not been paid, the municipality to which reimbursement is due shall notify the department, the department shall credit the municipality owed the reimbursement and either deduct that amount from the debtor municipality or refer the bill to the

Treasurer of State for payment from any taxes, revenue, fines or fees due from the State to the municipality.

**EXPLANATION**

These sections correct clerical errors, make grammatical changes and remove gender-specific language.

---

**Sec. 60. 22 MRSA §4322, 2nd ¶,** as amended by PL 1993, c. 410, Pt. AAA, §13, is corrected to read:

The person requesting the appeal and the municipal administrator responsible for the decision being appealed must be afforded the right to confront and cross-examine any witnesses presented at the hearing, present witnesses in their behalf and be represented by counsel or other ~~spokeperson~~ spokesperson. A claimant must be advised of these rights in writing. The decision of such an appeal must be based solely on evidence adduced at the hearing. The Maine Rules of Evidence do not apply to information presented to the fair hearing authority. The standard of evidence is the standard set in Title 5, section 9057, subsection 2. The person requesting the appeal must, within 5 working days after the appeal, be furnished with a written decision detailing the reasons for that decision. When any decision by a fair hearing authority or court authorizing assistance is made, that assistance must be provided within 24 hours. Review of any action or failure to act under this chapter must be conducted pursuant to the Maine Rules of Civil Procedure, Rule 80-B. The municipality shall make a record of the fair hearing. The municipality's obligation is limited to keeping a taped record of the proceedings. The applicant shall pay costs for preparing any transcripts required to pursue an appeal of a fair hearing authority's decision.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 61. 22 MRSA §7704,** as enacted by PL 2009, c. 621, §6, is reallocated to 22 MRSA §7706.

**EXPLANATION**

This section corrects a numbering problem created by Public Law 2009, chapters 590 and 621, which enacted 2 substantively different provisions with the same section number.

---

**Sec. 62. 22 MRSA §8307, sub-§2,** as enacted by PL 1987, c. 741, §4, is corrected to read:

**2. Feasibility study of other child care facilities and programs.** Prior to the creation of new or additional state financed or operated child care facilities provided primarily for the benefit of state employees, except the initial facility to be located in the Augusta area, the Office of Child Care Coordination, in cooperation with the Bureau of Public Improvements, shall conduct a feasibility study of the proposed child care facility which ~~shall~~ must be located in a state-owned facility or in a facility located conveniently near the workplaces of state employees. This feasibility study, at a minimum, ~~shall~~ must include:

A. The location of the site and the reasons justifying the location, including reasons justifying or not justifying using state-owned facilities;

B. An analysis of the benefits and liabilities of contracting with the private sector to provide child care programs under this section;

C. An analysis of the benefits and liabilities of State Government operation of child care programs and facilities for children of state employees;

D. The number and ages of children proposed for the site;

E. The type of assistance to be made available to children of state employees classified as low-income households;

F. The types of activities and programs to be provided, including preschool and after school programs;

G. A time schedule for the commencement of programs at each facility;

H. Sources of income, including fees, if any, for funding each facility; and

I. Any other information deemed important by the Office of Child Care Coordination and the Bureau of Public Improvements.

The report required by this subsection ~~shall~~ must be provided to the joint standing committee of the Legislature having jurisdiction over human resources in a timely manner ~~preceeding~~ preceding the selection of the site.

**EXPLANATION**

This section corrects a clerical error and makes grammatical changes.

---

**Sec. 63. 22 MRSA §8712, sub-§1,** as amended by PL 2009, c. 613, §8, is corrected to read:

**1. Quality.** The organization shall promote public transparency of the quality and cost of health care in the State in conjunction with the Maine Quality Forum~~,~~ established in Title 24-A, section 6951 and shall collect, synthesize and publish information and reports on an annual basis that are easily understandable by the average consumer and in a format that allows the user to compare the information listed in this

section to the extent practicable. The organization's publicly accessible websites and reports must, to the extent practicable, coordinate, link and compare information regarding health care services, their outcomes, the effectiveness of those services, the quality of those services by health care facility and by individual practitioner and the location of those services. The organization's health care costs website must provide a link in a publicly accessible format to provider-specific information regarding quality of services required to be reported to the Maine Quality Forum.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 64. 24-A MRSA §235, sub-§3,** as amended by PL 1977, c. 694, §396, is corrected to read:

**3.** The order ~~shall~~ must contain:

A. A concise statement of facts found by the superintendent upon the evidence adduced at the hearing;

B. A concise statement of the superintendent's conclusions from the facts so found;

C. ~~His~~ The superintendent's order, and the effective date ~~thereof~~ of the order; ~~and~~

D. Citation of the provisions of this Title upon which the order is based; but failure to so designate a particular provision ~~shall~~ does not deprive the superintendent of the right thereafter to rely thereon~~.~~; and

E. Notice of the party's right to appeal or review of the order, of the action required for appeal and of the time within which the action ~~shall~~ must be taken in order to ~~excercise~~ exercise the right.

**EXPLANATION**

This section corrects a clerical error and a technical error, makes grammatical changes and removes gender-specific language.

---

**Sec. 65. 24-A MRSA §236, sub-§1,** as repealed and replaced by PL 1977, c. 694, §397, is corrected to read:

**1.** In general, judicial review of actions taken by the superintendent or ~~his~~ the superintendent's representatives ~~shall~~ must occur ~~inconformity~~ in conformity with the provisions set forth in the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter ~~VII~~ 7.

**EXPLANATION**

This section corrects a clerical error and a cross-reference, removes gender-specific language and makes a grammatical change.

---

**Sec. 66. 24-A MRSA §1109, sub-§2, ¶D,** as enacted by PL 1969, c. 132, §1, is corrected to read:

D. The lessees under such leases, or any corporation or instrumentality of ~~of~~ government which has assumed or guaranteed the lessees' performance thereunder is such that its obligations would be eligible for investment by an insurer in accordance with section 1107 or the aggregate net earnings of such lessees available for fixed charges, as defined in section 1110, is at least equal to that required by subsection 1.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 67. 24-A MRSA §2424, first ¶,** as enacted by PL 1969, c. 132, §1, is corrected to read:

Without limitation of any right or defense of an insurer otherwise, none of ~~of~~ the following acts by or on behalf of an insurer ~~shall~~ may be deemed to constitute a waiver of any provision of a policy or of any defense of the insurer thereunder:

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 68. 24-A MRSA §2883,** as enacted by PL 1983, c. 801, §11, is corrected to read:

**§2883. Legal services insurance defined**

"Legal services insurance" is insurance which involves the assumption of a contractual obligation to reimburse the beneficiary against or pay on behalf of the beneficiary all or a portion of ~~his~~ the beneficiary's fees, costs or expenses related to or arising out of services performed by or under the supervision of an attorney who is not an employee of or under the control of the insurer directly or indirectly and who is licensed to practice in the jurisdiction in which the services are performed. Legal services insurance may also include provisions for basic legal advice only rendered to the beneficiary, by telephone or mail, by one or more attorneys licensed to practice in the ~~jurisidiction~~ jurisdiction in which the advice is given; none of whom are employees of or under the control of the insurer, directly or indirectly. Legal services insurance does not include the provision of or reimbursement for legal services incidental to other insurance coverages.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 69. 24-A MRSA §3552, first ¶,** as enacted by PL 1969, c. 132, §1, is corrected to read:

When ~~use~~ used in this chapter, the following terms ~~shall~~ mean and include the following.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 70. 24-A MRSA §4317,** as enacted by PL 2009, c. 588, §1 and affected by §3, is reallocated to 24-A MRSA §4318.

**EXPLANATION**

This section corrects a numbering problem created by Public Law 2009, chapters 519 and 588, which enacted 2 substantively different provisions with the same section number.

---

**Sec. 71. 24-A MRSA §6093, sub-§12,** as enacted by PL 1987, c. 481, §3, is corrected to read:

**12. Risk Retention ~~Act~~ Amendments of 1986.** "Risk Retention Amendments of 1986" means United States Public Law 99-563, United States Code, Title 15, Section 3901, et seq.

**EXPLANATION**

This section corrects a headnote.

---

**Sec. 72. 26 MRSA §781, sub-§1, ¶C,** as enacted by PL 1991, c. 544, §10, is corrected to read:

C. For a 3rd and subsequent violation occurring within 3 years of 2 or more prior ~~adjudication~~ adjudications, a penalty of not less than $2,000 nor more than $10,000.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 73. 26 MRSA §873, sub-§8, ¶A,** as enacted by PL 2009, c. 637, §10, is corrected to read:

A. The Maine Department of Labor shall maintain an approved list of employers consisting of those employers filing for certification with the United States Department of Labor to hire a bond worker in a logging occupation that are members of and active participants in a recruitment clearinghouse that complies with subsections 2 and 3. The list must also contain any employer under investigation by the Maine Department of Labor for a violation of section 872, this section ~~873~~ or federal regulations applicable to foreign labor. The department shall publish the list on the department's publicly accessible website and forward a copy of the list and subsequent updates to the recruitment clearinghouse. Each landowner or other person that wishes to be notified of a change in status of a contractor must file with the department a request to be notified and contact information for the notification.

**Sec. 74. 26 MRSA §873, sub-§8, ¶B,** as enacted by PL 2009, c. 637, §10, is corrected to read:

B. The Maine Department of Labor, after notice and hearing, shall remove from the list of approved employers under paragraph A any employer filing for certification with the United States Department of Labor to hire a bond worker in a logging occupation that is found to have committed a material violation of section 872, this section ~~873~~ or the applicable federal regulations.

**EXPLANATION**

These sections correct cross-references.

---

**Sec. 75. 26 MRSA §1022, sub-§9,** as enacted by PL 1975, c. 603, §1, is corrected to read:

**9. Supervisory employee.** "Supervisory employee" means any employee whose principal work tasks are ~~characteristized~~ characterized by performing such management control duties as scheduling, assigning, overseeing and reviewing the work of subordinate employees, or performing such duties as are distinct and dissimilar from those performed by the employees supervised, or exercising judgment in adjusting grievances, in applying other established personnel policies and procedures and in enforcing a collective bargaining agreement or establishing or participating in the establishment of performance standards for subordinate employees and taking corrective measures to implement those standards.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 76. 26 MRSA §1026, sub-§4, ¶A,** as amended by PL 1983, c. 153, §1, is corrected to read:

A. At any time after participating in the procedures set forth in subsections 2 and 3, either party, or the parties jointly, may petition the board to initiate arbitration procedures. On receipt of the petition, the executive director shall within a reasonable time determine if an impasse has been reached; the determination ~~shall~~ must be made

administratively, with or without hearing, and ~~shall~~ is not ~~be~~ subject to appeal. If ~~he~~ the executive director so determines, ~~he~~ the executive director shall issue an order requiring arbitration and requesting the parties to select one or more arbitrators. If the parties, within 10 days after the issuance of the order, have not selected an arbitrator or a Board of Arbitration, the executive director shall then order each party to select one arbitrator and the 2 arbitrators so selected shall select a 3rd neutral arbitrator. If the 2 arbitrators cannot in 5 days select a 3rd neutral arbitrator, the executive director shall submit identical lists to the parties of 5 or more qualified arbitrators of recognized experience and competence. Each party ~~shall have~~ has 7 days from the submission of the list to delete any names objected to, number the remaining names indicating the order of preference and return the list to the executive director. In the event a party does not return the list within the time specified, all parties named therein ~~shall be~~ are deemed acceptable. From the arbitrators who have been approved by both parties and pursuant to the order of mutual preference, the executive director shall appoint a neutral arbitrator. If the parties fail to agree upon any arbitrators named, or if for any other reason the appointment cannot be made from the initial list, the executive director shall then submit a 2nd list of 5 or more additional qualified arbitrators of recognized experience and competence from which they shall strike names with the determination as to which party shall strike first being determined by a random technique administered through the Executive Director of the Maine Labor Relations Board. Thereafter, the parties shall alternately strike names from the list of names submitted, provided that, when the list is reduced to 4 names, the 2nd from the last party to strike shall be entitled to strike 2 names simultaneously, after which the last party to strike shall so strike one name from the then 2 remaining names, such that the then remaining name shall identify the person who ~~shall~~ must then be appointed by the executive director as the neutral arbitrator.

Nothing in this subsection may be construed as preventing the parties, as an alternative to procedures in the preceding paragraph, from jointly agreeing to elect arbitration from either the Federal Mediation and Conciliation Service or the American Arbitration Association, under the procedures, rules and regulations of that association, provided that these procedures, rules and regulations are not inconsistent with ~~subsections~~ paragraphs B and C ~~below~~.

**EXPLANATION**

This section corrects a cross-reference, removes gender-specific language and makes grammatical changes.

---

**Sec. 77. 26 MRSA §1191, sub-§6,** as amended by PL 1991, c. 885, Pt. E, §38 and affected by §47, is corrected to read:

**6. Supplemental benefit for dependents.** An individual in total or partial unemployment and otherwise eligible for benefits must be paid for each week of that unemployment, in addition to the amounts payable under subsections 2 and 3, the sum of $10 for each unemancipated child of the individual who in any part of the benefit year and during any part of the individual's period of eligibility is, in fact, dependent upon and is being wholly or mainly supported by the individual, and who is under the age of 18, or who is 18 years of age or over and incapable of earning wages because of mental or physical incapacity, or who is a full-time student as defined in Title 39-A, section 102, subsection ~~9~~ 8, paragraph C, or who is in that individual's custody pending the adjudication of a petition filed by the individual for the adoption of the child in a court of competent jurisdiction and for each such child for whom that individual is under a decree or order from a court of competent jurisdiction to contribute to that child's support and for whom no other person is receiving allowances hereunder. In no instance may the dependency benefits as provided in this subsection be more than 50% of the individual's weekly benefit amount.

The commission shall prescribe regulations as to who may receive a dependency allowance when both spouses are eligible to receive unemployment compensation benefits.

No individual may be eligible to receive dependency allowances as provided in this subsection for any week during which that individual's spouse is employed full time provided that the spouse is contributing some support to their dependent or dependents. For purposes of this subsection, "employed full time" means the receipt of any wages, earnings, salary or other income equivalent to that amount that would be received for a 40-hour work week.

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 78. 28-A MRSA §1064,** as enacted by PL 1987, c. 45, Pt. A, §4, is corrected to read:

**§1064. Establishment located at fairgrounds**

Establishments located on fairgrounds operated by agricultural societies or where ~~parimutuel~~ pari-mutuel

racing is conducted, which otherwise meet the definition of a hotel or a restaurant, shall be considered to be a hotel or restaurant for purposes of this Title, even if an admission charge must be paid to gain entrance to the fairgrounds or racing grounds.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 79. 28-A MRSA §1205, sub-§2, ¶K,** as amended by PL 2009, c. 459, §2, is corrected to read:

K. The retail licensee must purchase all wine served at a taste testing from a wholesale licensee; ~~and~~

**Sec. 80. 28-A MRSA §1205, sub-§2, ¶L,** as amended by PL 2009, c. 510, §5, is corrected to read:

L. Prior to a taste-testing event, the retail licensee shall post prominently at the entrance to the store a sign that announces the date and time of the event. The Department of Public Safety shall report by January 15, 2011 to the joint standing committee of the Legislature having jurisdiction over alcohol regulation matters regarding the effectiveness of this paragraph in providing proper notice to adults who may wish to preclude minors from observing the taste testing of alcoholic beverages.~~;~~ and

**EXPLANATION**

These sections make technical corrections.

---

**Sec. 81. 29-A MRSA §401, sub-§2,** as amended by PL 2001, c. 361, §6 and affected by §38, is corrected to read:

**2. Content of application.** An application must contain information requested by the Secretary of State, including legal name, residence and address of the registrant, current mileage of a motor vehicle, a brief description of the vehicle, the maker, the vehicle identification number, the year of manufacture, and the type of motor fuel and, for trucks, ~~truck tractors~~ truck tractors and special mobile equipment, the gross weight. A registrant that is a corporation, trust, limited partnership or other similar entity must provide either a federal taxpayer identification number or an identification number issued by the department. An initial application for registration must be signed by the registrant or the registrant's legal representative. The Secretary of State shall keep initial applications on file until that registration is terminated.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 82. 29-A MRSA §2069, sub-§5,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is corrected to read:

**5. Notification.** Upon removal of a vehicle in accordance with this section, the notification requirements and provisions for payment of towing and storage costs in chapter 15, subchapter ~~III~~ 3 apply.

**EXPLANATION**

This section corrects a clerical error and a cross-reference.

---

**Sec. 83. 29-A MRSA §2395, sub-§7,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is corrected to read:

**7. Violation.** A violation of this section is a traffic infraction punishable by a fine, which may not be suspended, ~~or~~ of not less than $250.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 84. 29-A MRSA §2395, sub-§8,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is corrected to read:

**8. Information on bridges.** Whenever necessary, the Department of Transportation may provide to municipal and county officials information concerning the capacity of bridges under the jurisdiction of those officials and the advisability of ~~posing~~ posting those bridges.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 85. 30-A MRSA §4722, sub-§1, ¶CC,** as amended by PL 2009, c. 361, §3 and affected by §37, is corrected to read:

CC. Encourage and provide incentives to individuals and entities that conserve energy; support and participate, with resources derived from sources except the conservation program fund under Title 35-A, section ~~3211-A~~ 10110, subsection ~~5~~ 7, in markets that reward energy conservation and use the proceeds from this participation to support affordable housing programs under its jurisdiction; and create and administer programs that encourage individuals and entities to conserve energy; and

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 86. 31 MRSA §1680, sub-§18,** as enacted by PL 2009, c. 629, Pt. A, §2 and affected by §3, is corrected to read:

**18. Certificate of revival after dissolution.** ~~Certificate~~ For filing a certificate of revival after dissolution for a domestic limited liability company under section 1604, a fee of $150;

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 87. 32 MRSA §1077, sub-§1,** as amended by PL 1999, c. 547, Pt. B, §60 and affected by §80, is corrected to read:

**1. Disciplinary proceedings and sanctions.** Regarding noncompliance with or violation of this chapter or of rules adopted by the board, the board shall investigate a complaint on its own motion or upon receipt of a written complaint filed with the board.

The board shall notify the licensee of the content of a complaint filed against the licensee as soon as possible, but no later than 60 days from receipt of this information. The licensee shall respond within 30 days. If the licensee's response to the complaint satisfies the board that the complaint does not merit further investigation or action, the matter may be dismissed, with notice of the dismissal to the complainant, if any.

If, in the opinion of the board, the factual basis of the complaint is or may be true, and the complaint is of sufficient gravity to warrant further action, the board may request an informal conference with the licensee. The board shall provide the licensee with adequate notice of the conference and of the issues to be discussed. The conference must be conducted in executive session of the board, pursuant to Title 1, section 405, unless otherwise requested by the licensee. Statements made at the conference may not be introduced at a subsequent formal hearing unless all parties consent.

If the board finds that the factual basis of the complaint is true and is of sufficient gravity to warrant further action, it may take any of the following actions it considers appropriate:

A. With the consent of the licensee, enter into a consent agreement that fixes the period and terms of probation best adapted to protect the public health and safety and to rehabilitate or educate the licensee. A consent agreement may be used to terminate a complaint investigation, if entered into by the board, the licensee and the Attorney General's office;

B. In consideration for acceptance of a voluntary surrender of the license, if a consent agreement is signed by the board, the licensee and the Attorney General's office, negotiate stipulations, including terms and conditions for reinstatement, that ensure protection of the public health and safety and that serve to rehabilitate or educate the licensee;

C. If the board concludes that modification or nonrenewal of the license is in order, the board shall hold an adjudicatory hearing in accordance with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter ~~IV~~ 4; or

D. If the board concludes that suspension or revocation of the license is in order, the board shall file a complaint in the District Court in accordance with Title 4, chapter 5.

**EXPLANATION**

This section corrects a clerical error and updates a cross-reference.

---

**Sec. 88. 32 MRSA §2258,** as amended by PL 1993, c. 600, Pt. A, §137, is corrected to read:

**§2258. Registration under prior law**

An individual holding a license as a licensed practical nurse in ~~in~~ the State issued by the former Board of Registration of Nurses that is valid on September 12, 1959 is licensed as a licensed practical nurse under this chapter, and the renewal of the licenses for those individuals must be effectuated under this subchapter.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 89. 32 MRSA §4693, sub-§2,** as enacted by PL 1979, c. 571, is corrected to read:

**2. Notice.** The following notice: As required by Maine law, we have secured a bond in the amount of $30,000 issued by _____. (Name and address of surety company)

~~before~~ Before signing a contract to purchase a business opportunity, you should check with the surety company to determine the current status of the bond.

or

As required by Maine law, we maintain an escrow account in the amount of $30,000 in the _____. (Name and address of licensed bank or savings institute)

Before signing a contract to purchase a business opportunity, you should check with the surety company to determine the current status of the escrow account.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 90. 32 MRSA §7154, 3rd ¶,** as amended by PL 1979, c. 541, Pt. B, §42, is corrected to read:

It ~~shall be~~ is unlawful for any polygraph examiner to probe the political or religious beliefs of any individual during any polygraph examination, except when the examination is conducted in the course of a criminal investigation conducted by law enforcement officials and the ~~policial~~ political or religious beliefs of the individual may be relevant to that investigation.

**EXPLANATION**

This section corrects a clerical error and makes a grammatical change.

---

**Sec. 91. 32 MRSA §16410, sub-§1, ¶F,** as enacted by PL 2005, c. 65, Pt. A, §2, is corrected to read:

F. ~~A~~ An amount not to exceed $200 for an initial fee and annual renewal fee for each branch office in this State. If the filing results in a withdrawal, the administrator shall retain the fee. For purposes of this paragraph, "branch office" means any office of a broker-dealer or investment adviser located in this State, other than the principal place of business of the broker-dealer or investment adviser. Only one branch office fee is due if an office is a branch office of both a broker-dealer and an investment adviser affiliated by direct or indirect common control.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 92. 33 MRSA §594, sub-§2, ¶A,** as enacted by PL 1983, c. 407, §1, is corrected to read:

A. Liens and ~~encumberances~~ encumbrances recorded before the recordation of the time-share instrument;

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 93. 34-A MRSA §3035, sub-§4, ¶B,** as enacted by PL 1983, c. 459, §6, is corrected to read:

B. Interference with a rehabilitative program or furlough is a Class E crime, except that, ~~not withstanding~~ notwithstanding Title 17-A, the court may sentence a person to imprisonment for not more than 11 months.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 94. 34-B MRSA §1224,** as enacted by PL 2009, c. 621, §8, is reallocated to 34-B MRSA §1225.

**EXPLANATION**

This section corrects a numbering problem created by Public Law 2009, chapters 590 and 621, which enacted 2 substantively different provisions with the same section number.

---

**Sec. 95. 34-B MRSA §1436,** as enacted by PL 1987, c. 305, is corrected to read:

**§1436. Rules regarding ~~cardipulmonary~~ cardiopulmonary resuscitation**

The department shall promulgate rules regarding the use of cardiopulmonary resuscitation in state institutions, pursuant to the Maine Administrative Procedure Act, Title 5, section 8053.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 96. 34-B MRSA §9005,** as enacted by PL 1983, c. 459, §7, is corrected to read:

**§9005. Escape--Article V**

Whenever a dangerous or potentially dangerous patient escapes from an institution in any party state, that state shall promptly notify all appropriate authorities within and without the ~~jurisidiction~~ jurisdiction of the escape in a manner reasonably calculated to facilitate the speedy apprehension of the escapee. Immediately upon the apprehension and identification of any such dangerous or potentially dangerous patient, ~~he shall~~ the dangerous or potentially dangerous patient must be detained in the state where found pending disposition in accordance with law.

**EXPLANATION**

This section corrects a clerical error, makes a grammatical change and removes gender-specific language.

---

**Sec. 97. 35-A MRSA §109, sub-§2,** as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

**2. Appointment to civil office.** No commissioner may hold any other civil office of profit or trust under the Federal Government or State Government except the office ~~to~~ of notary public.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 98. 35-A MRSA §117, sub-§3, ¶B,** as enacted by PL 2005, c. 432, §1, is corrected to read:

B. After deducting any amount used pursuant to paragraph A, the commission may, to the extent practicable and in as equitable and fair a manner as possible, apply administrative penalties, along with any accrued interest, in accordance with this paragraph. The commission shall seek to apply the amount in a manner that benefits those customers affected or potentially affected by the violation, if they can reasonably be identified or, if the commission determines this application of the amount to be impractical or unreasonable, in a manner that benefits the class or group of customers affected or potentially affected by the violation. In order to achieve the purposes of this paragraph, the commission may apply the funds:

(1) In the form of a direct payment or credit to the customers or group or class of customers affected or potentially affected by the violation resulting in the administrative penalty;

(2) To supplement a low-income assistance or outreach program that the commission determines would benefit customers affected or potentially affected by the violation resulting in the administrative penalty;

(3) To supplement the conservation program fund established pursuant to section ~~3211-A~~ 10110, subsection ~~5~~ 7;

(4) To supplement the telecommunications education access fund established pursuant to section 7104-B; or

(5) To supplement any other program or fund that the commission determines would benefit customers affected or potentially affected by the violation.

Amounts applied pursuant to this paragraph to supplement an existing program or fund may not result in a reduction in other funding provided for the program or fund unless the reduction is outside the commission's control and the commission finds that application of the penalty amount to the fund or program is the most appropriate use of the penalty and the net effect will be an increase in total funding available to the program or fund.

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 99. 35-A MRSA §902, sub-§1,** as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

**1. Order authorizing issuance.** No public utility may make an issuance as described in section 901, except as provided in section 906, unless it has made a written application, setting forth information the commission may require and has secured from the commission an order authorizing the issue and the amount of the issue and stating that in the opinion of the commission the proceeds of the issuance of the stocks, bonds, notes or other evidences of indebtedness ~~is~~ are required in good faith for purposes enumerated in section 901.

**EXPLANATION**

This section corrects a grammatical error.

---

**Sec. 100. 35-A MRSA §1301,** as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

**§1301. ~~Substantal~~ Substantial compliance**

Substantial compliance by the commission with the requirements of this Title gives effect to all the commission's rules, orders and acts. The commission's rules, orders and acts may not be declared inoperative, illegal or void for an omission of a technical and immaterial nature.

**EXPLANATION**

This section corrects a clerical error.

---

**Sec. 101. 35-A MRSA §1308,** as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

**§1308. Reparation or adjustment**

The commission may order reparation or adjustment when it finds that an amount charged to or collected from a customer was not in accordance with the filed rate applicable to ~~him~~ the customer or was based upon error. The customer shall attempt to settle any dispute concerning the alleged ~~over charge~~ overcharge or billing error at an informal hearing with the utility company prior to filing a complaint with the commission. If the customer is dissatisfied with the utility company's decision, the customer may appeal the decision to the commission. The commission may not order a rebate for a billing error or excessive charge that antedates the order for more than 6 years.

**EXPLANATION**

This section corrects a clerical error and removes gender-specific language.

---

**Sec. 102. 35-A MRSA §2105, sub-§2,** as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

**2. Declaration without hearing.** The commission~~,~~ may make a declaration without public hearing, if it appears that the utility serving or authorized to serve, the utility seeking approval from the commis-

sion to provide service and any customer or customers to receive service agree that the utility seeking approval to serve should provide service.

**EXPLANATION**

This section corrects a punctuation error.

---

**Sec. 103. 35-A MRSA §3153-A, sub-§1, ¶E,** as amended by PL 2001, c. 624, §2, is corrected to read:

E. Transmission and distribution utility financing or subsidization of capital improvements undertaken by ratepayers to conserve electricity used by the ratepayers in the future. This paragraph applies to future programs for utility financing of energy conservation or load management as long as the goal of such programs is to economically defer or eliminate the need for transmission and distribution plant upgrades. In addition to programs undertaken pursuant to this paragraph, programs may be undertaken pursuant to section ~~3211-A~~ 10110 to achieve goals other than that identified in this paragraph;

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 104. 35-A MRSA §4392, sub-§6,** as enacted by PL 1987, c. 141, Pt. A, §6, is corrected to read:

**6. ~~Sunset~~ Contingent repeal.** After payment of all fees in accordance with subsection 5, the trustee shall report to the commission and, upon certification by the commission, the fund shall be dissolved expeditiously and this subchapter is repealed.

**EXPLANATION**

This section changes a headnote to reflect the intent of the subsection.

---

**Sec. 105. 36 MRSA §191, sub-§2, ¶NN,** as amended by PL 2009, c. 652, Pt. A, §52, is corrected to read:

NN. The disclosure to an authorized representative of the Wild Blueberry Commission of Maine of any information required for or submitted to the assessor in connection with the administration of the tax imposed under chapter 701; ~~and~~

**Sec. 106. 36 MRSA §191, sub-§2, ¶OO,** as enacted by PL 2009, c. 361, §17, is corrected to read:

OO. The disclosure to duly authorized officers of the Federal Government and of other state governments of information necessary to administer a set-off agreement pursuant to section 112, subsection 13. The information may not be disclosed unless the officer's government permits a substantially similar disclosure of information to the taxing officials of this State and protects the confidentiality of the information in a manner substantially similar to that provided by this section~~.~~;

**Sec. 107. 36 MRSA §191, sub-§2, ¶PP,** as enacted by PL 2009, c. 568, §2, is corrected to read:

PP. The disclosure to the Department of Conservation of information contained on the commercial forestry excise tax return filed pursuant to section 2726, such as the landowner name, address and acreage, to facilitate the administration of chapter 367~~.~~; and

**Sec. 108. 36 MRSA §191, sub-§2, ¶PP,** as enacted by PL 2009, c. 592, §2, is reallocated to 36 MRSA §191, sub-§2, ¶QQ.

**EXPLANATION**

These sections correct a lettering problem created by Public Law 2009, chapters 568 and 592, which enacted substantively different provisions with the same paragraph letter, and make technical corrections.

---

**Sec. 109. 36 MRSA §5122, sub-§2, ¶AA,** as repealed and replaced by PL 2009, c. 496, §22, is corrected to read:

AA. For taxable years beginning on or after January 1, 2009, an amount equal to the net increase in the depreciation deductions allowable under ~~sections~~ Sections 167 and 168 of the Code that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service on or after January 1, 2008 for which an addition was required under subsection 1, paragraph AA in a prior year.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal adjusted gross income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph AA and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed for property under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph AA for the same property;

**EXPLANATION**

This section corrects a capitalization error.

---

**Sec. 110. 36 MRSA §5122, sub-§2, ¶DD,** as reallocated by RR 2009, c. 1, §27, is corrected to read:

DD. An amount equal to the gross income from the discharge of indebtedness previously deferred under the Code, Section 108(i) and included in federal adjusted gross income. The total subtraction for all years under this paragraph may not exceed the amount of the addition modification under subsection 1, paragraph CC for the same indebtedness~~.~~;

**Sec. 111. 36 MRSA §5122, sub-§2, ¶EE,** as reallocated by RR 2009, c. 1, §28, is corrected to read:

EE. To the extent included in federal adjusted gross income, an amount constituting benefits received under a municipal property tax assistance program established pursuant to section 6232, subsection 1-A~~.~~;

**Sec. 112. 36 MRSA §5122, sub-§2, ¶FF,** as enacted by PL 2009, c. 553, Pt. B, §1 and affected by §5, is corrected to read:

FF. To the extent included in federal adjusted gross income, student loan payments made by the taxpayer's employer in accordance with section 5217-D~~.~~; and

**Sec. 113. 36 MRSA §5122, sub-§2, ¶FF,** as enacted by PL 2009, c. 625, §12 and affected by §15, is reallocated to 36 MRSA §5122, sub-§2, ¶GG.

**EXPLANATION**

These sections correct a lettering problem created by Public Law 2009, chapters 553 and 625, which enacted substantively different provisions with the same paragraph letter, and make technical corrections.

---

**Sec. 114. 36 MRSA §5200-A, sub-§2, ¶R,** as repealed and replaced by PL 2009, c. 496, §23, is corrected to read:

R. For taxable years beginning on or after January 1, 2009, an amount equal to the net increase in the depreciation deductions allowable under ~~sections~~ Sections 167 and 168 of the Code that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service on or after January 1, 2008 for which an addition was required under subsection 1, paragraph T in a prior year.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal taxable income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph T and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed for property under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph T for the same property;

**EXPLANATION**

This section corrects a capitalization error.

---

**Sec. 115. 37-B MRSA §403, sub-§2,** as enacted by PL 1983, c. 460, §3, is corrected to read:

**2. ~~Fradulent~~ Fraudulent discharge.** All persons discharged from the military forces subsequently charged with having fraudulently obtained the discharge ~~shall be~~ are subject to trial by court-martial on that charge and ~~shall~~ after apprehension ~~be~~ are subject to this Code while in the custody of the military forces for the trial. Upon conviction on that charge, they ~~shall be~~ are subject to trial by court-martial for all offenses under this Code committed prior to the fraudulent discharge.

**EXPLANATION**

This section corrects a clerical error and makes grammatical changes.

---

**Sec. 116. 38 MRSA §349, sub-§2,** as amended by PL 2003, c. 452, Pt. W, §3 and affected by Pt. X, §2, is corrected to read:

**2. Civil penalties.** Except as otherwise specifically provided, a person who violates a law administered by the department, including, without limitation, a violation of the terms or conditions of an order, rule, license, permit, approval or decision of the board or commissioner, or who disposes of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose, in violation of Title 17, section ~~2265-A~~ 2264-A, is subject to a civil penalty, payable to the State, of not less than $100 and not more than $10,000 for each day of that violation or, if the violation relates to hazardous waste, of not more than $25,000 for each day of the violation. This penalty is recoverable in a civil action.

**EXPLANATION**

This section corrects a cross-reference.

---

**Sec. 117. 38 MRSA §1672, sub-§4, ¶F,** as enacted by PL 2009, c. 272, §1, is corrected to read:

F. The department may determine that a manufacturer's recycling program is in compliance with paragraph A, subparagraphs (1), (2) and (4) for the collection of compact fluorescent lamps from

households if the manufacturer provides adequate financial support for the collection and recycling of such lamps to municipalities and a conservation program established pursuant to Title 35-A, section ~~3211-A~~ 10110 and implemented by the ~~Public Utilities Commission~~ Efficiency Maine Trust.

**EXPLANATION**

This section corrects a cross-reference to a conservation program implemented by the Efficiency Maine Trust to reflect changes made by Public Law 2009, chapter 372.

---

**Sec. 118. PL 2009, c. 517, §18** is corrected to read:

**Sec. 18. 30-A MRSA §5957,** as ~~enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and~~ amended by PL 1989, ~~c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10~~ c. 224, §3, is further amended to read:

**§5957. Allocation of state ceiling; recovery zone economic development bonds; qualified energy conservation bonds**

By rulemaking under Title 5, chapter 375, subchapter ~~II~~ 2, the bank may establish a process for allocation and carry-forward of that portion of the state ceiling on issuance of tax-exempt bonds allocated to the bank under Title 10, chapter 9. The executive director of the Maine Municipal Bond Bank is designated as the state official authorized to issue the certification under the United States Code, Title 26, Section 149(e)(2)(F), as amended, for allocations of the state ceiling allocated to the bank pursuant to Title 10, chapter 9.

By routine technical rulemaking defined under Title 5, chapter 375, subchapter 2-A the bank may establish a process for allocation of that portion of the national recovery zone economic development bond limitation established pursuant to 26 United States Code, Section 1400U-1, or that portion of the national qualified energy conservation bond limitation established pursuant to 26 United States Code, Section 54D, waived by any county or reallocated pursuant to section 5953-F and for designation by the bank of recovery zone economic development bonds and qualified energy conservation bonds.

**EXPLANATION**

This section corrects an amending clause.

---

**Sec. 119. Resolve 2009, c. 179, §1** is corrected to read:

**Sec. 1. Best rate option; credit for affected customers. Resolved:** That, notwithstanding any other provision of law, the Public Utilities Commission shall direct the transmission and distribution utility serving those commercial electricity customers that are eligible for the best rate option pursuant to the final order in Public Utilities Commission Docket # 2009-397 dated March 5, 2010 and that experienced higher electricity bills after decreasing their electricity use ~~and~~ to credit such a commercial electricity customer in a manner approved by the commission for the difference between what the customer was actually charged for delivery service during the 12-month period preceding the date of the final order and what the customer would have been charged under the best rate option during that period. The commission shall ensure that a transmission and distribution utility recovers in rates all costs incurred pursuant to this section.

**EXPLANATION**

This section corrects a clerical error.

---

## JOINT RESOLUTION HONORING THE 100TH ANNIVERSARY OF THE BIRTH OF PRESIDENT RONALD REAGAN

### S.P. 78

**WHEREAS,** Ronald Wilson Reagan, the 40th President of the United States and the 33rd Governor of California, was born in Illinois on February 6, 1911 and was a graduate of Eureka College, a veteran of the United States Armed Forces and a successful actor before going on to devote his life to public service; and

**WHEREAS,** Ronald Reagan began his working career as an actor, first in radio, then primarily in films and later in television, appearing in over 50 movie productions and enjoying widespread success and popularity; and

**WHEREAS,** he served as president of the Screen Actors Guild and eventually became interested in politics, originally as a member of the Democratic Party and then switching to the Republican Party in 1962; and

**WHEREAS,** he served 2 terms as Governor of California and he ran for president in 1968 and 1976 before winning the presidency in 1980, and was re-elected by a landslide in 1984, proclaiming it was "Morning in America"; and

**WHEREAS,** as President of the United States, Ronald Reagan survived an assassination attempt, implemented sweeping new political and economic initiatives and was instrumental in the ending of the Cold War; and

**WHEREAS,** President Reagan was known as a beacon of optimism, with his assertive enthusiasm, rallying the people during times of sorrow and crisis and also good times; and

**WHEREAS,** though known for his genial, open and friendly manner, President Reagan was also strong-willed and committed to his principles and enjoyed widespread popularity not only in the United States, but throughout the world, building strong relationships with other nations; and

**WHEREAS,** President Reagan left office after serving 2 terms in 1989, at the peak of his popularity, and soon after disclosed he had Alzheimer's disease, dying 10 years later at the age of 93; and

**WHEREAS,** his burial site is inscribed with the words he delivered at the opening of the Ronald Reagan Presidential Library: "I know in my heart that man is good, that what is right will always eventually triumph and that there is purpose and worth to each and every life"; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity on the 100th Anniversary of the birth of President Ronald Reagan, to honor the memory of a great American patriot who devoted much of his life to his Nation and who had a strong faith in the goodness of people and of the United States of America.

**Read and adopted by the Senate February 1, 2011 and the House of Representatives February 1, 2011.**

## JOINT RESOLUTION IN HONOR OF MAINE GAME WARDEN DARYL R. GORDON, WHO DIED IN THE LINE OF DUTY

### H.P. 994

**WHEREAS,** Maine Game Warden Daryl R. Gordon, of Eagle Lake, was tragically killed in a plane crash in a remote area near Clear Lake in Piscataquis County sometime during the night of March 24, 2011, while serving in the line of duty; and

**WHEREAS,** Daryl R. Gordon is the 15th member of the Maine Warden Service who died in the line of duty; and

**WHEREAS,** Daryl R. Gordon served with distinction with the Maine Warden Service for 25 years, spending 18 years as a district warden, and his final 7 years as a warden pilot flying out of the George E. Townsend Seaplane Base in Eagle Lake; and

**WHEREAS,** Daryl R. Gordon was born in Hartland, graduated from Hartland Academy and served with honor in the United States Marine Corps, serving in Vietnam and receiving the Purple Heart for wounds sustained in combat; and

**WHEREAS,** Daryl R. Gordon also earned numerous commendations while in the United States Marine Corps, including the Marine Corps Combat Action Ribbon, the National Defense Service Medal, the Vietnam Service Medal, the Republic of Vietnam Cross of Gallantry and the Vietnam Campaign Medal. He was honorably discharged with the rank of corporal in 1970; and

**WHEREAS,** Daryl R. Gordon joined the Department of Inland Fisheries and Wildlife as a game warden in 1986 at the age of 35, working out of the Calais, Lincoln, Skowhegan and Bingham districts; and

**WHEREAS,** Daryl R. Gordon saved many lives and people have had loved ones returned to them through his aerial searches and rescue efforts; and

**WHEREAS,** the sudden and shocking death of Game Warden Daryl R. Gordon has saddened not only those whose lives he touched, but the entire State of Maine; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-fifth Legislature, now assembled in the First Regular Session, take this opportunity to honor the memory and service of Game Warden Daryl R. Gordon and to recognize his steadfast and dedicated commitment to the State of Maine and the Nation, exemplifying the core values of the Maine Warden Service: Honor, Loyalty, Compassion and Trust; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be delivered to the family of Game Warden Daryl R. Gordon and to the Maine Warden Service.

**Read and adopted by the House of Representatives March 29, 2011 and the Senate March 30, 2011.**

## JOINT RESOLUTION RECOGNIZING OPERATION TRIBUTE

### S.P. 506

**WHEREAS,** Operation Tribute is a nonprofit organization founded and operated by Marc Badeau in Gorham, Maine that in 2010 provided over 32,000 gifts to the children of military families living throughout New England, New Jersey, New York and Ohio, including over 7,200 children living in the State of Maine; and

**WHEREAS,** Operation Tribute acknowledges the sacrifices, courage and bravery of the children of members of all branches of the military, including the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Reserves and National Guard; and

**WHEREAS,** Operation Tribute considers the children of military families to be unsung heroes who silently shoulder a heavy burden during these difficult times; and

**WHEREAS,** Operation Tribute acquired, gift-wrapped and individually distributed a holiday gift to each participating child of a military family in over 1,100 cities and towns throughout New England, New Jersey, New York and Ohio; and

**WHEREAS,** each package sent to a child in Maine contained a letter that read: "On behalf of Operation Tribute and the people of the State of Maine, we would like to offer you this token of our appreciation for your sacrifice. You are the child of a Maine military family and the bravery that you show every day by sharing your parent to help protect our country is being recognized and honored. You should be extremely proud of your service to our country and should know that we, and the people of Maine, stand proudly beside you. We wish you and your family a Happy Holiday Season!!"; and

**WHEREAS,** Operation Tribute seeks further expansion of its program to eventually encompass the entire country; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-fifth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to send our appreciation to the hard-working and dedicated members of Operation Tribute for their strong commitment and accomplished success in recognizing these children and to thank the members of Operation Tribute for their acknowledgment of the sacrifices, courage and bravery of the children of these military families and we encourage the citizens of the great State of Maine to support and recognize the efforts of Operation Tribute; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Operation Tribute.

**Read and adopted by the House of Representatives May 18, 2011 and the Senate May 18, 2011.**

## JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO AWARD THE DESIGNATION OF "VETERANS OF THE UNITED STATES AND THE STATE OF MAINE" TO THE PROTECTORS AND DEFENDERS OF THE NORTHEASTERN BOUNDARY DURING THE AROOSTOOK WAR

### H.P. 1177

**WE,** your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

**WHEREAS,** there was an undeclared confrontation in 1839 that lasted until 1842 between the

United States and Great Britain over the international boundary between British North America, specifically the provinces of Quebec and New Brunswick in Canada, and Maine, referred to as the Aroostook War; and

**WHEREAS,** this confrontation had its origins at the end of the Revolutionary War because the Treaty of Paris of 1783 did not clearly determine the boundary between British North America and the United States and, during the War of 1812, British forces occupied most of eastern Maine, including Washington County, Hancock County and parts of Penobscot County, intending to permanently annex the region into Canada; and

**WHEREAS,** the Treaty of Ghent ended the war in 1814 and reestablished the boundary but left the border ambiguities intact, and when Maine separated from Massachusetts in 1820 as a new state, the status and location of the border emerged as a chief concern, with Massachusetts also retaining some interests in the land as part of the statehood agreement; and

**WHEREAS,** the dispute continued into the next decade as the area became more and more settled and the wealth of the lumber and land became apparent to both sides of the border, and in 1839 the Maine Legislature authorized newly elected Governor John Fairfield to send land agents and militia to the border; and

**WHEREAS,** high tensions and heated rhetoric in New Brunswick led both sides to raise troops and arm them and march them to the disputed border, but eventually negotiations between diplomats from Great Britain and United States Secretary of State Daniel Webster resulted in the Webster-Ashburton Treaty of 1842; and

**WHEREAS,** this dispute involved no actual confrontation between military forces, but 10 to 12 companies of more than a thousand men as well as drafted militia were sent to Aroostook County; and

**WHEREAS,** the men who were the protectors and defenders of the northeastern boundary of the United States and Maine and Massachusetts primarily were volunteers in service to the State of Maine, members of the Maine State Militia, members of a drafted militia and civilian suppliers, support personnel and settlers in the Aroostook Valley; and

**WHEREAS,** as Governor Israel Washburn, who was Governor of Maine during the Civil War, stated long after the dispute was settled, "The Aroostook war . . . forms a chapter in the history of the State which does real honor to its border chivalry"; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully urge and request that the United States Congress award the designation of "Veterans of the United States and the State of Maine" to those who protected and defended the northeastern boundary and who served between February 5, 1839 and December 31, 1842 and who were willing to risk their lives; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**Read and adopted by the House of Representatives June 10, 2011 and the Senate June 10, 2011.**

**BUDGET ADDRESS**
**OF**
**GOVERNOR PAUL R. LEPAGE**
**FEBRUARY 10, 2011**

President Raye, Speaker Nutting, members of the 125th Legislature, and citizens of Maine, thank you for the invitation to discuss our budget submission for the 2012 / 2013 Biennium.

It takes a great deal of work to prepare a budget – especially for a newly elected Governor. I would like to begin by commending my transition budget team led by Sawin Millett and Tarren Bragdon for all their hard work. Volunteers all, they gave us great ideas and a great head start. I would also like to offer a special thanks to Ryan Low for temporarily joining our budget team.

Ryan's professionalism and dedication to public service is an example for all.

I must also compliment the 125th Legislature for the professional and bipartisan work that went into enacting the Supplemental Budget. Representative Flood, Senator Rosen and the entire Appropriations Committee have my thanks for a job well done. I also want to thank Speaker Nutting, President Raye, Representative Cain and Senator Hobbins for their leadership. I would welcome the same result with my biennial budget.

**INTRODUCTION**

Our 2012 / 2013 biennial budget is a jobs bill. It sets us on a path to keeping more money in the private sector and ends the expectation that every available resource should be devoted to funding the operations of state, county and community government.

Our budget includes long-term reforms that will make our state pension system and workforce more affordable. It increases aid to education and allows for transportation investments without adding to our debt burden. And this budget encourages hard work and independence through needed welfare reforms and tax cuts for Maine's small businesses and working families.

**REFORM THE BUDGET PROCESS**

Our budget was written without consideration for political interests or special favors. It makes tough choices and puts people first.

But it could have been more comprehensive if we had the time to conduct oversight and make informed decisions about the performance of state programs and agencies.

Our budget is being made available on the 37th day of my term. Given the logistics of drafting and printing the document, all of the major decisions were made before I was in office a month and before most of my commissioners were confirmed.

Fifty members of the House and five Senators have no prior legislative experience. Collectively you represent well over a third of Maine's population and today is the 14th session day since you took office.

Every committee chair, member of leadership and presiding officer is also new to his or her post.

We should ALL be spending our first year on oversight and decision making. Every agency, program and service ought to start at zero and justify their objectives and practices. And before a budget is drafted, suggestions for improvement should be considered.

Because baseline budgeting and assumed increases are the norm, every biennial budget since 1992 but one has started with a deficit.

There is not a business, municipality, hospital or nonprofit that would willingly flirt with insolvency every budget cycle the way state government does. We need to change the process.

Representative Ayotte has sponsored legislation, An Act To Establish a New Method of Determining the State Budget, starting the fiscal biennium in the second regular session of the Legislature. The bill is cosponsored by President Raye, Representatives Cain and Curtis as well as Senators Rosen and Sherman.

Representative Ayotte's proposal would give all of us the time we need to conduct oversight and work with the agencies to set priorities. I strongly support the bill and would sign it right now if we could pass it by a show of hands.

**PUBLIC DEBT**

State government has been paying many of today's bills with tomorrow's revenues. Our indebtedness creates job-killing demands on our private sector and has to be reformed.

One of the most pressing concerns is the $4.4 billion unfunded liability in our state pension system. Without reform, the payment for our pension liabilities totals $449 million in the first year of the upcoming biennium. That is 15% of projected General Fund revenue. Within ten years the total annual cost to taxpayers is more than $700 million.

If you do not think our pension liabilities are a problem, check with a constituent. Tell one of Maine's 653,000 tax filers in your district that her share of the

unfunded pension liability, paid today, is $6,500. Let her know that if she wants to finance her obligation we will need $15,313 over the next 16 years.

Public sector employees have served our state and our communities. They have planned on a public pension to sustain their retirement and we cannot abandon them. But changes are needed so we can finance today's priorities without robbing the private sector of billions of dollars of potential job-creating investment.

Our budget calls for reasonable changes to the retirement system that saves $524 million over the current biennium, with most of the savings accruing to the General Fund. This budget asks retirees to forgo cost of living increases in the short term and to accept modest increases in the future. This budget also asks retirees for the same shared sacrifice we are asking of our state employees and increases the retirement age to 65 for new and recent hires.

The two-year savings of over half a billion dollars realized by these modest changes is critical to funding today's priorities and sustaining the pension fund going forward.

Over the longer term, these changes reduce our unfunded pension liabilities by $2.5 billion and reduce our retiree health liability by almost $1 billion.

Our changes keep almost $7 billion in Maine's private sector economy through 2028. All things being equal, the pension reforms in this budget save every Maine tax filer $10,700 over the next 16 years.

Our proposal funds no new bonds, borrowing or deferred payments of any kind over the next two years. If a MaineCare patient goes to a hospital for critical care, we are going to pay the bill immediately.

Much of the additional savings or resources we identify over the biennium will go to repaying our remaining balances to Maine's health care facilities.

We plan to use savings at the Department of Transportation and General Fund dollars rather than borrowing to ensure we make critical infrastructure investments. And we have no plans to borrow in order to finance land acquisition, facility improvements or anything else. If the question is cash or credit, the answer is always the same.

Our total public debt obligation in Maine is $12.9 billion – only $500 million of which was actually approved by the voters as required by the Constitution.

We owe twice as much in debt as we expect to collect in General Fund revenues over the next two years and our debt as a percentage of state GDP is twice the national average. Our problems will not go away overnight, but sensible reforms, fiscal discipline and time will clean up the state's balance sheet and put more money into the hands of job creators. If we were a private sector company, we would be in bankruptcy.

**EDUCATION**

Reforms to our pension liabilities make it possible to increase state aid to local education by $63 million over the biennium from the state aid provided in FY 2011. In 2013 we will contribute $914 million to General Purpose Aid to Education.

And it will not be enough. Education funding is never enough because too many resources are diverted before they reach the classroom. We are working on reforms that make the student the most important person in the classroom.

Our budget has no cuts for higher education. Our community colleges and universities have to remain affordable options for our high school graduates and for adults who need to upgrade their skills to remain competitive in a changing job market. We also continue to provide strong support for scholarship programs.

We need to consider additional ways to pay for the cost of higher education as well. While not included in our budget submission, I want to start the discussion about creating Maine Higher Education Savings Bonds.

A new initiative in our budget is a new collaboration between the Kennebec Valley Community College and Good Will-Hinckley to expand opportunities for kids who need a stable, alternative learning environment. The program will provide career training and prepare students for Maine's workforce.

Not every kid has the same needs or goals. Not every student is well served by traditional schools. Our resources need to follow the student to make sure his or her unique needs are being met.

**TAXES**

The cost of citizenship and business ownership in Maine is too high. We tax income, property, gas, sales, and pretty much every other traceable transaction in our economy.

As Ronald Reagan said, "If it moves, we tax it. If it keeps moving, regulate it. And, if it stops moving, subsidize it."

We assess fees on almost every interaction residents have with their government and create disincentives for success and marriage. Every so often a rumor hits the Internet that the government will start taxing emails. And people fear it.

Our budget proposal cuts taxes by $203 million over the biennium. We include conformity provisions that align Maine's income tax code to federal provisions, saving state taxpayers money and aggravation.

Our budget eliminates the marriage penalty and increases the personal exemption for all Mainers. Coupled with a higher standard deduction, our changes completely eliminate state tax liability for an additional 15,000 Mainers at our lowest income levels.

And to help create jobs in Maine, we include bonus depreciation for businesses investing in our economy's future.

We increase the exemption for the death tax to make it easier to pass a family business to the next generation and to reduce the incentive for moving wealth out of Maine.

And we lower the tax rate on families and business success from 8.5% to 7.95%, the lowest top income tax rate in Maine since 1975.

And we need to be clear. Maine's top tax rate is not just for the rich. For the 2011 tax year, it will take just $19,950 in taxable income to hit Maine's top bracket for single filer and $39,950 for joint filers; 240,000 families in Maine will see a savings as a result of the tax cut we propose.

Our budget also ends indexing of the gas tax in the second year, a levy that is especially hard on working Maine families and gets passed on to virtually every Maine business.

**WELFARE REFORM**

Maine was built by immigrants. The energy and aspirations of our immigrant ancestors powered our mills, carved out our farmland and built our shipyards. Maine must always be a welcoming place for those who seek an opportunity to advance through hard work and self-reliance.

Despite our heritage, Maine is one of just a few places in the country that offers "welfare-on-day-one," for legal non-citizens. Our budget saves $20 million by eliminating instant eligibility for welfare benefits and sends the message that work and independence are what is expected of everyone in Maine.

Our budget also includes a true five-year time limit on welfare eligibility and incentives to help move people from dependence to self-sustaining employment. Based on ability to pay, we also ask MaineCare recipients to contribute to the cost of the state-sponsored health care coverage.

Unfortunately, we are limited in the reforms we can offer in MaineCare because of the Affordable Care Act out of Washington. Maine's generosity is being penalized by the federal government.

There are additional savings to be had in MaineCare, but federal mandates force us to look elsewhere.

Our welfare reform also includes mandatory drug testing of program participants convicted of drug offenses. If we are serious about helping people move to independence and work, we must address the barriers caused by addiction. Otherwise, we are spinning our wheels and squandering state resources.

**STATE WORKFORCE**

Some say, state government is too big to fail, but does not deliver enough value to taxpayers. Big changes are needed, but we are going to be smart about it.

My budget has no mass layoff, no furlough days, no across-the-board cuts and no gimmicks.

There will be continued shared sacrifices for members of our state workforce. But people who work for Maine can expect to earn more next year than they do today.

We start the process of making state government more affordable by maintaining a real hiring freeze. Truly essential positions will be filled, but we will ask every agency to look for efficiencies first.

Our budget also includes a retirement incentive for state workers. Age-eligible employees who leave the workforce before the end of this calendar year will receive a small cash payment and enter the retirement system before cost saving adjustments are made to the program.

My message to state employees is clear. If you start each work day thinking about serving the public, there is a place for you in state government regardless of age. If you come to work to fill in time until you are age-eligible for retirement, we have built in incentives for you to expedite the process.

## CONCLUSION

We have offered a budget free of gimmicks and politics. We have made hard choices that put Maine people first, values work and investment, and makes needed reforms to our state workforce, pension and welfare systems.

I look forward to your review of my proposals and working together to enact and implement a spending and reform plan that moves Maine forward. Thank you.

# STATE OF THE JUDICIARY ADDRESS
# OF
# CHIEF JUSTICE LEIGH INGALLS SAUFLEY
# MARCH 24, 2011

## Progress Amid the Challenges

Good morning, and thank you President Raye. Good morning Governor LePage, Speaker Nutting, members of the 125th Maine Legislature, members of the Court, colleagues from other Benches, and, as always, my supportive family.

It is an honor to present this report on the State of Maine's Judiciary in 2011. I am pleased to be joined here this morning by members of the Law Court and the Trial Court Leadership of the State of Maine. I want to introduce to you Justice Jon D. Levy of Portland, Justice Ellen A. Gorman of Falmouth, Justice Joseph M. Jabar of Waterville and formerly of the 118th and 119th Maine Legislatures. And the Trial Court Leadership: Chief Justice Thomas E. Humphrey of Sanford, Chief Judge Charles C. LaVerdiere of Wilton and formerly of the 118th, 119th, and 120th Maine Legislatures, and Deputy Chief Judge Robert E. Mullen of Waterville.

Along with Ted Glessner, who many of you know, and my colleagues on the Supreme Judicial Court who were not able to be with us today, this is the group of people who make the day-to-day and year-to-year decisions regarding the administration of justice in Maine. I am grateful to Maine's Governors who have understood how very important it is to have hard-working, ethical, and innovative jurists to guide the Judicial Branch, and I am pleased to hear that Governor LePage has already begun the process of assuring that high quality candidates will be presented to you for confirmation to the Maine Bench.

This is the tenth year that you have offered me the opportunity to update you on the delivery of justice in Maine. I want you to know that I never take this opportunity for granted.

We are all charged with remembering that the very first purpose of Maine's Constitution is "to establish justice." The collegial and collaborative efforts of Maine's separate branches of government have made all the difference in our capacity to establish justice during these last many hard economic years, and your attention to your constituents' justice-related needs means that scarce resources are used for the very best value we can obtain. I thank all of you, every one of you, for caring about access to justice, and for reaching out to us with ideas, concerns, and proposals.

## INTRODUCTION

I must begin my presentation by reminding us all that the Maine Judicial Branch has been substantially underfunded for decades. A number of assessments have confirmed that the staffing shortages in Maine's justice and legal services are real, including the Reinventing Maine Report and the Report of the Maine Heritage Policy Center. We are fortunate to have an experienced and dedicated work force in the Judicial Branch, with employees whose commitment to public service makes them the unsung heroes of the delivery of justice. But the fact remains that there are too few positions—far fewer positions as compared to other states—to complete the work before us.

However, I am not going to dwell on these challenges today. Nor am I going to spend time today talking about some of the recent and most uplifting aspects of the delivery of justice, such as the improvements in Juvenile Justice, or the new evidence-based practices in criminal law that hold promise for reducing community risk and recidivism through focused interventions, such as mental health courts, drug courts, and improved monitoring capacities.

Instead, I am going to take advantage of this 10th Anniversary of my presentations to you to talk about the nuts and bolts of delivering justice. I will describe the improvements that have been made in the past ten years, and lay out a blueprint for the decade ahead.

I hope that when we are done here this morning, you will agree with me that Maine's Judiciary is moving ahead with a clear vision for the future.

## CONTEXT

In order to understand our administrative goals for the last decade and the decade to come, some context is necessary.

In 1820, the Maine Constitution established one Court, the Supreme Judicial Court. It was both the trial court and the appellate court for 110 years. Judges rode on horseback throughout the State, presiding wherever a courthouse could be set up, usually over the local tavern.

By 1930, there was need for a full-time trial court, and the statewide Superior Court was created. Just 30 years later, the need had expanded again, leading to the creation of the District Courts in the mid 1960s.

With the establishment of the District Courts, the State of Maine had three State Court systems, with different administrations, and three overlapping judicial cost centers. In 1976, the 107th Maine Legislature took steps to create an administratively efficient court structure. In what was a visionary move, the Legislature consolidated all three components of the state court systems under one single administration, reducing duplication of staff and improving flexibility in the use of judicial resources. [Are there any current Legislators who served in the 107th Legislature here today? Please accept my very belated thanks for your vision.]

It is important to understand that many states have not yet completed that step, leaving state, county, and sometimes even municipal governments to pay for the overlapping costs of the courts.

One critical benefit of modernizing the Maine courts was an increased capacity to move resources in response to changing public needs. The number of newly filed cases varies somewhat from year to year, but the mix, complexity, and nature of cases changes substantially over time. As an example, here is a snapshot of recent changes in caseloads.

- General civil filings increased 48% over the last five years.
    - That includes a 146% increase in the number of mortgage foreclosures,
    - And a 56% increase in debt collection cases.
- In contrast, criminal filings are down approximately 20% over the last five years.
    - Criminal filings, which once represented 50% of the court's nontraffic caseload, are now 44% of the total.
- Divorces and family matters have held fairly steady over that five-year period.
    - But the complexity of those cases has increased over time with new laws and regulations, requiring additional court time and resources.
- Protection from Abuse new filings also remained steady at just over 6,000 cases each year. But as lethality and cycles of violence are better understood, those cases require and deserve more time.
    - The Attorney General's Office reports that there were 24 homicides last year; 37%—more than a third of the homicides—were classified by the AG as domestic violence related.

These changes in caseloads regularly require that we reallocate judge, clerk, and security resources, and we are able to make the necessary shifts because the court system was consolidated in 1976.

## A DECADE AGO

So, ten years ago when I first spoke to you from this podium, I set out several goals designed to take advantage of the efficient administrative structure of our State Courts, to consolidate further, and to make the system more responsive to the public's changing needs. Among those goals were the following:

First: Secure the courts. At that time, we had no system of entry screening whatsoever.

Second: Take advantage of the single administrative system to balance and improve the allocation of judicial resources to assure that priority cases, including those involving children, violence, and sexual assault, were reached quickly and resolved more promptly.

Third: Consistent with efforts to consolidate and streamline, address the aging and expensive infrastructure of Maine's courthouses.

Fourth: Make better use of technology to reduce staffing needs, improve record keeping, and provide much more prompt public service.

## A DECADE OF ACCOMPLISHMENTS

In the last ten years, we have accomplished many of those goals.

### 1. Security.

First, regarding security, we have worked consistently, some of you might say stubbornly, to improve safety in our courthouses, and with your help, we have made substantial progress.

- You made it a crime to carry a gun into a courthouse;
- You created ten new entry screening positions; and
- Most important, we have progressed from zero days of entry screening in 2001 to providing screening in approximately 20% of our courthouses on a daily basis.
- The Governor's proposed budget for the Judicial Branch will allow us to fill security vacancies and increase that number to approximately 25%.

But we cannot stop here. In the last several weeks, Judicial Marshals doing entry screening removed three handguns from people entering courthouses. It is only a matter of time until something tragic happens in one of the many courthouses without screeners at the door. We cannot cease our efforts to improve safety in Maine's courthouses.

**2. Balancing and Reallocation of All Judicial Resources.**

**a. Judicial Resource Team.**

Second, regarding resource allocations, in 2003, the Judicial Resource Team, led by Justice Levy, created an entirely new approach to case management and scheduling which:

- Set up a regional system of judges from both trial courts working together;
- Focused on eliminating delays, wasted time, and duplicated efforts; and
- Improved case processing speed. Following the implementation of the recommendations, the time it took to complete family cases, for example, where children were waiting for stability, was cut in half. The work of the Judicial Resource Team demonstrated that real improvements were possible, even without additional funding and staff. That was an important lesson.

**b. Streamlined Dockets.**

In the last several years, we have built on those lessons by further re-engineering specific dockets. The Unified Criminal Docket in Portland, whose design and implementation was led by Justice Gorman, has proven to be a resounding success. It eliminated the antiquated bifurcation of criminal procedures, eliminated redundant work in our clerks' offices, and provided a clear process that the public can understand and participate in meaningfully. Those improvements, assisted greatly by the support of District Attorney Stephanie Anderson, have reduced the staffing resources necessary in our Portland criminal clerks' office, allowing us to shift funding from those three positions into security positions. And by reducing repeated, unproductive appearances, it has also reduced the strain and costs on the District Attorney's office, court-appointed and retained counsel, and local law enforcement.

This improved model for criminal processing is now under way in Bangor, and we are in the planning stages for improving the criminal docket in York County.

**3. Consolidate and Improve Infrastructure.**

Third, over the last ten years we set about to streamline the court's infrastructure. I am very proud of our accomplishments here.

Again context is important. In the three decades that followed the creation of the District Courts in the 1960s, the court system built or rented separate, standalone District Court facilities even in towns where Superior Court facilities already existed. Those buildings required additional staff, duplicated security, and duplicated technology costs. They made it difficult for judges to assist with overflow dockets in a different building in the same town, and for cases to be managed in a rational fashion. Members of the public with related cases could find themselves going from building to building in the same town in an attempt to resolve their legal issues.

In the last ten years, we have made a concerted effort to eliminate those problems. Wherever District and Superior Courts exist in different facilities in the same town, our goal has been to consolidate the courts into one facility and consolidate the clerks' offices. Those changes alone can substantially reduce the strain on staffing, security, and technology costs. We have accomplished many of these goals:

- The Judicial Branch used to have 41 separate clerks' offices. Today, through consolidations, we have 26 clerks' offices.
- We have consolidated several courthouses, including
    - Houlton, where the separate District and Superior Courts facilities were consolidated into the renovated second floor of the Houlton County building;
    - Bangor, where both trial courts are now consolidated in a single energy-efficient courthouse in that city;
    - Ellsworth, where we merged the Bar Harbor District Court into the Hancock County building;
    - And Lewiston, where we merged the former Livermore Falls District Court into the Lewiston District Courthouse.

- We are in the process of consolidating the two separate courthouses in Dover-Foxcroft into one single floor in the Piscataquis County building.
- With the Governor's help and your support, we will soon consolidate three trial court facilities and court staff from four separate buildings into a single courthouse here in Augusta.
- And in Washington County, we will update and renovate the beautiful, but aging, county building with a consolidated facility for both trial courts.

**4. Technology.**

Our use of technology has also expanded substantially. Although we do not yet have electronic filing, which is one of our ultimate goals, we have achieved several major steps forward.

- **Fine Payments.** Both criminal fines and traffic tickets can now be paid online, speeding recovery of revenues, and reducing the potential for license suspensions and bench warrants.
- **Domestic Violence Orders and Conditions of Release on Bail.** All domestic violence orders are in electronic format and are available instantaneously to law enforcement officers in the field, as are conditions of release on bail in criminal cases.
- **Centralized Warrant Repository.** This year, we will complete a centralized electronic arrest warrant repository again providing instant electronic access in the field to all pending arrest warrants.
- **The Criminal Records Broker.** With the support and cooperation of the Department of Public Safety, and particularly Commissioner Morris and former Commissioner Jordan, we have also completed the new criminal information electronic broker. This is an electronic system that automatically sweeps data in criminal cases from the court system into the State Bureau of Identification.

What this really means is that the days of piling criminal history data into shoe boxes at the SBI and hoping that they will eventually have sufficient staff to type them into an electronic system are over. All new convictions are immediately placed into the SBI's database and become available for appropriate law enforcement agencies.

Community safety is significantly enhanced by these developments, and they ease staffing burdens, not just for the courts, but for local law enforcement, for Public Safety, and for others in the criminal justice system. Some of these improvements will require your help in updating our laws, and we will be working with you to craft appropriate changes.

**CURRENT STATUS**

Looking back over these last ten years, we have worked hard to keep our eye on our goals and move forward, notwithstanding the resource limitations.

Unfortunately, the challenges of understaffing have taken their toll on the public. The bottom line is that the limited number of staff and judges simply cannot do all of the work that is generated. With only 53 trial judges across the State, and with 150,000 new cases pouring into the courts each year, the strain is real. That's 600 new cases every court day, and that doesn't include 130,000 traffic infractions. We have had to set priorities, slow the response to nonpriority cases, and even reduce access at certain times. For example, public hours are currently reduced in the clerks' offices in Rumford, Millinocket, and South Paris.

Here is the current snapshot:

- The Maine Judicial Branch today is an organization of 39 courthouses, down from 43, and 493 General Fund positions, down from 512.
- The total operations budget for the current fiscal year for all of the Judicial Branch is just over $49 million, with another $6.8 million that is dedicated to debt service.
- 70% of the Judicial Branch operations budget is people, that is, those 493 positions, approximately 35 of which have remained vacant as a result of funding shortages.
- The remaining 30% of the operations budget, just over $15 million, is the full year-long budget for all nonpersonnel costs for the statewide court system.

It is one of the leanest judicial budgets in the country.

**THE NEXT DECADE**

Nonetheless, given what we have accomplished in the last ten years, with focus and hard work, I am confident that we will meet our goals for the next decade. As we move ahead, in addition to continued progress in security, technology, and consolidations, we will be focusing on several substantive areas that require attention.

**Business Litigation**

One of our goals must be to provide better public service for our business communities. There are three areas that need help:

**Complex Claims: Business and Consumer Docket.** First, our fledgling Business and Consumer Docket has suffered substantially with staffing limitations. Three years ago, the Business Docket got off to a great start. Some of the most complex business cases in the system were being resolved in nine or ten months. The benefit to businesses of prompt, predictable justice cannot be overstated. Delays and uncertainty do not support a solid business climate. The Business Docket was designed to avoid those problems, and it did so very well in its first full year.

Unfortunately, staffing shortages devastated that Docket over the past year. Chief Justice Humphrey, who guides the Business Docket, is currently working toward an administrative rejuvenation of the Docket. By moving resources from other areas, we hope in six months to have restored the Docket to solid footing once again.

**Small Claims.** Second, small claims, landlord/tenant, and collection matters have had to take a back seat to urgent matters of violence, sexual assault, and children's needs. I have asked the Trial Court Chiefs to design a new case processing plan for these cases as soon as resources are available.

**Intermediate Claims.** And third, we must simplify and reduce the costs for those civil cases that are too big to be filed as small claims, and not large enough to qualify for the complex Business and Consumer Docket. I regularly hear from businesses and other litigants that our system of justice allows too much expensive discovery and motion practice, and makes it fiscally impossible to assert their claims. The bench and the bar are working together to improve the process for these claims.

**Access to Justice**

One last cautionary note for the decade to come. We must all work to improve the availability of legal services for vulnerable Maine people who cannot afford an attorney when they are confronted with urgent legal problems including those involving their children, their homes, or, in the face of domestic violence, their very lives. Imagine the confusion, the fear, and even anger of having to be alone in court at a time like that. And we must not abandon our elderly, who are increasingly vulnerable to economic and physical abuse.

The work that you do, in carefully crafting laws to protect our citizens, will be lost if only those who can afford their own lawyers receive the protection of those laws. We cannot allow the phrase "Access to Justice" to become a hollow promise.

**VISION**

And so, as we prepare for progress, we must keep our eye on the very specific vision of justice we have set out for Maine. I'm going to take the last few minutes to describe some of our most important goals for the decade ahead.

1. First, our court facilities will be physically accessible to everyone and will be safe from dangerous weapons. The court's infrastructure will be designed to best serve the public while keeping costs at a minimum.

- Multiple courthouses in any community will be consolidated into a single facility.
- The largest courthouses will provide central hubs for jury trials and complex litigation.
- Maine's rural system of justice will be strong and vibrant, without the need for reduced public hours. The rural courthouses will become centers of local innovation with improved video communication and reduced costs to local businesses, litigants, and law enforcement.

2. All cases will be heard promptly, because every case type is a priority for the people involved.

- The Business Docket will be fully staffed and providing prompt justice for businesses and consumers.
- Litigants with small claims and landlord/tenant matters will no longer wait months for hearings.
- Criminal Dockets will be streamlined throughout the State.
- There will be sufficient resources to expand innovative judicial approaches that have been proven to be effective, such as the Adult and Family Drug Treatment Courts, Mental Health Courts, and Domestic Violence Courts.

3. Support for access to justice will be strong and deep.

- Maine lawyers, who are already among the most generous in the country, last year donated more than $300,000 in cash and more than 20,000 hours

of free legal services. They will be even more engaged in their local communities through the work of the Justice Action Group's Library Collaborative, which connects local libraries, more than 50 of them, with key legal information sources, and with local lawyers, in essence, giving each of those communities its own access to justice center.

4. Jury trials will be readily accessible.

- Costs of litigating smaller civil cases will be reduced.
- Jurors, who now receive only 15¢ per mile and $10 a day, will be reasonably compensated for their community service.
- Maine lawyers will continue to partner with the Judicial Branch to improve public service in the courts.
    - Did you know that in the past two and a half years, the work of Maine trial lawyers, in injury-related litigation, has recovered over 11 million dollars for Maine's Medicaid accounts?

5. Finally, electronic information systems will substantially improve public service.

- Electronic filing will be available in all case types.
- All financial services will be centralized.
- Central help lines will be available to respond to litigants' questions about schedules and process. Other states have dramatically improved public service through these help lines, and we can do the same with just a few additional resources.

All of these goals are works in progress right now, with many of the foundations for realizing the vision progressing well.

And the good news is that Governor LePage's proposed budget for the Judicial Branch will allow us to fill vacancies and will support the Business Court reorganization, allow improved small business case management, and still protect the priority cases. And that budget provides the funding to assure a consolidated, safe, and energy-efficient courthouse, right here in the State's capital, and renovations in Washington County.

Realistically, it will probably be five years for much of the vision to be realized, and possibly ten years before we have electronic filing in every case type. But having spent the last ten years working toward many of these goals, I know that they are reachable if we keep our eyes on the prize. And I can tell you that ten years goes by very fast.

## WHAT YOU CAN DO TO HELP

Albert Einstein once said:

In matters of truth and justice, there is no difference between large and small problems, for issues concerning the treatment of people are all the same.

Here is what you can do to help us assure that Maine people are treated fairly regardless of the nature of their legal disputes, where they live, or their ability to afford lawyers.

- First, support the Governor's budget for the Judicial Branch.
- Second, come to our courthouses, watch justice in action, and give us your feedback. I know that many of you have already taken the time to get into your local courthouses and watch the proceedings. Mary Ann Lynch stands ready to help you make the arrangements.
- And finally, if you find extra money, send it on to us. We promise to make the very best use of every dollar you find.

It is an honor as always to speak to you here today. We are grateful for your support for justice in Maine. I wish you the best in the very challenging days and weeks ahead. Thank you.

# CROSS REFERENCE TABLES

TABLE I

Sections of the Maine Revised Statutes affected by the laws of the First Regular Session of the 125th Legislature, the Revisor's Report 2009, Chapter 2 and Initiated Bill 2009, Chapter 2.

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 1 | 150-F | | | NEW PL | 17 | | 1 |
| 1 | 150-F | | | NEW PL | 53 | | 1 |
| 1 | 150-G | | | NEW PL | 92 | | 1 |
| 1 | 225 | | | NEW PL | 29 | | 1 |
| 1 | 226 | | | NEW PL | 29 | | 2 |
| 1 | 353 | | | AMD PL | 342 | | 1 |
| 1 | 354 | | | AMD PL | 342 | | 2 |
| 1 | 401 | | 2nd | NEW PL | 320 | B | 1 |
| 1 | 402 | 3 | C-1 | NEW PL | 264 | | 1 |
| 1 | 402 | 3 | N | AMD PL | 320 | E | 1 |
| 1 | 402 | 3 | P | AMD PL | 149 | | 1 |
| 1 | 402 | 3 | Q | AMD PL | 149 | | 2 |
| 1 | 402 | 3 | R | NEW PL | 149 | | 3 |
| 1 | 403 | | | RPR PL | 320 | C | 1 |
| 1 | 432 | 1 | | AMD PL | 320 | D | 1 |
| 1 | 432 | 2-C | | NEW PL | 320 | D | 2 |
| 1 | 434 | | | AMD PL | 320 | D | 3 |
| 1 | 521 | 2 | | AMD PL | 380 | III | 1 |
| 1 | 532 | 1-A | | NEW PL | 321 | | 1 |
| 1 | 532 | 2-B | | NEW PL | 321 | | 2 |
| 1 | 532 | 3 | | AMD PL | 321 | | 3 |
| 1 | 532 | 3-B | | NEW PL | 321 | | 4 |
| 1 | 532 | 4 | | AMD PL | 321 | | 5 |
| 1 | 532 | 6 | | AMD PL | 321 | | 6 |
| 1 | 532 | 6-A | | NEW PL | 321 | | 7 |
| 1 | 532 | 6-B | | NEW PL | 321 | | 7 |
| 1 | 534 | 5 | F | AMD PL | 321 | | 8 |
| 1 | 534 | 5 | G | AMD PL | 321 | | 9 |
| 1 | 534 | 5 | I | AMD PL | 321 | | 10 |
| 1 | 535 | 2 | F | AMD PL | 321 | | 11 |
| 1 | 536 | 2 | | AMD PL | 321 | | 12 |
| 1 | 536 | 3 | | AMD PL | 321 | | 13 |
| 1 | 537 | 1 | | AMD PL | 321 | | 14 |
| 1 | 537 | 2 | | AFF PL | 321 | | 17 |
| 1 | 537 | 2 | | AMD PL | 321 | | 15 |
| 1 | 538 | 3 | | RPR PL | 321 | | 16 |
| 2 | 6 | 3 | | AMD PL | 380 | WWW | 1 |
| 2 | 6-A | 3 | D | AMD PL | 420 | A | 1 |
| 2 | 6-A | 3 | D-1 | RP PL | 420 | A | 2 |
| 2 | 9 | 3 | C | AMD PL | 55 | | 1 |
| 2 | 9 | 3 | C | AMD PL | 400 | | 1 |
| 2 | 9 | 3 | J | AMD PL | 55 | | 2 |
| 2 | 9 | 5 | | NEW PL | 400 | | 2 |
| 2 | 10 | | | NEW PL | 380 | WWW | 2 |
| 2 | 101 | | | RP PL | 90 | E | 1 |
| 2 | 102 | | | RP PL | 213 | | 1 |
| 2 | 103 | | | RP PL | 90 | E | 2 |
| 2 | 104 | | | RP PL | 90 | E | 3 |
| 3 | 2 | | 1st | AMD PL | 380 | QQQQ | 1 |
| 3 | 314 | | 3rd | AMD PL | 179 | | 1 |
| 3 | 315-A | 2 | E | AMD PL | 179 | | 2 |
| 3 | 315-A | 2 | F | AMD PL | 179 | | 3 |
| 3 | 315-A | 2 | G | NEW PL | 179 | | 4 |
| 3 | 317 | 2 | | RP PL | 179 | | 5 |
| 3 | 317 | 2-A | | AMD PL | 179 | | 6 |
| 3 | 319 | 1 | | RPR PL | 179 | | 7 |
| 3 | 427 | | | COR RR | 2 | | 1 |
| 3 | 522-C | | | NEW PL | 392 | L | 1 |
| 3 | 851 | 1-D | | NEW PL | 380 | T | 1 |
| 3 | 851 | 1-E | | NEW PL | 380 | T | 2 |
| 3 | 851 | 2-B | | AMD PL | 380 | T | 3 |
| 3 | 851 | 2-C | | NEW PL | 380 | T | 4 |
| 3 | 971 | | | NEW PL | 304 | L | 1 |
| 3 | 972 | | | NEW PL | 304 | L | 1 |
| 3 | 973 | | | NEW PL | 304 | L | 1 |
| 3 | 974 | | | NEW PL | 304 | L | 1 |
| 4 | 17 | 15 | A | AMD PL | 380 | TT | 1 |
| 4 | 20 | | | AMD PL | 131 | | 1 |
| 4 | 28 | | | AMD PL | 380 | HHH | 1 |
| 4 | 152 | 5 | Q | AMD PL | 80 | | 1 |
| 4 | 152 | 5 | R | AMD PL | 80 | | 2 |
| 4 | 152 | 5 | S | NEW PL | 80 | | 3 |
| 4 | 152 | 6-A | C | AMD PL | 120 | | 1 |
| 4 | 183 | 1 | G | AMD PL | 3 | | 1 |
| 4 | 191 | | | AMD PL | 204 | | 1 |
| 4 | 193 | | last | AMD PL | 204 | | 2 |
| 4 | 1059 | 3 | | RP PL | 426 | | 1 |
| 4 | 1351 | 1-B | | NEW PL | 380 | T | 5 |
| 4 | 1351 | 1-C | | NEW PL | 380 | T | 6 |
| 4 | 1351 | 2-A | | AMD PL | 380 | T | 7 |
| 4 | 1351 | 3-B | | NEW PL | 380 | T | 8 |
| 4 | 1358 | 1 | | RPR PL | 380 | T | 9 |
| 4 | 1804 | 3 | C | AMD PL | 420 | C | 1 |
| 4 | 1804 | 3 | J | RPR PL | 141 | | 1 |
| 4 | 1806 | | | NEW PL | 260 | | 1 |
| 5 | 19 | 7 | | AMD PL | 389 | | 1 |
| 5 | 57 | | | RP PL | 304 | D | 1 |
| 5 | 58 | | | NEW PL | 33 | | 1 |
| 5 | 82-B | | | RP PL | 344 | | 1 |
| 5 | 90-B | 1 | A | AMD PL | 195 | | 1 |
| 5 | 90-B | 7 | | AMD PL | 195 | | 2 |
| 5 | 90-N | | | NEW PL | 304 | D | 2 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 5 | 90-O | | | NEW | PL 304 | D | 2 |
| 5 | 90-P | | | NEW | PL 304 | D | 2 |
| 5 | 90-Q | | | NEW | PL 304 | D | 2 |
| 5 | 90-R | | | NEW | PL 304 | D | 2 |
| 5 | 90-S | | | NEW | PL 304 | D | 2 |
| 5 | 90-T | | | NEW | PL 304 | D | 2 |
| 5 | 152 | | | AMD | PL 342 | | 3 |
| 5 | 155 | | | NEW | PL 188 | | 1 |
| 5 | 282 | 4-A | | COR | RR 2 | | 2 |
| 5 | 285 | 1 | F-9 | NEW | PL 67 | | 1 |
| 5 | 285 | 1 | I | AMD | PL 438 | | 1 |
| 5 | 285 | 1 | J | AMD | PL 438 | | 2 |
| 5 | 285 | 1 | K | NEW | PL 438 | | 3 |
| 5 | 285 | 1-B | | AMD | PL 438 | | 4 |
| 5 | 285 | 7 | I | AFF | PL 380 | V | 7 |
| 5 | 285 | 7 | I | NEW | PL 380 | V | 1 |
| 5 | 285 | 7 | J | AFF | PL 380 | V | 7 |
| 5 | 285 | 7 | J | NEW | PL 380 | V | 1 |
| 5 | 285 | 7 | K | AFF | PL 380 | V | 7 |
| 5 | 285 | 7 | K | NEW | PL 380 | V | 1 |
| 5 | 285 | 7 | L | AFF | PL 380 | V | 7 |
| 5 | 285 | 7 | L | NEW | PL 380 | V | 1 |
| 5 | 285 | 7-A | C | AMD | PL 1 | FF | 1 |
| 5 | 286-B | | | AMD | PL 380 | Y | 1 |
| 5 | 933 | 1 | O | AMD | PL 1 | F | 1 |
| 5 | 937 | 1 | F | AMD | PL 380 | PPP | 1 |
| 5 | 1514 | | | RP | PL 420 | C | 2 |
| 5 | 1522 | | | NEW | PL 380 | X | 1 |
| 5 | 1536 | 1 | | AMD | PL 380 | X | 2 |
| 5 | 1582 | 4 | | AMD | PL 1 | S | 1 |
| 5 | 1591 | 2 | A | AMD | PL 1 | O | 1 |
| 5 | 1591 | 2 | A | AMD | PL 380 | UUU | 1 |
| 5 | 1591 | 2 | B | NEW | PL 1 | O | 2 |
| 5 | 1591 | 2 | B | AMD | PL 380 | UUU | 2 |
| 5 | 1591 | 2 | C | NEW | PL 380 | UUU | 3 |
| 5 | 1622 | | | NEW | PL 21 | | 1 |
| 5 | 1743-A | | | AMD | PL 352 | | 1 |
| 5 | 1764-A | 2 | | AMD | PL 420 | A | 3 |
| 5 | 1824-A | | | NEW | PL 380 | EE | 1 |
| 5 | 1828 | 1 | B | AMD | PL 9 | | 1 |
| 5 | 1828 | 2 | | AMD | PL 9 | | 2 |
| 5 | 4553 | 9-D | | RP | PL 369 | | 1 |
| 5 | 4553 | 9-E | | NEW | PL 369 | | 2 |
| 5 | 4593 | | | AMD | PL 322 | | 1 |
| 5 | 4594 | | | AMD | PL 322 | | 2 |
| 5 | 4594-A | | | AMD | PL 322 | | 3 |
| 5 | 4594-B | | | AMD | PL 322 | | 4 |
| 5 | 4594-C | | | AMD | PL 322 | | 5 |
| 5 | 4594-D | | | AMD | PL 322 | | 6 |
| 5 | 4594-F | | | AMD | PL 322 | | 7 |
| 5 | 4594-G | | | NEW | PL 322 | | 8 |
| 5 | 5301 | 2 | E | AMD | PL 286 | O | 1 |
| 5 | 6201 | 1-A | | NEW | PL 266 | B | 1 |
| 5 | 6201 | 5 | | NEW | PL 266 | B | 2 |
| 5 | 6203-B | | | NEW | PL 266 | B | 3 |
| 5 | 6207 | 3 | | AMD | PL 381 | | 1 |
| 5 | 6209 | 6 | | AMD | PL 278 | | 1 |
| 5 | 6209 | 7 | | NEW | PL 278 | | 2 |
| 5 | 7061 | 2-A | | NEW | PL 6 | | 1 |
| 5 | 8002 | 9 | | AMD | PL 304 | G | 1 |
| 5 | 8052 | 5 | B | AMD | PL 380 | NNN | 1 |
| 5 | 8053 | 6 | | AMD | PL 326 | | 1 |
| 5 | 8054 | 2 | | AMD | PL 244 | | 1 |
| 5 | 8054 | 4 | | NEW | PL 244 | | 2 |
| 5 | 8056 | 1 | D | AMD | PL 380 | NNN | 2 |
| 5 | 8057-A | 4 | | AMD | PL 304 | E | 1 |
| 5 | 8060 | 7 | | NEW | PL 319 | | 1 |
| 5 | 8063-A | | | NEW | PL 304 | B | 1 |
| 5 | 8063-B | | | NEW | PL 304 | E | 2 |
| 5 | 8071-A | | | NEW | PL 244 | | 3 |
| 5 | 8072 | 3 | | AMD | PL 244 | | 4 |
| 5 | 8072 | 5 | | AMD | PL 244 | | 5 |
| 5 | 8072 | 6 | | RP | PL 244 | | 6 |
| 5 | 8072 | 7 | | AMD | PL 244 | | 7 |
| 5 | 8072 | 8 | | AMD | PL 244 | | 8 |
| 5 | 8072 | 10 | | NEW | PL 244 | | 9 |
| 5 | 8072 | 11 | | NEW | PL 244 | | 10 |
| 5 | 12004-A | 48 | | AMD | PL 286 | O | 2 |
| 5 | 12004-C | 8 | | NEW | PL 346 | | 1 |
| 5 | 12004-F | 4 | | AMD | PL 302 | | 1 |
| 5 | 12004-G | 4-D | | AMD | PL 305 | | 1 |
| 5 | 12004-G | 10-D | | NEW | PL 414 | | 1 |
| 5 | 12004-G | 14-F | | AFF | PL 90 | B | 10 |
| 5 | 12004-G | 14-F | | RP | PL 90 | B | 1 |
| 5 | 12004-G | 14-H | | NEW | PL 90 | B | 2 |
| 5 | 12004-G | 26-F | | RP | PL 344 | | 2 |
| 5 | 12004-G | 29-D | | NEW | PL 366 | | 1 |
| 5 | 12004-G | 31-C | | RP | PL 344 | | 3 |
| 5 | 12004-I | 1-B | | RP | PL 344 | | 4 |
| 5 | 12004-I | 2-G | | AMD | PL 304 | D | 3 |
| 5 | 12004-I | 4-A | | RP | PL 344 | | 5 |
| 5 | 12004-I | 6-H | | RP | PL 344 | | 6 |
| 5 | 12004-I | 10-A | | RP | PL 344 | | 7 |
| 5 | 12004-I | 10-A | | RP | PL 348 | | 1 |
| 5 | 12004-I | 12-A | | AMD | PL 386 | | 1 |
| 5 | 12004-I | 13-A | | RP | PL 344 | | 8 |
| 5 | 12004-I | 22-B | | AMD | PL 206 | | 1 |
| 5 | 12004-I | 24-E | | RP | PL 344 | | 9 |
| 5 | 12004-I | 31-A | | RP | PL 90 | J | 1 |
| 5 | 12004-I | 36-E | | NEW | PL 168 | | 1 |
| 5 | 12004-I | 47-H | | NEW | PL 412 | | 1 |
| 5 | 12004-I | 57-C | | RP | PL 344 | | 10 |
| 5 | 12004-I | 84-A | | RP | PL 344 | | 11 |
| 5 | 12004-I | 86 | | RP | PL 344 | | 12 |
| 5 | 12004-I | 92 | | RP | PL 79 | | 1 |
| 5 | 12004-K | 1 | | RP | PL 344 | | 13 |
| 5 | 12006 | 2 | | AMD | PL 344 | | 14 |
| 5 | 13062 | 2 | B | AMD | PL 304 | C | 1 |
| 5 | 13063 | | | AMD | PL 304 | C | 2 |
| 5 | 13070-J | 1 | D | AMD | PL 380 | HHHH | 1 |
| 5 | 13083-B | 2-A | | NEW | PL 136 | | 1 |
| 5 | 13083-C | 1 | F-4 | NEW | PL 136 | | 2 |
| 5 | 13083-C | 1 | F-4 | NEW | PL 148 | | 1 |
| 5 | 13083-C | 1 | F-5 | NEW | PL 136 | | 3 |
| 5 | 13083-D-1 | | | NEW | PL 136 | | 4 |
| 5 | 13090-L | 4 | | AMD | PL 285 | | 1 |
| 5 | 13090-M | | | NEW | PL 372 | | 1 |
| 5 | 13120-B | 9 | | AMD | PL 148 | | 2 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 5 | 13171 | | | RP | PL 344 | | 15 |
| 5 | 17057 | 4 | | AMD | PL 449 | | 1 |
| 5 | 17057 | 4 | A | COR | RR 2 | | 3 |
| 5 | 17057 | 5 | | NEW | PL 449 | | 2 |
| 5 | 17057 | 6 | | NEW | PL 449 | | 2 |
| 5 | 17652 | 1 | | AMD | PL 449 | | 3 |
| 5 | 17652 | 3 | | AMD | PL 449 | | 4 |
| 5 | 17652 | 4 | | AMD | PL 449 | | 5 |
| 5 | 17652 | 6 | | AMD | PL 449 | | 6 |
| 5 | 17705-A | 1 | | AMD | PL 449 | | 7 |
| 5 | 17706-A | 1 | | AMD | PL 449 | | 8 |
| 5 | 17806 | 1 | A | AFF | PL 380 | T | 26 |
| 5 | 17806 | 1 | A | AMD | PL 380 | T | 10 |
| 5 | 17806 | 1 | B | AFF | PL 380 | T | 26 |
| 5 | 17806 | 1 | B | AMD | PL 380 | T | 11 |
| 5 | 17851 | 1-D | | NEW | PL 380 | T | 12 |
| 5 | 17851 | 1-E | | NEW | PL 380 | T | 13 |
| 5 | 17851 | 2-D | | NEW | PL 380 | T | 14 |
| 5 | 17851 | 2-E | | NEW | PL 380 | T | 15 |
| 5 | 17851 | 3-A | | AMD | PL 380 | T | 16 |
| 5 | 17852 | 1 | | AMD | PL 380 | T | 17 |
| 5 | 17852 | 2 | | AMD | PL 380 | T | 18 |
| 5 | 17852 | 3-B | | NEW | PL 380 | T | 19 |
| 5 | 17857 | 3-B | | NEW | PL 380 | T | 20 |
| 5 | 17859 | | | NEW | PL 380 | MMM | 1 |
| 5 | 17859 | 1 | | AMD | PL 420 | L | 1 |
| 5 | 17952 | | 1st | AMD | PL 449 | | 9 |
| 5 | 18058 | 1 | | AMD | PL 449 | | 10 |
| 5 | 18058 | 2 | D | RP | PL 449 | | 11 |
| 5 | 18058 | 5 | | NEW | PL 449 | | 12 |
| 5 | 18251 | 3 | | AMD | PL 449 | | 13 |
| 5 | 18252 | | 1st | AMD | PL 449 | | 14 |
| 5 | 18252-A | 1 | A | AMD | PL 449 | | 15 |
| 5 | 18253 | 2 | | AMD | PL 449 | | 16 |
| 5 | 18253 | 3 | | AMD | PL 449 | | 17 |
| 5 | 18306-A | 1 | | AMD | PL 449 | | 18 |
| 5 | 18307-A | 1 | | AMD | PL 449 | | 19 |
| 5 | 18552 | | 1st | AMD | PL 449 | | 20 |
| 5 | 18658 | 1 | | AMD | PL 449 | | 21 |
| 5 | 18658 | 2 | D | RP | PL 449 | | 22 |
| 5 | 18658 | 5 | | NEW | PL 449 | | 23 |
| 5 | 19201 | 2-B | | NEW | PL 347 | | 1 |
| 5 | 19203 | 9 | | AMD | PL 347 | | 2 |
| 5 | 19203 | 10 | B | AMD | PL 347 | | 3 |
| 5 | 19203 | 11 | | NEW | PL 347 | | 4 |
| 5 | 19203-A | 6 | | NEW | PL 229 | | 1 |
| 5 | 19203-D | 6 | | NEW | PL 347 | | 5 |
| 5 | 20024 | | last | NEW | PL 145 | | 1 |
| 5 | 24001 | 6 | | AMD | PL 388 | | 1 |
| 5 | 24001 | 8 | | AMD | PL 388 | | 2 |
| 5 | 24002 | 1 | C | AMD | PL 388 | | 3 |
| 6 | 3 | 25-C | | NEW | PL 351 | | 1 |
| 6 | 17 | 1 | | AMD | PL 351 | | 2 |
| 6 | 17 | 9 | | RP | PL 351 | | 3 |
| 6 | 18 | 2-A | | NEW | PL 351 | | 4 |
| 6 | 18 | 3 | | AMD | PL 351 | | 5 |
| 6 | 55 | 1 | A | COR | RR 2 | | 4 |
| 7 | 82 | 5 | | AMD | PL 358 | | 1 |
| 7 | 82 | 6 | | NEW | PL 358 | | 2 |
| 7 | 96 | 8 | | AMD | PL 73 | | 1 |
| 7 | 98 | 2 | | AMD | PL 73 | | 2 |
| 7 | 216 | | | RP | PL 344 | | 16 |
| 7 | 403 | 1 | | COR | RR 2 | | 5 |
| 7 | 415 | 1 | B | AMD | PL 280 | | 1 |
| 7 | 483 | | 1st | AMD | PL 407 | A | 1 |
| 7 | 762 | 6 | | COR | RR 2 | | 6 |
| 7 | 2104-A | | | AMD | PL 420 | A | 4 |
| 7 | 2106 | | | AMD | PL 420 | A | 5 |
| 7 | 2157 | 5 | | AMD | PL 420 | A | 6 |
| 7 | 2701 | | 1st | AMD | PL 420 | A | 7 |
| 7 | 2754 | | | AMD | PL 420 | A | 8 |
| 7 | 3907 | 8-A | | AMD | PL 100 | | 1 |
| 7 | 3907 | 12-C | | AMD | PL 100 | | 2 |
| 7 | 3907 | 12-D | | AMD | PL 100 | | 3 |
| 7 | 3907 | 17 | | AMD | PL 100 | | 4 |
| 7 | 3907 | 24-A | | AMD | PL 369 | | 3 |
| 7 | 3911-A | | | AMD | PL 100 | | 5 |
| 7 | 3911-B | | | NEW | PL 100 | | 6 |
| 7 | 3914 | | last | NEW | PL 100 | | 7 |
| 7 | 3919-B | 3 | | AMD | PL 100 | | 8 |
| 7 | 3921-A | | | AMD | PL 100 | | 9 |
| 7 | 3921-B | | | NEW | PL 100 | | 10 |
| 7 | 3922 | 3-B | | AMD | PL 100 | | 11 |
| 7 | 3923-G | 6 | | NEW | PL 100 | | 12 |
| 7 | 3931-B | | | RP | PL 100 | | 13 |
| 7 | 3952 | 1 | | AMD | PL 82 | | 1 |
| 7 | 3952 | 8 | | AMD | PL 82 | | 2 |
| 7 | 3961-A | | last | AMD | PL 369 | | 4 |
| 7 | 4015 | 2 | B | AMD | PL 76 | | 1 |
| 7 | 4015 | 5 | | AMD | PL 76 | | 2 |
| 7 | 4015 | 5-A | | NEW | PL 76 | | 3 |
| 7 | 4019 | | | AMD | PL 288 | | 1 |
| 7 | 4041 | | | AMD | PL 18 | | 1 |
| 7 | 4151 | 1 | | AMD | PL 100 | | 14 |
| 7 | 4153 | | last | NEW | PL 100 | | 15 |
| 8 | 161 | 7 | | NEW | PL 333 | | 1 |
| 8 | 221-A | 1-A | | AFF | PL 416 | | 9 |
| 8 | 221-A | 1-A | | NEW | PL 416 | | 1 |
| 8 | 221-A | 3-A | | AFF | PL 416 | | 9 |
| 8 | 221-A | 3-A | | NEW | PL 416 | | 2 |
| 8 | 221-A | 4 | | AMD | PL 202 | | 1 |
| 8 | 221-A | 4 | | AFF | PL 416 | | 9 |
| 8 | 221-A | 4 | | AMD | PL 416 | | 3 |
| 8 | 223 | 1 | | AFF | PL 416 | | 9 |
| 8 | 223 | 1 | | AMD | PL 416 | | 4 |
| 8 | 223-A | | | AFF | PL 416 | | 9 |
| 8 | 223-A | | | NEW | PL 416 | | 5 |
| 8 | 236 | | | AFF | PL 416 | | 9 |
| 8 | 236 | | | RPR | PL 416 | | 6 |
| 8 | 263-A | 1 | C | AMD | PL 358 | | 3 |
| 8 | 275-B | 1 | | AMD | PL 142 | | 1 |
| 8 | 275-C | 1 | | AMD | PL 142 | | 2 |
| 8 | 275-D | 1 | | AMD | PL 99 | | 1 |
| 8 | 281-B | | | NEW | PL 16 | | 1 |
| 8 | 295 | 1 | | COR | RR 2 | | 7 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 8 | 371 | 5 | | AMD | PL 310 | | 1 |
| 8 | 372 | 2 | A | AMD | PL 310 | | 2 |
| 8 | 372 | 2 | B | AMD | PL 310 | | 2 |
| 8 | 372 | 2 | D | AMD | PL 310 | | 2 |
| 8 | 372 | 2 | F | RP | PL 310 | | 3 |
| 8 | 374 | 1 | H | AMD | PL 310 | | 4 |
| 8 | 374 | 1 | I | AMD | PL 310 | | 5 |
| 8 | 374 | 1 | J | AMD | PL 310 | | 6 |
| 8 | 374 | 1 | K | AMD | PL 310 | | 7 |
| 8 | 374 | 4 | | RP | PL 310 | | 8 |
| 8 | 375 | | | AMD | PL 310 | | 9 |
| 8 | 376 | 1 | | AMD | PL 310 | | 10 |
| 8 | 376 | 2 | | RP | PL 310 | | 11 |
| 8 | 409 | 2 | | RP | PL 310 | | 12 |
| 8 | 411 | | | RP | PL 310 | | 13 |
| 8 | 412 | | | RP | PL 310 | | 14 |
| 8 | 521 | 1 | | AMD | PL 305 | | 2 |
| 8 | 521 | 3-A | | NEW | PL 305 | | 3 |
| 8 | 522 | | | AMD | PL 305 | | 4 |
| 8 | 523 | 1 | | AMD | PL 305 | | 5 |
| 8 | 524 | | | AMD | PL 305 | | 6 |
| 8 | 525 | | | AMD | PL 305 | | 7 |
| 8 | 526 | | | AMD | PL 305 | | 8 |
| 8 | 529 | | | AMD | PL 305 | | 9 |
| 8 | 532 | | | AMD | PL 305 | | 10 |
| 8 | 1001 | 2 | | AMD | IB 2 | | 1 |
| 8 | 1001 | 5-A | | NEW | IB 2 | | 2 |
| 8 | 1001 | 5-A | | AMD | PL 417 | | 1 |
| 8 | 1001 | 5-B | | NEW | IB 2 | | 3 |
| 8 | 1001 | 15 | | AMD | IB 2 | | 4 |
| 8 | 1001 | 16 | | AMD | IB 2 | | 5 |
| 8 | 1001 | 17 | | AMD | IB 2 | | 6 |
| 8 | 1001 | 20 | | AMD | IB 2 | | 7 |
| 8 | 1001 | 21-A | | NEW | IB 2 | | 8 |
| 8 | 1001 | 27 | | AMD | IB 2 | | 9 |
| 8 | 1001 | 29-B | | NEW | IB 2 | | 10 |
| 8 | 1001 | 30 | | AMD | IB 2 | | 11 |
| 8 | 1001 | 38 | | AMD | IB 2 | | 12 |
| 8 | 1001 | 41 | | AMD | IB 2 | | 13 |
| 8 | 1001 | 42 | | AMD | IB 2 | | 14 |
| 8 | 1001 | 43-A | | NEW | IB 2 | | 15 |
| 8 | 1001 | 43-B | | NEW | IB 2 | | 16 |
| 8 | 1001 | 44 | | AMD | IB 2 | | 17 |
| 8 | 1003 | 1 | A | AMD | IB 2 | | 18 |
| 8 | 1003 | 2 | I | AMD | IB 2 | | 19 |
| 8 | 1003 | 2 | Q | AMD | IB 2 | | 20 |
| 8 | 1003 | 2 | R | AMD | IB 2 | | 21 |
| 8 | 1003 | 3 | E | AMD | IB 2 | | 22 |
| 8 | 1003 | 3 | G | AMD | IB 2 | | 23 |
| 8 | 1003 | 3 | H | AMD | IB 2 | | 24 |
| 8 | 1003 | 3 | I | AMD | IB 2 | | 25 |
| 8 | 1004-A | | | NEW | IB 2 | | 26 |
| 8 | 1005 | 1 | | AMD | IB 2 | | 27 |
| 8 | 1006 | 4 | | AMD | IB 2 | | 28 |
| 8 | 1011 | | | AMD | IB 2 | | 29 |
| 8 | 1011 | 2-A | | AMD | PL 417 | | 2 |
| 8 | 1011 | 3 | | AMD | PL 417 | | 3 |
| 8 | 1012-A | | | NEW | IB 2 | | 30 |
| 8 | 1013-A | | | NEW | IB 2 | | 31 |
| 8 | 1015 | | | AMD | IB 2 | | 32 |
| 8 | 1016 | 1 | | AMD | IB 2 | | 33 |
| 8 | 1018 | 1 | | AMD | IB 2 | | 34 |
| 8 | 1018 | 1 | C-1 | AMD | PL 417 | | 4 |
| 8 | 1019 | 6 | | AMD | IB 2 | | 35 |
| 8 | 1019 | 6 | | AMD | PL 417 | | 5 |
| 8 | 1019 | 7 | | NEW | IB 2 | | 36 |
| 8 | 1019 | 7 | | AMD | PL 417 | | 6 |
| 8 | 1020 | 3 | | AMD | IB 2 | | 37 |
| 8 | 1021 | | | NEW | IB 2 | | 38 |
| 8 | 1031 | | | AMD | IB 2 | | 39 |
| 8 | 1032 | | | AMD | IB 2 | | 40 |
| 8 | 1033 | | | AMD | IB 2 | | 41 |
| 8 | 1034 | | | AMD | IB 2 | | 42 |
| 8 | 1035 | | | AMD | IB 2 | | 43 |
| 8 | 1035-A | | | NEW | IB 2 | | 44 |
| 8 | 1036 | 1 | | AMD | PL 417 | | 7 |
| 8 | 1036 | 2 | | AMD | PL 417 | | 8 |
| 8 | 1036 | 2 | E | AMD | PL 380 | II | 1 |
| 8 | 1036 | 2 | H | AMD | PL 358 | | 4 |
| 8 | 1036 | 2-A | | NEW | IB 2 | | 45 |
| 8 | 1036 | 2-B | | NEW | IB 2 | | 46 |
| 8 | 1036 | 2-B | | AMD | PL 417 | | 9 |
| 8 | 1036 | 2-C | | NEW | PL 417 | | 10 |
| 8 | 1036 | 3 | | AMD | IB 2 | | 47 |
| 8 | 1036 | 5 | | RP | PL 358 | | 5 |
| 8 | 1037 | | | NEW | PL 358 | | 6 |
| 8 | 1041 | 2 | | AMD | IB 2 | | 48 |
| 8 | 1054 | | | AMD | IB 2 | | 49 |
| 8 | 1065 | | | NEW | PL 56 | | 1 |
| 9 | 5003 | 3 | | AMD | PL 286 | A | 1 |
| 9 | 5003 | 9 | | AMD | PL 286 | A | 2 |
| 9 | 5004 | 3 | N | AMD | PL 286 | A | 3 |
| 9 | 5004 | 3 | P | AMD | PL 286 | A | 4 |
| 9 | 5004 | 3 | Q | NEW | PL 286 | A | 5 |
| 9 | 5004 | 4 | D | RPR | PL 286 | A | 6 |
| 9 | 5005-B | 4 | | NEW | PL 286 | A | 7 |
| 9 | 5008 | | | AMD | PL 286 | A | 8 |
| 9 | 5012-A | | | AMD | PL 286 | A | 9 |
| 9 | 5013 | 1 | | AMD | PL 286 | A | 10 |
| 9 | 5017 | | | AMD | PL 286 | A | 11 |
| 9-A | 1-202 | | last | AMD | PL 427 | D | 3 |
| 9-A | 1-202 | 8 | A | AMD | PL 427 | D | 1 |
| 9-A | 1-202 | 10 | | AMD | PL 427 | D | 2 |
| 9-A | 1-301 | 5 | | AMD | PL 427 | D | 4 |
| 9-A | 1-301 | 6-B | | AMD | PL 427 | D | 5 |
| 9-A | 1-301 | 6-C | | AMD | PL 427 | D | 5 |
| 9-A | 1-301 | 11 | | AMD | PL 427 | A | 1 |
| 9-A | 1-301 | 13 | | AMD | PL 427 | A | 2 |
| 9-A | 1-301 | 14 | A | AMD | PL 427 | A | 3 |
| 9-A | 1-301 | 17 | | RPR | PL 427 | A | 4 |
| 9-A | 1-301 | 19 | A | AMD | PL 427 | D | 6 |
| 9-A | 1-301 | 22-A | | RP | PL 427 | B | 1 |
| 9-A | 1-301 | 24-B | | NEW | PL 427 | B | 2 |
| 9-A | 1-301 | 41 | | AMD | PL 427 | D | 7 |
| 9-A | 2-202 | 7 | | AMD | PL 427 | A | 5 |
| 9-A | 2-302 | 1 | | AMD | PL 427 | B | 3 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 9-A | 2-302 | 1-A | | RP | PL 427 | B | 4 |
| 9-A | 2-302 | 2 | | AMD | PL 427 | B | 5 |
| 9-A | 2-302 | 5-A | | AMD | PL 427 | B | 6 |
| 9-A | 2-303 | | | AMD | PL 427 | B | 7 |
| 9-A | 2-303-A | | | AMD | PL 427 | B | 8 |
| 9-A | 2-307 | 2 | | AMD | PL 427 | D | 8 |
| 9-A | 2-402 | 5 | | AMD | PL 427 | A | 6 |
| 9-A | 2-501 | 3 | | AMD | PL 427 | A | 7 |
| 9-A | 2-501 | 4 | | AMD | PL 427 | A | 8 |
| 9-A | 2-509 | | | AMD | PL 427 | D | 9 |
| 9-A | 3-204 | 2 | | AMD | PL 427 | A | 9 |
| 9-A | 3-206 | 1 | B | AMD | PL 427 | D | 10 |
| 9-A | 3-308 | 3 | | AMD | PL 87 | | 1 |
| 9-A | 3-310 | 1 | D | AMD | PL 427 | A | 10 |
| 9-A | 3-316 | | | AMD | PL 427 | B | 9 |
| 9-A | 3-506 | | | AMD | PL 427 | D | 11 |
| 9-A | 6-104 | 1 | H | AMD | PL 427 | A | 11 |
| 9-A | 6-104 | 1 | I | AMD | PL 427 | A | 12 |
| 9-A | 6-104 | 1 | J | NEW | PL 427 | A | 13 |
| 9-A | 6-105-A | | 1st | AMD | PL 427 | B | 10 |
| 9-A | 6-105-A | 2 | | AMD | PL 427 | B | 11 |
| 9-A | 6-113 | 1 | | AMD | PL 427 | D | 12 |
| 9-A | 8-101 | | | RP | PL 427 | A | 14 |
| 9-A | 8-102 | | | RP | PL 427 | A | 14 |
| 9-A | 8-103 | | | RP | PL 427 | A | 14 |
| 9-A | 8-104 | | | RP | PL 427 | A | 14 |
| 9-A | 8-105 | | | RP | PL 427 | A | 14 |
| 9-A | 8-106 | | | RP | PL 427 | A | 14 |
| 9-A | 8-106-A | | | RP | PL 427 | A | 14 |
| 9-A | 8-107 | | | RP | PL 427 | A | 14 |
| 9-A | 8-108 | | | RP | PL 427 | A | 14 |
| 9-A | 8-109 | | | RP | PL 427 | A | 14 |
| 9-A | 8-110 | | | RP | PL 427 | A | 14 |
| 9-A | 8-201 | | | RP | PL 427 | A | 14 |
| 9-A | 8-202 | | | RP | PL 427 | A | 14 |
| 9-A | 8-203 | | | RP | PL 427 | A | 14 |
| 9-A | 8-204 | | | RP | PL 427 | A | 14 |
| 9-A | 8-205 | | | RP | PL 427 | A | 14 |
| 9-A | 8-206 | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-A | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-B | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-E | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-F | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-G | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-H | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-I | | | RP | PL 427 | A | 14 |
| 9-A | 8-206-J | | | RP | PL 427 | A | 14 |
| 9-A | 8-207 | | | RP | PL 427 | A | 14 |
| 9-A | 8-208 | | | RP | PL 427 | A | 14 |
| 9-A | 8-208-A | | | RP | PL 427 | A | 14 |
| 9-A | 8-209 | | | RP | PL 427 | A | 14 |
| 9-A | 8-301 | | | RP | PL 427 | A | 14 |
| 9-A | 8-302 | | | RP | PL 427 | A | 14 |
| 9-A | 8-303 | | | RP | PL 427 | A | 14 |
| 9-A | 8-304 | | | RP | PL 427 | A | 14 |
| 9-A | 8-305 | | | RP | PL 427 | A | 14 |
| 9-A | 8-401 | | | RP | PL 427 | A | 14 |
| 9-A | 8-402 | | | RP | PL 427 | A | 14 |
| 9-A | 8-403 | | | RP | PL 427 | A | 14 |
| 9-A | 8-404 | | | RP | PL 427 | A | 14 |
| 9-A | 8-501 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-502 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-503 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-504 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-505 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-506 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-507 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-508 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-509 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-510 | | | NEW | PL 427 | A | 15 |
| 9-A | 8-511 | | | NEW | PL 427 | A | 15 |
| 9-A | 9-311-A | | | AMD | PL 427 | B | 12 |
| 9-A | 9-312 | | | AMD | PL 427 | B | 13 |
| 9-A | 10-102 | 3 | | RP | PL 427 | B | 14 |
| 9-A | 10-102 | 7 | | AMD | PL 427 | D | 13 |
| 9-A | 10-201 | | | AMD | PL 427 | B | 15 |
| 9-A | 10-307 | | | AMD | PL 427 | B | 16 |
| 9-A | 10-307-A | | | NEW | PL 427 | A | 16 |
| 9-A | 10-308 | | | AMD | PL 427 | B | 17 |
| 9-A | 10-310 | 1 | C | AMD | PL 427 | D | 14 |
| 9-A | 10-310 | 1 | D | AMD | PL 427 | D | 14 |
| 9-A | 10-401 | | 1st | AMD | PL 427 | B | 18 |
| 9-A | 10-401 | 4 | | AMD | PL 427 | B | 19 |
| 9-A | 11-106 | 1 | B | AMD | PL 427 | D | 15 |
| 9-A | 13-102 | 1-A | | AFF | PL 289 | | 5 |
| 9-A | 13-102 | 1-A | | NEW | PL 289 | | 1 |
| 9-A | 13-102 | 13 | | AFF | PL 289 | | 5 |
| 9-A | 13-102 | 13 | | AMD | PL 289 | | 2 |
| 9-A | 13-103 | 2 | G | AFF | PL 289 | | 5 |
| 9-A | 13-103 | 2 | G | NEW | PL 289 | | 3 |
| 9-A | 13-110 | 2 | | AMD | PL 427 | B | 20 |
| 9-A | 13-112 | 5 | | AFF | PL 289 | | 5 |
| 9-A | 13-112 | 5 | | NEW | PL 289 | | 4 |
| 9-B | 813 | 5 | B | COR | RR 2 | | 8 |
| 9-B | 1026 | 2 | | COR | RR 2 | | 9 |
| 10 | 963-A | 12 | | AMD | PL 261 | | 1 |
| 10 | 963-A | 47-B | C | AFF | PL 211 | | 27 |
| 10 | 963-A | 47-B | C | RP | PL 211 | | 1 |
| 10 | 1020 | 1 | | AFF | PL 211 | | 27 |
| 10 | 1020 | 1 | | AMD | PL 211 | | 2 |
| 10 | 1020 | 3 | | AMD | PL 211 | | 3 |
| 10 | 1020 | 3-A | | NEW | PL 211 | | 4 |
| 10 | 1020 | 6-A | | AFF | PL 211 | | 27 |
| 10 | 1020 | 6-A | | RPR | PL 211 | | 5 |
| 10 | 1020 | 8 | | RP | PL 211 | | 6 |
| 10 | 1020-A | 1 | A | AMD | PL 211 | | 7 |
| 10 | 1020-A | 2 | | AFF | PL 211 | | 27 |
| 10 | 1020-A | 2 | | AMD | PL 211 | | 8 |
| 10 | 1020-A | 4 | A-1 | RP | PL 211 | | 9 |
| 10 | 1020-A | 4 | B | AMD | PL 211 | | 10 |
| 10 | 1020-A | 5 | | AMD | PL 211 | | 11 |
| 10 | 1020-A | 9 | | NEW | PL 211 | | 12 |
| 10 | 1020-B | 2 | | AMD | PL 211 | | 13 |
| 10 | 1020-C | | | NEW | PL 211 | | 14 |
| 10 | 1023-J | | 1st | AMD | PL 380 | OOO | 1 |
| 10 | 1023-L | | | AFF | PL 211 | | 27 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 10 | 1023-L | | | RP | PL 211 | | 15 |
| 10 | 1023-M | | | AFF | PL 211 | | 27 |
| 10 | 1023-M | | | RP | PL 211 | | 16 |
| 10 | 1023-O | | | NEW | PL 372 | | 2 |
| 10 | 1026-M | 7 | A | AMD | PL 11 | | 1 |
| 10 | 1043 | 2 | M | AMD | PL 261 | | 2 |
| 10 | 1043 | 2 | N | AMD | PL 261 | | 3 |
| 10 | 1043 | 2 | O | NEW | PL 261 | | 4 |
| 10 | 1043 | 5 | | NEW | PL 261 | | 5 |
| 10 | 1053 | 6 | A | AMD | PL 261 | | 6 |
| 10 | 1074 | | | COR | RR 2 | | 10 |
| 10 | 1100-T | 1 | | AMD | PL 454 | | 1 |
| 10 | 1100-T | 1-A | | NEW | PL 454 | | 2 |
| 10 | 1100-T | 2 | A | AMD | PL 454 | | 3 |
| 10 | 1100-T | 2 | H | AMD | PL 454 | | 4 |
| 10 | 1100-T | 2-A | | AMD | PL 454 | | 5 |
| 10 | 1100-T | 2-C | | NEW | PL 454 | | 6 |
| 10 | 1100-T | 4 | | AMD | PL 454 | | 7 |
| 10 | 1100-T | 6 | | AMD | PL 454 | | 8 |
| 10 | 1100-Z | | | AFF | PL 380 | Q | 7 |
| 10 | 1100-Z | | | NEW | PL 380 | Q | 1 |
| 10 | 1141 | 1 | | AMD | PL 427 | D | 16 |
| 10 | 1141 | 2 | | AMD | PL 427 | D | 17 |
| 10 | 1285 | 2 | | AFF | PL 236 | | 18 |
| 10 | 1285 | 2 | | AMD | PL 236 | | 1 |
| 10 | 1285 | 4 | | AFF | PL 236 | | 18 |
| 10 | 1285 | 4 | | AMD | PL 236 | | 2 |
| 10 | 1285 | 5-A | | AFF | PL 236 | | 18 |
| 10 | 1285 | 5-A | | NEW | PL 236 | | 3 |
| 10 | 1286 | | | AFF | PL 236 | | 18 |
| 10 | 1286 | | | AMD | PL 236 | | 4 |
| 10 | 1287 | 1 | | AFF | PL 236 | | 18 |
| 10 | 1287 | 1 | | AMD | PL 236 | | 5 |
| 10 | 1287 | 2 | | AFF | PL 236 | | 18 |
| 10 | 1287 | 2 | | AMD | PL 236 | | 6 |
| 10 | 1288 | 1 | A | AFF | PL 236 | | 18 |
| 10 | 1288 | 1 | A | RP | PL 236 | | 7 |
| 10 | 1289 | | | AFF | PL 236 | | 18 |
| 10 | 1289 | | | AMD | PL 236 | | 8 |
| 10 | 1290 | 1 | D | AFF | PL 236 | | 18 |
| 10 | 1290 | 1 | D | RP | PL 236 | | 9 |
| 10 | 1290 | 1 | F | AFF | PL 236 | | 18 |
| 10 | 1290 | 1 | F | AMD | PL 236 | | 10 |
| 10 | 1290 | 1 | G | AFF | PL 236 | | 18 |
| 10 | 1290 | 1 | G | AMD | PL 236 | | 11 |
| 10 | 1290 | 1 | H | AFF | PL 236 | | 18 |
| 10 | 1290 | 1 | H | RP | PL 236 | | 12 |
| 10 | 1291 | 1 | | AFF | PL 236 | | 18 |
| 10 | 1291 | 1 | | AMD | PL 236 | | 13 |
| 10 | 1291 | 2 | | AFF | PL 236 | | 18 |
| 10 | 1291 | 2 | | AMD | PL 236 | | 14 |
| 10 | 1293 | 1 | B | AFF | PL 236 | | 18 |
| 10 | 1293 | 1 | B | AMD | PL 236 | | 15 |
| 10 | 1293-A | | | AFF | PL 236 | | 18 |
| 10 | 1293-A | | | NEW | PL 236 | | 16 |
| 10 | 1314 | 2 | | COR | RR 2 | | 11 |
| 10 | 1317 | 4 | | COR | RR 2 | | 12 |
| 10 | 1322 | 3 | | COR | RR 2 | | 13 |
| 10 | 1361 | 1 | | AFF | PL 75 | | 3 |
| 10 | 1361 | 1 | | AMD | PL 75 | | 1 |
| 10 | 1361 | 4 | | AFF | PL 75 | | 3 |
| 10 | 1361 | 4 | | AMD | PL 75 | | 2 |
| 10 | 1372 | 1-A | | NEW | PL 376 | | 1 |
| 10 | 1372 | 1-B | | NEW | PL 376 | | 2 |
| 10 | 1372 | 6 | | AMD | PL 376 | | 3 |
| 10 | 1372 | 9 | | NEW | PL 376 | | 4 |
| 10 | 1374 | 1 | | AMD | PL 376 | | 5 |
| 10 | 1375 | 1 | | AMD | PL 376 | | 6 |
| 10 | 1375 | 1-C | | NEW | PL 376 | | 7 |
| 10 | 1375 | 1-D | | NEW | PL 376 | | 7 |
| 10 | 1375 | 2 | | AMD | PL 376 | | 8 |
| 10 | 1375 | 5 | B | AMD | PL 376 | | 9 |
| 10 | 1375 | 6 | | COR | RR 2 | | 14 |
| 10 | 1375 | 10 | | AMD | PL 376 | | 10 |
| 10 | 1375 | 13 | | NEW | PL 376 | | 11 |
| 10 | 1378 | | | NEW | PL 376 | | 12 |
| 10 | 1413 | 7-A | | NEW | PL 300 | | 1 |
| 10 | 1415-G | 1 | | AMD | PL 300 | | 2 |
| 10 | 1432 | 12-A | C | COR | RR 2 | | 15 |
| 10 | 1432 | 17 | | COR | RR 2 | | 16 |
| 10 | 1434 | 2 | A | COR | RR 2 | | 17 |
| 10 | 1434 | 3 | C | COR | RR 2 | | 18 |
| 10 | 1459 | | | AFF | PL 85 | | 2 |
| 10 | 1459 | | | NEW | PL 85 | | 1 |
| 10 | 1495 | 1-B | | NEW | PL 308 | | 1 |
| 10 | 1495 | 1-C | | NEW | PL 308 | | 1 |
| 10 | 1495 | 1-D | | NEW | PL 308 | | 1 |
| 10 | 1495 | 2 | | AMD | PL 308 | | 2 |
| 10 | 1495 | 4 | | NEW | PL 308 | | 3 |
| 10 | 1495-D | 2 | | AMD | PL 308 | | 4 |
| 10 | 1495-D | 4 | | RPR | PL 308 | | 5 |
| 10 | 1495-F | 3-A | | NEW | PL 308 | | 6 |
| 10 | 1601 | | | COR | RR 2 | | 19 |
| 10 | 2402 | 12 | | COR | RR 2 | | 20 |
| 10 | 8001 | 38 | | AMD | PL 286 | B | 1 |
| 10 | 8002 | | 1st | AMD | PL 1 | AA | 1 |
| 10 | 8003 | 5-A | | AMD | PL 286 | B | 2 |
| 10 | 8003-C | 4 | | AMD | PL 286 | B | 3 |
| 10 | 8003-D | | | AMD | PL 286 | B | 4 |
| 10 | 9097 | 1-B | | NEW | PL 127 | | 1 |
| 10 | 9420 | | | NEW | PL 226 | | 1 |
| 10 | 9721 | 3 | | NEW | PL 408 | | 1 |
| 10 | 9721 | 4 | | NEW | PL 408 | | 1 |
| 10 | 9722 | 6 | J | AMD | PL 365 | | 1 |
| 10 | 9722 | 6 | J | AMD | PL 408 | | 2 |
| 10 | 9722 | 6 | K | AMD | PL 365 | | 2 |
| 10 | 9722 | 6 | K | AMD | PL 408 | | 2 |
| 10 | 9722 | 6 | L | NEW | PL 365 | | 3 |
| 10 | 9722 | 6 | L | NEW | PL 408 | | 3 |
| 10 | 9724 | 1 | | AMD | PL 408 | | 4 |
| 10 | 9724 | 1-A | | NEW | PL 408 | | 5 |
| 10 | 9724 | 3 | | AMD | PL 365 | | 4 |
| 10 | 9724 | 4 | | RP | PL 365 | | 5 |
| 10 | 9724 | 5 | | NEW | PL 365 | | 6 |
| 12 | 598 | 4 | | AMD | PL 278 | | 3 |
| 12 | 598 | 5 | | AMD | PL 278 | | 4 |
| 12 | 901 | | | COR | RR 2 | | 21 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 12 | 1803 | 7 | | NEW | PL 394 | | 1 |
| 12 | 1814-A | | | NEW | PL 278 | | 5 |
| 12 | 1864 | | | RP | PL 344 | | 17 |
| 12 | 5012 | | last | NEW | PL 381 | | 2 |
| 12 | 6001 | 6-A | | NEW | PL 266 | B | 4 |
| 12 | 6001 | 56 | | NEW | PL 266 | B | 5 |
| 12 | 6005 | | | NEW | PL 234 | | 1 |
| 12 | 6022 | 17 | | NEW | PL 10 | | 1 |
| 12 | 6022 | 18 | | NEW | PL 266 | A | 1 |
| 12 | 6032 | | | RP | PL 421 | | 1 |
| 12 | 6034 | 1 | | AMD | PL 128 | | 1 |
| 12 | 6034 | 2 | | AMD | PL 128 | | 2 |
| 12 | 6042 | | | NEW | PL 266 | B | 6 |
| 12 | 6072 | 8 | | AMD | PL 93 | | 1 |
| 12 | 6072 | 8-A | | RP | PL 93 | | 2 |
| 12 | 6072 | 12 | | AMD | PL 93 | | 3 |
| 12 | 6072 | 12-B | | RP | PL 93 | | 4 |
| 12 | 6072-A | 18 | | AMD | PL 93 | | 5 |
| 12 | 6072-A | 20 | | AMD | PL 93 | | 6 |
| 12 | 6072-B | 7 | | AMD | PL 93 | | 7 |
| 12 | 6078-A | 3 | | AMD | PL 344 | | 18 |
| 12 | 6080 | | | RP | PL 344 | | 19 |
| 12 | 6173-A | 1 | | AMD | PL 266 | B | 7 |
| 12 | 6301 | 2 | R | RPR | PL 420 | A | 9 |
| 12 | 6301 | 2 | S | RAL | RR 2 | | 22 |
| 12 | 6301 | 2 | T | COR | RR 2 | | 23 |
| 12 | 6301 | 2 | U | COR | RR 2 | | 24 |
| 12 | 6301 | 2 | V | RAL | RR 2 | | 22 |
| 12 | 6302-A | | | AMD | PL 137 | | 1 |
| 12 | 6302-A | 1 | | AMD | PL 266 | A | 2 |
| 12 | 6310 | 1 | | AMD | PL 266 | A | 3 |
| 12 | 6310 | 2 | C | NEW | PL 266 | A | 4 |
| 12 | 6312 | | | AMD | PL 421 | | 2 |
| 12 | 6371 | | | AMD | PL 311 | | 1 |
| 12 | 6372 | | 1st | AMD | PL 311 | | 2 |
| 12 | 6373 | | | RP | PL 311 | | 3 |
| 12 | 6374 | | | NEW | PL 311 | | 4 |
| 12 | 6421 | 4 | | AMD | PL 5 | | 1 |
| 12 | 6421 | 5-D | B | AMD | PL 266 | A | 5 |
| 12 | 6421 | 5-D | C | AMD | PL 266 | A | 6 |
| 12 | 6421 | 5-D | D | RP | PL 266 | A | 7 |
| 12 | 6421 | 5-E | | AMD | PL 266 | A | 8 |
| 12 | 6431 | 1 | | AMD | PL 266 | A | 9 |
| 12 | 6431 | 3 | | AMD | PL 266 | A | 10 |
| 12 | 6431 | 6 | | AMD | PL 247 | | 1 |
| 12 | 6431 | 6-B | | NEW | PL 247 | | 2 |
| 12 | 6432 | 2 | | AMD | PL 266 | A | 11 |
| 12 | 6432 | 3 | | AMD | PL 266 | A | 12 |
| 12 | 6434 | 2 | | AMD | PL 266 | A | 13 |
| 12 | 6501 | 3 | B | AMD | PL 266 | A | 14 |
| 12 | 6501 | 3 | C | RP | PL 266 | A | 15 |
| 12 | 6501 | 6 | | AMD | PL 266 | A | 16 |
| 12 | 6505-D | 2 | | AMD | PL 266 | A | 17 |
| 12 | 6505-D | 3 | | RP | PL 266 | A | 18 |
| 12 | 6545 | | | COR | RR 2 | | 25 |
| 12 | 6706 | 1 | A | AMD | PL 266 | A | 19 |
| 12 | 6706 | 2 | | AMD | PL 237 | | 1 |
| 12 | 6706 | 3 | | AMD | PL 237 | | 2 |
| 12 | 6706 | 4 | | RP | PL 237 | | 3 |
| 12 | 6851 | 2-B | | AMD | PL 266 | A | 20 |
| 12 | 6851 | 2-C | | AMD | PL 266 | A | 20 |
| 12 | 6851-B | 2 | C | AMD | PL 247 | | 3 |
| 12 | 6851-B | 2 | D | AMD | PL 247 | | 4 |
| 12 | 6851-B | 2 | E | NEW | PL 247 | | 5 |
| 12 | 6852-A | 7 | | NEW | PL 311 | | 5 |
| 12 | 6856 | 3 | | AMD | PL 175 | | 1 |
| 12 | 6856 | 3-A | | RP | PL 175 | | 2 |
| 12 | 6856 | 3-B | | RP | PL 175 | | 3 |
| 12 | 6856 | 3-C | | RP | PL 175 | | 4 |
| 12 | 6856 | 3-D | | NEW | PL 175 | | 5 |
| 12 | 6856 | 5 | | AMD | PL 311 | | 6 |
| 12 | 6856 | 7 | | RP | PL 175 | | 6 |
| 12 | 6856 | 8 | | RP | PL 175 | | 7 |
| 12 | 6952-A | 1 | | AMD | PL 266 | A | 21 |
| 12 | 6952-A | 3 | A | AMD | PL 266 | A | 22 |
| 12 | 8427 | 7 | | COR | RR 2 | | 26 |
| 12 | 10052 | | | AMD | PL 253 | | 1 |
| 12 | 10052-A | | | NEW | PL 253 | | 2 |
| 12 | 10103 | 2 | | AMD | PL 220 | | 1 |
| 12 | 10107-A | | | NEW | PL 381 | | 3 |
| 12 | 10109 | 5 | | NEW | PL 381 | | 4 |
| 12 | 10110 | | | NEW | PL 185 | | 1 |
| 12 | 10155 | 1 | | AMD | PL 253 | | 3 |
| 12 | 10157 | 7 | D | AMD | PL 208 | | 1 |
| 12 | 10157 | 7 | E | AMD | PL 208 | | 2 |
| 12 | 10157 | 7 | F | NEW | PL 208 | | 3 |
| 12 | 10202 | 9 | | AMD | PL 380 | HH | 1 |
| 12 | 10206 | 9 | | RP | PL 370 | | 1 |
| 12 | 10257 | | | AMD | PL 74 | | 1 |
| 12 | 10263 | | | NEW | PL 370 | | 2 |
| 12 | 10263 | | | NEW | PL 381 | | 5 |
| 12 | 10331 | | | NEW | PL 380 | HHHH | 2 |
| 12 | 10353 | 2 | | AMD | PL 248 | | 1 |
| 12 | 10502 | 1 | | AMD | PL 253 | | 4 |
| 12 | 10503 | 1 | | AMD | PL 253 | | 5 |
| 12 | 10503 | 5 | | AMD | PL 253 | | 6 |
| 12 | 10652 | 1 | B | AMD | PL 253 | | 7 |
| 12 | 10703 | 11 | | AMD | PL 253 | | 8 |
| 12 | 10751 | 4 | | RP | PL 253 | | 9 |
| 12 | 10757 | | | AMD | PL 253 | | 10 |
| 12 | 10801 | 6 | C | AMD | PL 253 | | 11 |
| 12 | 10851 | 1 | A | AMD | PL 268 | | 1 |
| 12 | 10851 | 1 | D | AMD | PL 253 | | 12 |
| 12 | 10853 | 8 | | AMD | PL 327 | | 1 |
| 12 | 10853 | 10 | | AMD | PL 355 | | 1 |
| 12 | 10853 | 15 | | NEW | PL 355 | | 2 |
| 12 | 10902 | 5 | | AMD | PL 253 | | 13 |
| 12 | 10902 | 6 | C | AMD | PL 253 | | 14 |
| 12 | 10902 | 6 | E | AMD | PL 253 | | 15 |
| 12 | 10902 | 6 | E | AMD | PL 309 | | 1 |
| 12 | 10902 | 6 | G | AMD | PL 253 | | 16 |
| 12 | 10902 | 10 | E | AMD | PL 253 | | 17 |
| 12 | 10952 | | | RPR | PL 61 | | 1 |
| 12 | 10953 | 1 | | AMD | PL 61 | | 2 |
| 12 | 10953 | 1-A | | NEW | PL 61 | | 3 |
| 12 | 11109-A | 1 | | AMD | PL 370 | | 3 |
| 12 | 11109-A | 2 | | AFF | PL 252 | | 2 |
| 12 | 11109-A | 2 | | AMD | PL 252 | | 1 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 12 | 11152 | 1-A | | AMD | PL 253 | | 18 |
| 12 | 11154 | 3 | | AMD | PL 370 | | 4 |
| 12 | 11154 | 5 | | AMD | PL 370 | | 5 |
| 12 | 11154 | 6 | | AMD | PL 370 | | 6 |
| 12 | 11154 | 7 | | AMD | PL 370 | | 7 |
| 12 | 11154 | 8 | | RPR | PL 370 | | 8 |
| 12 | 11154 | 11 | B | AMD | PL 370 | | 9 |
| 12 | 11227 | 2 | | AMD | PL 432 | | 1 |
| 12 | 11228 | | | NEW | PL 432 | | 2 |
| 12 | 11301 | | | AMD | PL 253 | | 19 |
| 12 | 11301 | 1 | | AMD | PL 432 | | 3 |
| 12 | 11351 | 1 | | AMD | PL 309 | | 2 |
| 12 | 11351 | 2 | | AMD | PL 309 | | 3 |
| 12 | 11403 | 2 | | AMD | PL 61 | | 4 |
| 12 | 11403 | 2 | B | AMD | PL 298 | | 1 |
| 12 | 11603 | 1-A | | NEW | PL 61 | | 5 |
| 12 | 11605 | | | NEW | PL 253 | | 20 |
| 12 | 12001 | 1 | | AMD | PL 216 | | 1 |
| 12 | 12051 | 1 | A | AMD | PL 253 | | 21 |
| 12 | 12051 | 1 | C | AMD | PL 309 | | 4 |
| 12 | 12051 | 3 | | AMD | PL 253 | | 22 |
| 12 | 12159 | | | AMD | PL 253 | | 23 |
| 12 | 12160 | | | NEW | PL 100 | | 16 |
| 12 | 12161 | | | NEW | PL 253 | | 24 |
| 12 | 12204 | | | NEW | PL 51 | | 1 |
| 12 | 12259 | 3 | | AMD | PL 253 | | 25 |
| 12 | 12260 | 3 | B | AMD | PL 253 | | 26 |
| 12 | 12260 | 4 | | AMD | PL 309 | | 5 |
| 12 | 12260 | 5 | | AMD | PL 309 | | 6 |
| 12 | 12457 | 1 | | AMD | PL 253 | | 27 |
| 12 | 12501 | 4 | B | AMD | PL 253 | | 28 |
| 12 | 12506 | 5-A | A | AMD | PL 253 | | 29 |
| 12 | 12551-A | 9-A | | NEW | PL 253 | | 30 |
| 12 | 12613 | | | NEW | PL 57 | | 1 |
| 12 | 12661 | 2 | | RP | PL 253 | | 31 |
| 12 | 12661 | 3 | | AMD | PL 253 | | 32 |
| 12 | 12661 | 4 | | NEW | PL 253 | | 33 |
| 12 | 12708 | 1 | B | AMD | PL 253 | | 34 |
| 12 | 12760 | 1 | | AMD | PL 24 | | 1 |
| 12 | 12760 | 9 | | NEW | PL 24 | | 2 |
| 12 | 12904 | | | AMD | PL 253 | | 35 |
| 12 | 12913 | 2 | A | AMD | PL 68 | | 1 |
| 12 | 13001 | 6 | | AMD | PL 47 | | 1 |
| 12 | 13104 | 4 | | RPR | PL 129 | | 1 |
| 12 | 13104 | 15 | | NEW | PL 437 | | 1 |
| 12 | 13154-A | 3 | | AMD | PL 253 | | 36 |
| 12 | 13155 | 5 | | AFF | PL 116 | | 2 |
| 12 | 13155 | 5 | | RPR | PL 116 | | 1 |
| 13 | 1371-A | 1 | A | COR | RR 2 | | 27 |
| 13 | 1371-A | 1 | B | COR | RR 2 | | 28 |
| 13-C | 102 | 3 | | AMD | PL 274 | | 1 |
| 13-C | 102 | 5 | | AMD | PL 274 | | 2 |
| 13-C | 102 | 6-A | | NEW | PL 274 | | 3 |
| 13-C | 102 | 8 | | AMD | PL 274 | | 4 |
| 13-C | 102 | 8-A | | NEW | PL 274 | | 5 |
| 13-C | 102 | 8-B | | NEW | PL 274 | | 6 |
| 13-C | 102 | 9 | | RPR | PL 274 | | 7 |
| 13-C | 102 | 24 | | AMD | PL 274 | | 8 |
| 13-C | 102 | 36 | | RPR | PL 274 | | 9 |
| 13-C | 102 | 43 | | NEW | PL 274 | | 10 |
| 13-C | 103 | | | RP | PL 274 | | 11 |
| 13-C | 103-A | | | NEW | PL 274 | | 12 |
| 13-C | 132 | | | NEW | PL 274 | | 13 |
| 13-C | 206 | | | AMD | PL 274 | | 14 |
| 13-C | 621 | 4 | | AMD | PL 274 | | 15 |
| 13-C | 625 | 3 | | NEW | PL 274 | | 16 |
| 13-C | 703 | 2 | | AMD | PL 274 | | 17 |
| 13-C | 704 | 7 | | RP | PL 274 | | 18 |
| 13-C | 704 | 8 | | RP | PL 274 | | 19 |
| 13-C | 705 | 1 | | AMD | PL 274 | | 20 |
| 13-C | 705 | 5 | | AMD | PL 274 | | 21 |
| 13-C | 707 | 1 | | AMD | PL 274 | | 22 |
| 13-C | 707 | 3 | | AMD | PL 274 | | 23 |
| 13-C | 707 | 4 | | AMD | PL 274 | | 24 |
| 13-C | 707 | 5 | | NEW | PL 274 | | 25 |
| 13-C | 709 | | | NEW | PL 274 | | 26 |
| 13-C | 721 | | | AMD | PL 274 | | 27 |
| 13-C | 723 | 2 | | AMD | PL 274 | | 28 |
| 13-C | 727 | 7 | | NEW | PL 274 | | 29 |
| 13-C | 753 | 2 | | AMD | PL 274 | | 30 |
| 13-C | 781 | | | NEW | PL 274 | | 31 |
| 13-C | 827 | | | NEW | PL 274 | | 32 |
| 13-C | 854 | 1 | | AMD | PL 274 | | 33 |
| 13-C | 859 | 1-A | | NEW | PL 274 | | 34 |
| 13-C | 859 | 3 | | AMD | PL 274 | | 35 |
| 13-C | 874 | 1 | | AMD | PL 274 | | 36 |
| 13-C | 921 | 5 | | AMD | PL 274 | | 37 |
| 13-C | 922 | 2 | | RPR | PL 274 | | 38 |
| 13-C | 922 | 6 | | AMD | PL 274 | | 39 |
| 13-C | 922 | 6-A | | NEW | PL 274 | | 40 |
| 13-C | 922 | 7 | | AMD | PL 274 | | 41 |
| 13-C | 931 | 5 | | AMD | PL 274 | | 42 |
| 13-C | 932 | 2 | | RPR | PL 274 | | 43 |
| 13-C | 932 | 7 | | AMD | PL 274 | | 44 |
| 13-C | 952 | 5 | | AMD | PL 274 | | 45 |
| 13-C | 954 | 2 | | RPR | PL 274 | | 46 |
| 13-C | 954 | 7 | | AMD | PL 274 | | 47 |
| 13-C | 1003 | 2 | | RPR | PL 274 | | 48 |
| 13-C | 1004 | 1 | E | AMD | PL 274 | | 49 |
| 13-C | 1004 | 1 | F | AMD | PL 274 | | 50 |
| 13-C | 1020 | 2 | B | AMD | PL 274 | | 51 |
| 13-C | 1104 | 2 | | RPR | PL 274 | | 52 |
| 13-C | 1104 | 6 | | AMD | PL 274 | | 53 |
| 13-C | 1104 | 6-A | | NEW | PL 274 | | 54 |
| 13-C | 1106 | 1 | | AMD | PL 274 | | 55 |
| 13-C | 1108 | 2 | | AMD | PL 274 | | 56 |
| 13-C | 1202 | 2 | | RPR | PL 274 | | 57 |
| 13-C | 1301 | 1 | | AMD | PL 274 | | 58 |
| 13-C | 1301 | 5-A | | NEW | PL 274 | | 59 |
| 13-C | 1302 | 1 | A | AMD | PL 274 | | 60 |
| 13-C | 1302 | 2 | | AMD | PL 274 | | 61 |
| 13-C | 1302 | 3 | | RPR | PL 274 | | 62 |
| 13-C | 1303 | 2 | A | AMD | PL 274 | | 63 |
| 13-C | 1303 | 3 | | RPR | PL 274 | | 64 |
| 13-C | 1304 | | | RPR | PL 274 | | 65 |
| 13-C | 1305 | | | RP | PL 274 | | 66 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 13-C | 1321 | 3 | A | AMD | PL 274 | | 67 |
| 13-C | 1322-A | 2 | | AMD | PL 274 | | 68 |
| 13-C | 1323 | 1 | | AMD | PL 274 | | 69 |
| 13-C | 1323 | 2 | | AMD | PL 274 | | 70 |
| 13-C | 1341 | | | NEW | PL 274 | | 71 |
| 13-C | 1402 | 2 | A | RPR | PL 274 | | 72 |
| 13-C | 1524 | 1 | | AMD | PL 274 | | 73 |
| 13-C | 1601 | 4 | | AMD | PL 274 | | 74 |
| 13-C | 1602 | 2 | | AMD | PL 274 | | 75 |
| 13-C | 1602 | 3 | | AMD | PL 274 | | 76 |
| 13-C | 1602 | 7 | | NEW | PL 274 | | 77 |
| 13-C | 1606 | 1 | | AMD | PL 274 | | 78 |
| 13-C | 1620 | 1 | | AMD | PL 274 | | 79 |
| 13-C | 1620 | 2 | | AMD | PL 274 | | 80 |
| 13-C | 1701 | 4 | | NEW | PL 274 | | 81 |
| 14 | 101 | | | COR | RR 2 | | 29 |
| 14 | 153 | | | COR | RR 2 | | 30 |
| 14 | 705 | | | RP | PL 32 | | 1 |
| 14 | 817 | | | NEW | PL 124 | | 1 |
| 14 | 3128-A | 3 | | AMD | PL 34 | | 1 |
| 14 | 3135 | | | AMD | PL 177 | | 1 |
| 14 | 3138 | | | NEW | PL 181 | | 1 |
| 14 | 4426 | | | AMD | PL 203 | | 1 |
| 14 | 5928 | 3 | | AMD | PL 80 | | 4 |
| 14 | 5943 | | | AMD | PL 80 | | 5 |
| 14 | 5944 | | | AMD | PL 80 | | 6 |
| 14 | 6001 | 1-B | | NEW | PL 122 | | 1 |
| 14 | 6001 | 1-B | | AFF | PL 420 | D | 6 |
| 14 | 6001 | 1-B | | AMD | PL 420 | D | 1 |
| 14 | 6001 | 3 | | AMD | PL 405 | | 1 |
| 14 | 6001 | 5 | | RPR | PL 405 | | 2 |
| 14 | 6008 | 6 | | NEW | PL 405 | | 3 |
| 14 | 6013 | | 1st | AMD | PL 405 | | 4 |
| 14 | 6013 | | last | NEW | PL 405 | | 8 |
| 14 | 6013 | 2 | | RPR | PL 405 | | 5 |
| 14 | 6013 | 3 | | AMD | PL 405 | | 6 |
| 14 | 6013 | 4 | | AMD | PL 405 | | 6 |
| 14 | 6013 | 5 | | AMD | PL 405 | | 6 |
| 14 | 6013 | 6 | | NEW | PL 405 | | 7 |
| 14 | 6021-A | 2 | F | AMD | PL 405 | | 9 |
| 14 | 6021-A | 4 | D | AMD | PL 405 | | 10 |
| 14 | 6030-B | 1 | | RP | PL 96 | | 1 |
| 14 | 6030-B | 2 | | RP | PL 96 | | 2 |
| 14 | 6030-C | | | AMD | PL 405 | | 11 |
| 14 | 6030-D | 1 | | AMD | PL 157 | | 1 |
| 14 | 6030-D | 1-A | | NEW | PL 96 | | 3 |
| 14 | 6030-E | | | NEW | PL 199 | | 1 |
| 14 | 6101 | | | AMD | PL 269 | | 1 |
| 15 | 101-D | 5 | A | AMD | PL 464 | | 1 |
| 15 | 101-D | 9 | | AMD | PL 464 | | 2 |
| 15 | 601 | | | AFF | PL 214 | | 6 |
| 15 | 601 | | | RP | PL 214 | | 1 |
| 15 | 602 | | | AFF | PL 214 | | 6 |
| 15 | 602 | | | RP | PL 214 | | 1 |
| 15 | 603 | | | AFF | PL 214 | | 6 |
| 15 | 603 | | | RP | PL 214 | | 1 |
| 15 | 604 | | | AFF | PL 214 | | 6 |
| 15 | 604 | | | RP | PL 214 | | 1 |
| 15 | 605 | | | AFF | PL 214 | | 6 |
| 15 | 605 | | | RP | PL 214 | | 1 |
| 15 | 606 | | | AFF | PL 214 | | 6 |
| 15 | 606 | | | RP | PL 214 | | 1 |
| 15 | 607 | | | AFF | PL 214 | | 6 |
| 15 | 607 | | | RP | PL 214 | | 1 |
| 15 | 608 | | | AFF | PL 214 | | 6 |
| 15 | 608 | | | RP | PL 214 | | 1 |
| 15 | 651 | | | AFF | PL 214 | | 6 |
| 15 | 651 | | | NEW | PL 214 | | 2 |
| 15 | 652 | | | AFF | PL 214 | | 6 |
| 15 | 652 | | | NEW | PL 214 | | 2 |
| 15 | 653 | | | AFF | PL 214 | | 6 |
| 15 | 653 | | | NEW | PL 214 | | 2 |
| 15 | 654 | | | AFF | PL 214 | | 6 |
| 15 | 654 | | | NEW | PL 214 | | 2 |
| 15 | 655 | | | AFF | PL 214 | | 6 |
| 15 | 655 | | | NEW | PL 214 | | 2 |
| 15 | 656 | | | AFF | PL 214 | | 6 |
| 15 | 656 | | | NEW | PL 214 | | 2 |
| 15 | 657 | | | AFF | PL 214 | | 6 |
| 15 | 657 | | | NEW | PL 214 | | 2 |
| 15 | 1003 | 3-A | | NEW | PL 341 | | 1 |
| 15 | 1004 | | | AMD | PL 336 | | 1 |
| 15 | 1023 | 4 | | AMD | PL 341 | | 2 |
| 15 | 1023 | 8 | | AFF | PL 214 | | 6 |
| 15 | 1023 | 8 | | NEW | PL 214 | | 3 |
| 15 | 1029 | 3 | | COR | RR 2 | | 31 |
| 15 | 1092 | 4 | | NEW | PL 341 | | 3 |
| 15 | 1095 | 2 | | AMD | PL 341 | | 4 |
| 15 | 1098 | 2 | | AMD | PL 341 | | 5 |
| 15 | 1121 | | | NEW | PL 39 | | 1 |
| 15 | 2130 | | | COR | RR 2 | | 32 |
| 15 | 2138 | 6 | | AMD | PL 230 | | 1 |
| 15 | 2138 | 11 | | AMD | PL 230 | | 2 |
| 15 | 3003 | 4-B | | COR | RR 2 | | 33 |
| 15 | 3103 | 1 | B | COR | RR 2 | | 34 |
| 15 | 3103 | 1 | B | AMD | PL 464 | | 3 |
| 15 | 3206 | | | AMD | PL 336 | | 2 |
| 15 | 3305 | | 1st | AMD | PL 336 | | 3 |
| 15 | 3309-A | | last | AMD | PL 282 | | 1 |
| 15 | 3310 | 3 | | RP | PL 282 | | 2 |
| 15 | 3310 | 7 | | NEW | PL 336 | | 4 |
| 15 | 3311-A | | | NEW | PL 384 | | 1 |
| 15 | 3311-B | | | NEW | PL 384 | | 2 |
| 15 | 3311-C | | | NEW | PL 384 | | 3 |
| 15 | 3311-D | | | NEW | PL 384 | | 4 |
| 15 | 3314 | 1 | E | COR | RR 2 | | 35 |
| 15 | 3314 | 3-A | | COR | RR 2 | | 36 |
| 15 | 3318 | | | RP | PL 282 | | 3 |
| 15 | 3318-A | | | NEW | PL 282 | | 4 |
| 15 | 3318-B | | | NEW | PL 282 | | 5 |
| 16 | 357 | | last | AMD | PL 335 | | 1 |
| 16 | 614 | 1 | | AMD | PL 210 | | 1 |
| 16 | 614 | 1 | | AMD | PL 356 | | 1 |
| 16 | 614 | 3 | B-1 | NEW | PL 52 | | 1 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 17 | 314-A | 3-B | | NEW | PL 410 | | 1 |
| 17 | 314-A | 4 | | AMD | PL 410 | | 2 |
| 17 | 314-A | 5 | C | AMD | PL 410 | | 3 |
| 17 | 315 | | | RPR | PL 339 | | 1 |
| 17 | 317 | | 1st | AMD | PL 301 | | 1 |
| 17 | 330 | | | RP | PL 420 | A | 10 |
| 17 | 330 | 2 | | AMD | IB 2 | | 50 |
| 17 | 1011 | 8-A | | AMD | PL 100 | | 17 |
| 17 | 1011 | 17 | | AMD | PL 100 | | 18 |
| 17 | 1011 | 24-A | | AMD | PL 369 | | 5 |
| 17 | 1037 | 2 | B | AMD | PL 76 | | 4 |
| 17 | 1037 | 5 | | AMD | PL 76 | | 5 |
| 17 | 1037 | 5-A | | NEW | PL 76 | | 6 |
| 17 | 1312 | 7 | | AMD | PL 369 | | 6 |
| 17 | 1313 | | | AMD | PL 369 | | 7 |
| 17 | 1314-A | | | AMD | PL 369 | | 8 |
| 17 | 1831 | 5 | | AMD | PL 420 | A | 11 |
| 17 | 1836 | | 1st | AMD | PL 325 | | 1 |
| 17 | 1836 | 3 | | RP | PL 325 | | 2 |
| 17 | 1836 | 3-A | | NEW | PL 325 | | 3 |
| 17 | 1836 | 4 | | AMD | PL 325 | | 4 |
| 17 | 1836 | 6 | | AMD | PL 325 | | 5 |
| 17 | 2264-A | | | AMD | PL 208 | | 4 |
| 17 | 2264-B | | 1st | AMD | PL 208 | | 5 |
| 17 | 2264-B | 5 | | AMD | PL 208 | | 6 |
| 17 | 2912 | 1 | | COR | RR 2 | | 37 |
| 17 | 3966 | | last | AMD | PL 369 | | 9 |
| | | | | | | | |
| 17-A | 15 | 1 | A | AMD | PL 341 | | 6 |
| 17-A | 15 | 1 | A | AMD | PL 464 | | 4 |
| 17-A | 253 | 2 | I | AMD | PL 423 | | 1 |
| 17-A | 253 | 2 | I | AMD | PL 464 | | 5 |
| 17-A | 253 | 2 | J | AMD | PL 423 | | 2 |
| 17-A | 253 | 2 | K | NEW | PL 423 | | 3 |
| 17-A | 253 | 2 | L | NEW | PL 423 | | 3 |
| 17-A | 254 | 1 | D | AMD | PL 464 | | 6 |
| 17-A | 254 | 1 | E | AMD | PL 464 | | 7 |
| 17-A | 254 | 1 | F | RP | PL 464 | | 8 |
| 17-A | 255-A | 1 | F-2 | NEW | PL 464 | | 9 |
| 17-A | 255-A | 1 | R-1 | NEW | PL 423 | | 4 |
| 17-A | 255-A | 1 | R-2 | NEW | PL 423 | | 4 |
| 17-A | 255-A | 1 | U | AMD | PL 423 | | 5 |
| 17-A | 255-A | 1 | U | AMD | PL 464 | | 10 |
| 17-A | 255-A | 1 | V | AMD | PL 423 | | 5 |
| 17-A | 255-A | 1 | V | AMD | PL 464 | | 11 |
| 17-A | 255-A | 1 | W | NEW | PL 423 | | 6 |
| 17-A | 255-A | 1 | X | NEW | PL 423 | | 6 |
| 17-A | 260 | 1 | J | AMD | PL 423 | | 7 |
| 17-A | 260 | 1 | K | AMD | PL 423 | | 8 |
| 17-A | 260 | 1 | K | AMD | PL 464 | | 12 |
| 17-A | 260 | 1 | L | NEW | PL 423 | | 9 |
| 17-A | 260 | 1 | M | NEW | PL 423 | | 9 |
| 17-A | 284 | 1 | A | AMD | PL 50 | | 1 |
| 17-A | 284 | 1 | C | AMD | PL 50 | | 2 |
| 17-A | 284 | 5 | | AMD | PL 50 | | 3 |
| 17-A | 284 | 5 | | AMD | PL 464 | | 13 |
| 17-A | 402 | 4 | B | AMD | PL 432 | | 4 |
| 17-A | 402 | 4 | B-1 | NEW | PL 432 | | 5 |
| 17-A | 434 | | | NEW | PL 133 | | 1 |
| 17-A | 435 | | | NEW | PL 377 | | 1 |
| 17-A | 452 | 1 | | COR | RR 2 | | 38 |
| 17-A | 506 | | | AFF | PL 464 | | 30 |
| 17-A | 506 | | | AMD | PL 464 | | 14 |
| 17-A | 515 | 2 | A | RP | PL 305 | | 11 |
| 17-A | 515 | 2-A | | AMD | PL 305 | | 12 |
| 17-A | 755 | 1-E | | NEW | PL 464 | | 15 |
| 17-A | 755 | 3-A | F | NEW | PL 464 | | 16 |
| 17-A | 757 | 2 | | AMD | PL 464 | | 17 |
| 17-A | 1055 | | | AMD | PL 464 | | 18 |
| 17-A | 1055 | 3 | | NEW | PL 31 | | 1 |
| 17-A | 1057 | 1 | A | AMD | PL 366 | | 2 |
| 17-A | 1057 | 3 | | AMD | PL 298 | | 2 |
| 17-A | 1057 | 3 | | RP | PL 394 | | 2 |
| 17-A | 1057 | 5 | | AMD | PL 298 | | 3 |
| 17-A | 1057 | 5 | | AMD | PL 366 | | 3 |
| 17-A | 1057 | 6 | B | AMD | PL 366 | | 4 |
| 17-A | 1101 | 1-A | | AFF | PL 428 | | 9 |
| 17-A | 1101 | 1-A | | NEW | PL 428 | | 1 |
| 17-A | 1101 | 1-B | | AFF | PL 428 | | 9 |
| 17-A | 1101 | 1-B | | NEW | PL 428 | | 2 |
| 17-A | 1101 | 3-A | | AFF | PL 428 | | 9 |
| 17-A | 1101 | 3-A | | NEW | PL 428 | | 3 |
| 17-A | 1101 | 3-B | | AFF | PL 428 | | 9 |
| 17-A | 1101 | 3-B | | NEW | PL 428 | | 4 |
| 17-A | 1102 | 4 | D | AFF | PL 428 | | 9 |
| 17-A | 1102 | 4 | D | AMD | PL 428 | | 5 |
| 17-A | 1102 | 4 | E | AFF | PL 428 | | 9 |
| 17-A | 1102 | 4 | E | AMD | PL 428 | | 6 |
| 17-A | 1102 | 4 | F | AFF | PL 428 | | 9 |
| 17-A | 1102 | 4 | F | NEW | PL 428 | | 7 |
| 17-A | 1105-A | 1 | G | AMD | PL 436 | | 1 |
| 17-A | 1107-A | 4 | | AMD | PL 464 | | 19 |
| 17-A | 1111-A | | | AMD | PL 464 | | 20 |
| 17-A | 1111-A | 4 | | COR | RR 2 | | 39 |
| 17-A | 1177 | | | COR | RR 2 | | 40 |
| 17-A | 1202 | 2-A | | AMD | PL 420 | C | 3 |
| 17-A | 1253 | 2 | | AMD | PL 464 | | 21 |
| 17-A | 1301 | 6 | | AMD | PL 464 | | 22 |
| 17-A | 1304 | 3 | A | AMD | PL 334 | | 1 |
| 17-A | 1326-A | | | AMD | PL 464 | | 23 |
| 17-A | 1326-B | 2 | | AMD | PL 464 | | 24 |
| 17-A | 1326-F | | | AMD | PL 464 | | 25 |
| 17-A | 1330 | 3 | | AMD | PL 464 | | 26 |
| 17-A | 1346 | | | AMD | PL 464 | | 27 |
| | | | | | | | |
| 18-A | 2-105 | | | AMD | PL 241 | | 1 |
| 18-A | 2-806 | | | NEW | PL 241 | | 2 |
| 18-A | 3-717 | | | AMD | PL 420 | A | 12 |
| 18-A | 5-104 | a | | AMD | PL 43 | | 1 |
| 18-A | 5-213 | | | NEW | PL 43 | | 2 |
| 18-A | 5-408 | 6 | | AMD | PL 155 | | 1 |
| 18-A | 5-409 | d | | AMD | PL 155 | | 2 |
| 18-A | 5-425 | b-1 | | AMD | PL 155 | | 3 |
| 18-A | 7-749 | | | AFF | PL 256 | | 4 |
| 18-A | 7-749 | | | AMD | PL 256 | | 1 |
| 18-A | 7-765 | | | AFF | PL 256 | | 4 |
| 18-A | 7-765 | | | AMD | PL 256 | | 2 |
| 18-A | 7-774 | | | AFF | PL 256 | | 4 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 18-A | 7-774 | | | NEW | PL 256 | | 3 |
| 18-B | 103 | 4-A | | NEW | PL 42 | | 1 |
| 18-B | 105 | 2 | H | AMD | PL 42 | | 2 |
| 18-B | 105 | 2 | I | AMD | PL 42 | | 3 |
| 18-B | 105 | 3 | B | AMD | PL 42 | | 4 |
| 18-B | 504 | 3 | | RPR | PL 42 | | 5 |
| 18-B | 506 | | | RPR | PL 42 | | 6 |
| 18-B | 813 | 6 | | NEW | PL 42 | | 7 |
| 19-A | 654 | | | AMD | PL 111 | | 1 |
| 19-A | 655 | 1 | A | AMD | PL 111 | | 2 |
| 19-A | 655 | 1 | B | AMD | PL 111 | | 3 |
| 19-A | 655 | 1 | C | NEW | PL 111 | | 4 |
| 19-A | 655 | 1-A | | NEW | PL 111 | | 5 |
| 19-A | 2006 | 5 | C | AMD | PL 34 | | 2 |
| 19-A | 2369 | | 1st | AMD | PL 34 | | 3 |
| 19-A | 4005 | 1 | | AMD | PL 201 | | 1 |
| 19-A | 4007 | 1 | L | AMD | PL 303 | | 1 |
| 19-A | 4007 | 1 | L-1 | NEW | PL 303 | | 2 |
| 19-A | 4011 | 2 | | AMD | PL 178 | | 1 |
| 19-A | 4012 | 11 | | NEW | PL 265 | | 1 |
| 20-A | 1 | 26 | F | AMD | PL 414 | | 2 |
| 20-A | 1 | 26 | G | AMD | PL 414 | | 3 |
| 20-A | 1 | 26 | H | NEW | PL 414 | | 4 |
| 20-A | 11 | | | NEW | PL 346 | | 2 |
| 20-A | 203 | 1 | F | AMD | PL 380 | PPP | 2 |
| 20-A | 253 | 7 | | RP | PL 380 | DD | 1 |
| 20-A | 254 | 13 | | NEW | PL 154 | | 1 |
| 20-A | 254 | 13 | | NEW | PL 348 | | 2 |
| 20-A | 254 | 13 | | NEW | PL 354 | | 1 |
| 20-A | 255 | 5 | A | COR | RR 2 | | 41 |
| 20-A | 601 | | | RP | PL 344 | | 20 |
| 20-A | 601 | 1 | D | COR | RR 2 | | 42 |
| 20-A | 602 | | | RP | PL 344 | | 20 |
| 20-A | 603 | | | RP | PL 344 | | 20 |
| 20-A | 604 | | | RP | PL 344 | | 20 |
| 20-A | 605 | | | RP | PL 344 | | 20 |
| 20-A | 606 | | | RP | PL 344 | | 20 |
| 20-A | 607 | | | RP | PL 344 | | 20 |
| 20-A | 608 | | | RP | PL 344 | | 20 |
| 20-A | 609 | | | RP | PL 344 | | 20 |
| 20-A | 652 | | | RP | PL 344 | | 20 |
| 20-A | 653 | | | RP | PL 344 | | 20 |
| 20-A | 1001 | 5 | | AMD | PL 395 | | 1 |
| 20-A | 1001 | 5-D | | NEW | PL 395 | | 2 |
| 20-A | 1001 | 14 | D | NEW | PL 249 | | 1 |
| 20-A | 1001 | 14 | D | NEW | PL 395 | | 3 |
| 20-A | 1055 | 10 | | AMD | PL 172 | | 1 |
| 20-A | 1252 | 2 | C | AMD | PL 171 | | 1 |
| 20-A | 1353 | | 1st | COR | RR 2 | | 43 |
| 20-A | 1461 | 3 | C | AFF | PL 251 | | 12 |
| 20-A | 1461 | 3 | C | AMD | PL 251 | | 1 |
| 20-A | 1461-B | 6 | A | AFF | PL 251 | | 12 |
| 20-A | 1461-B | 6 | A | RP | PL 251 | | 2 |
| 20-A | 1461-B | 6 | B | AFF | PL 251 | | 12 |
| 20-A | 1461-B | 6 | B | RP | PL 251 | | 3 |
| 20-A | 1461-B | 6 | C | AFF | PL 251 | | 12 |
| 20-A | 1461-B | 6 | C | RP | PL 251 | | 4 |
| 20-A | 1465 | 3 | | AFF | PL 251 | | 12 |
| 20-A | 1465 | 3 | | AMD | PL 251 | | 5 |
| 20-A | 1465 | 4 | | AFF | PL 251 | | 12 |
| 20-A | 1465 | 4 | | AMD | PL 251 | | 6 |
| 20-A | 1466 | 1 | | AFF | PL 328 | | 2 |
| 20-A | 1466 | 1 | | AMD | PL 328 | | 1 |
| 20-A | 1466 | 20 | | AFF | PL 251 | | 12 |
| 20-A | 1466 | 20 | | RP | PL 251 | | 7 |
| 20-A | 1479 | | 1st | AMD | PL 171 | | 2 |
| 20-A | 1486 | 1 | | AMD | PL 171 | | 3 |
| 20-A | 1511 | | | AMD | PL 171 | | 4 |
| 20-A | 2401 | | | NEW | PL 414 | | 5 |
| 20-A | 2402 | | | NEW | PL 414 | | 5 |
| 20-A | 2403 | | | NEW | PL 414 | | 5 |
| 20-A | 2404 | | | NEW | PL 414 | | 5 |
| 20-A | 2405 | | | NEW | PL 414 | | 5 |
| 20-A | 2406 | | | NEW | PL 414 | | 5 |
| 20-A | 2407 | | | NEW | PL 414 | | 5 |
| 20-A | 2408 | | | NEW | PL 414 | | 5 |
| 20-A | 2409 | | | NEW | PL 414 | | 5 |
| 20-A | 2410 | | | NEW | PL 414 | | 5 |
| 20-A | 2411 | | | NEW | PL 414 | | 5 |
| 20-A | 2412 | | | NEW | PL 414 | | 5 |
| 20-A | 2413 | | | NEW | PL 414 | | 5 |
| 20-A | 2414 | | | NEW | PL 414 | | 5 |
| 20-A | 2415 | | | NEW | PL 414 | | 5 |
| 20-A | 2651 | | | NEW | PL 446 | | 1 |
| 20-A | 2953 | | 1st | RP | PL 171 | | 5 |
| 20-A | 2953 | 1 | | RP | PL 171 | | 6 |
| 20-A | 3061 | | | RP | PL 344 | | 21 |
| 20-A | 4010 | | | NEW | PL 162 | | 1 |
| 20-A | 4010 | | | NEW | PL 397 | | 1 |
| 20-A | 4102 | | last | RP | PL 171 | | 8 |
| 20-A | 4102 | 4 | | AMD | PL 171 | | 7 |
| 20-A | 4722 | 2 | B | AMD | PL 294 | | 1 |
| 20-A | 4722 | 6 | C | AMD | PL 25 | | 1 |
| 20-A | 5021-A | | | NEW | PL 456 | | 1 |
| 20-A | 5801-A | | | NEW | PL 353 | | 1 |
| 20-A | 5805 | 5 | | NEW | PL 353 | | 2 |
| 20-A | 5810 | 3 | | NEW | PL 353 | | 3 |
| 20-A | 6004 | | | AMD | PL 171 | | 9 |
| 20-A | 6004 | 3 | | NEW | PL 353 | | 4 |
| 20-A | 6005 | | | AMD | PL 223 | | 1 |
| 20-A | 6213 | | | NEW | PL 446 | | 2 |
| 20-A | 6401-A | | | NEW | PL 380 | DD | 2 |
| 20-A | 6401-B | | | NEW | PL 380 | DD | 3 |
| 20-A | 6601 | 1 | | AMD | PL 379 | | 1 |
| 20-A | 6601 | 2 | | AMD | PL 379 | | 2 |
| 20-A | 6601 | 3 | | NEW | PL 379 | | 3 |
| 20-A | 6602 | 1 | C | NEW | PL 379 | | 4 |
| 20-A | 6602 | 2 | | AMD | PL 379 | | 5 |
| 20-A | 6602 | 5 | | AMD | PL 379 | | 6 |
| 20-A | 6631 | 1 | | AMD | PL 108 | | 1 |
| 20-A | 6631 | 3 | | AMD | PL 108 | | 2 |
| 20-A | 6662 | 2 | | AMD | PL 224 | | 1 |
| 20-A | 7001 | 2-C | | NEW | PL 348 | | 3 |
| 20-A | 7007 | | | NEW | PL 19 | | 1 |
| 20-A | 7202 | 9 | | AMD | PL 348 | | 4 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 20-A | 7202 | 9 | | AMD | PL 363 | | 1 |
| 20-A | 7202 | 10 | | AMD | PL 348 | | 5 |
| 20-A | 7202 | 10 | | AMD | PL 363 | | 2 |
| 20-A | 7202 | 11 | | NEW | PL 348 | | 6 |
| 20-A | 7202 | 11 | | NEW | PL 363 | | 3 |
| 20-A | 7251-A | | | AMD | PL 19 | | 2 |
| 20-A | 7801 | | | RP | PL 348 | | 7 |
| 20-A | 7802 | | | RP | PL 348 | | 7 |
| 20-A | 7802 | 7 | | RP | PL 344 | | 22 |
| 20-A | 7803 | | | RP | PL 344 | | 23 |
| 20-A | 7803 | | | RP | PL 348 | | 7 |
| 20-A | 7803-A | | | RP | PL 348 | | 7 |
| 20-A | 7804 | | | RP | PL 344 | | 24 |
| 20-A | 7804 | | | RP | PL 348 | | 7 |
| 20-A | 9001 | | 1st | AMD | PL 166 | | 1 |
| 20-A | 10011 | | | NEW | PL 232 | | 1 |
| 20-A | 10955 | 3 | | COR | RR 2 | | 44 |
| 20-A | 11424 | 1 | | AMD | PL 401 | | 1 |
| 20-A | 11424 | 6 | | AMD | PL 401 | | 2 |
| 20-A | 11473 | 1 | | AFF | PL 150 | | 9 |
| 20-A | 11473 | 1 | | AMD | PL 150 | | 1 |
| 20-A | 11473 | 5 | | AFF | PL 150 | | 9 |
| 20-A | 11473 | 5 | | AMD | PL 150 | | 2 |
| 20-A | 11474 | 2 | | AFF | PL 150 | | 9 |
| 20-A | 11474 | 2 | | AMD | PL 150 | | 3 |
| 20-A | 11476 | | | AFF | PL 150 | | 9 |
| 20-A | 11476 | | | AMD | PL 150 | | 4 |
| 20-A | 11484 | 1 | B-1 | AFF | PL 420 | G | 9 |
| 20-A | 11484 | 1 | B-1 | RP | PL 420 | G | 1 |
| 20-A | 11484 | 1 | B-2 | AFF | PL 420 | G | 9 |
| 20-A | 11484 | 1 | B-2 | AMD | PL 420 | G | 2 |
| 20-A | 11484 | 1 | C | AFF | PL 420 | G | 9 |
| 20-A | 11484 | 1 | C | AMD | PL 420 | G | 3 |
| 20-A | 11484 | 1 | D | AFF | PL 420 | G | 9 |
| 20-A | 11484 | 1 | D | RP | PL 420 | G | 4 |
| 20-A | 11484 | 1 | E | AFF | PL 420 | G | 9 |
| 20-A | 11484 | 1 | E | NEW | PL 420 | G | 5 |
| 20-A | 11484 | 1 | F | AFF | PL 420 | G | 9 |
| 20-A | 11484 | 1 | F | NEW | PL 420 | G | 5 |
| 20-A | 13011 | 1 | A | AMD | PL 49 | | 1 |
| 20-A | 13022 | | | AMD | PL 386 | | 2 |
| 20-A | 13201 | | | AFF | PL 172 | | 4 |
| 20-A | 13201 | | | AMD | PL 172 | | 2 |
| 20-A | 13201 | | 2nd | AFF | PL 420 | F | 2 |
| 20-A | 13201 | | 2nd | AMD | PL 420 | F | 1 |
| 20-A | 13451 | 2 | | AFF | PL 380 | W | 5 |
| 20-A | 13451 | 2 | | AMD | PL 380 | W | 1 |
| 20-A | 13451 | 2-D | | AFF | PL 380 | W | 5 |
| 20-A | 13451 | 2-D | | NEW | PL 380 | W | 2 |
| 20-A | 13451 | 3 | | AFF | PL 380 | W | 5 |
| 20-A | 13451 | 3 | | AMD | PL 380 | W | 3 |
| 20-A | 13802 | 1 | | AMD | PL 36 | | 1 |
| 20-A | 13802 | 2 | | AMD | PL 36 | | 2 |
| 20-A | 13903 | 1 | | COR | RR 2 | | 45 |
| 20-A | 15671 | 7 | A | AMD | PL 380 | C | 1 |
| 20-A | 15671 | 7 | B | AMD | PL 1 | C | 1 |
| 20-A | 15671 | 7 | B | AMD | PL 380 | C | 2 |
| 20-A | 15671 | 7 | C | NEW | PL 380 | C | 3 |
| 20-A | 15671-A | 2 | B | AMD | PL 1 | C | 2 |
| 20-A | 15671-A | 2 | B | AMD | PL 380 | C | 4 |
| 20-A | 15679 | 2 | | AMD | PL 419 | | 1 |
| 20-A | 15682 | | | AMD | PL 419 | | 2 |
| 20-A | 15689 | 1-A | | RP | PL 380 | C | 5 |
| 20-A | 15689 | 11 | | NEW | PL 419 | | 3 |
| 20-A | 15689-A | 12-A | | AMD | PL 354 | | 2 |
| 20-A | 15689-A | 20 | | NEW | PL 380 | C | 6 |
| 20-A | 15689-B | 7 | | AMD | PL 223 | | 2 |
| 20-A | 15696 | | | AFF | PL 251 | | 12 |
| 20-A | 15696 | | | RP | PL 251 | | 8 |
| 20-A | 15905 | 1 | | AMD | PL 1 | E | 1 |
| 20-A | 15915 | 1 | | RPR | PL 279 | | 1 |
| 20-A | 15915 | 1-A | | NEW | PL 279 | | 2 |
| 20-A | 15917 | 1 | | RP | PL 171 | | 10 |
| 20-A | 19102 | 4 | | NEW | PL 380 | CC | 1 |
| 20-A | 19152 | 3 | | AMD | PL 353 | | 5 |
| 20-A | 19152 | 4 | | AMD | PL 353 | | 6 |
| 20-A | 19152 | 5 | | NEW | PL 353 | | 7 |
| 20-A | 19156 | | | NEW | PL 353 | | 8 |
| 20-A | 19251 | | | NEW | PL 354 | | 3 |
| 21-A | 1 | 21 | | AMD | PL 342 | | 4 |
| 21-A | 22 | 7 | | NEW | PL 342 | | 5 |
| 21-A | 23 | 7 | | AMD | PL 342 | | 6 |
| 21-A | 23 | 7-A | | NEW | PL 342 | | 7 |
| 21-A | 121 | 1-A | | AMD | PL 399 | | 1 |
| 21-A | 122 | | 1st | AMD | PL 399 | | 2 |
| 21-A | 122 | 4 | | RP | PL 399 | | 3 |
| 21-A | 122 | 4-A | | NEW | PL 399 | | 4 |
| 21-A | 122 | 5 | | AMD | PL 399 | | 5 |
| 21-A | 122 | 6 | | RPR | PL 399 | | 6 |
| 21-A | 122 | 7 | | RPR | PL 399 | | 7 |
| 21-A | 122 | 8 | | RP | PL 399 | | 8 |
| 21-A | 122 | 9 | | AMD | PL 399 | | 9 |
| 21-A | 125 | | | AMD | PL 399 | | 10 |
| 21-A | 129 | | 1st | AMD | PL 399 | | 11 |
| 21-A | 129 | 1 | | AMD | PL 399 | | 12 |
| 21-A | 129 | 3 | | AMD | PL 399 | | 13 |
| 21-A | 130 | | | AMD | PL 399 | | 14 |
| 21-A | 155 | | 1st | AMD | PL 342 | | 8 |
| 21-A | 156 | 1 | | AMD | PL 399 | | 15 |
| 21-A | 301 | 1 | A | AMD | PL 227 | | 1 |
| 21-A | 336 | 1 | | AMD | PL 239 | | 1 |
| 21-A | 337 | 2 | D | AMD | PL 342 | | 9 |
| 21-A | 355 | 1 | | AMD | PL 239 | | 2 |
| 21-A | 356 | 2 | D | AMD | PL 342 | | 10 |
| 21-A | 363 | 3 | | AMD | PL 239 | | 3 |
| 21-A | 363 | 5 | | NEW | PL 409 | | 1 |
| 21-A | 371 | | | AMD | PL 342 | | 11 |
| 21-A | 374-A | 1 | A | AMD | PL 342 | | 12 |
| 21-A | 374-A | 3 | | AMD | PL 342 | | 13 |
| 21-A | 382 | 1 | | AMD | PL 409 | | 2 |
| 21-A | 605 | | | RP | PL 342 | | 14 |
| 21-A | 605-A | | | NEW | PL 342 | | 15 |
| 21-A | 606 | | | RPR | PL 342 | | 16 |
| 21-A | 609 | | | NEW | PL 342 | | 17 |
| 21-A | 626 | 1 | | AMD | PL 342 | | 18 |
| 21-A | 629 | 1 | D-1 | RP | PL 342 | | 19 |
| 21-A | 629 | 3 | | AMD | PL 342 | | 20 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 21-A | 631-A | 3 | | NEW | PL 342 | | 21 |
| 21-A | 651 | 2 | | AMD | PL 342 | | 22 |
| 21-A | 661 | 1 | B | AMD | PL 399 | | 16 |
| 21-A | 661 | 1 | D | NEW | PL 399 | | 17 |
| 21-A | 671 | 2 | | AMD | PL 399 | | 18 |
| 21-A | 673 | 1 | A | AMD | PL 399 | | 19 |
| 21-A | 673 | 6 | | RP | PL 399 | | 20 |
| 21-A | 673-A | | | NEW | PL 399 | | 21 |
| 21-A | 674 | 1 | D | RP | PL 342 | | 23 |
| 21-A | 674 | 1 | G | NEW | PL 342 | | 24 |
| 21-A | 696 | 6 | | AMD | PL 342 | | 25 |
| 21-A | 698 | 2-A | | RPR | PL 342 | | 26 |
| 21-A | 698 | 3-A | | NEW | PL 342 | | 27 |
| 21-A | 711 | 4 | | NEW | PL 342 | | 28 |
| 21-A | 739 | | | AMD | PL 258 | | 1 |
| 21-A | 753-B | 1 | | AMD | PL 399 | | 22 |
| 21-A | 753-B | 2 | | RPR | PL 399 | | 23 |
| 21-A | 753-B | 4 | | AMD | PL 40 | | 1 |
| 21-A | 753-B | 8 | | AMD | PL 399 | | 24 |
| 21-A | 753-B | 9 | | NEW | PL 342 | | 29 |
| 21-A | 777-A | | | AMD | PL 399 | | 25 |
| 21-A | 854 | | | AMD | PL 342 | | 30 |
| 21-A | 902 | | last | AMD | PL 342 | | 31 |
| 21-A | 1002 | | | AMD | PL 389 | | 2 |
| 21-A | 1003 | 1 | | AMD | PL 389 | | 3 |
| 21-A | 1003 | 2 | | AMD | PL 389 | | 4 |
| 21-A | 1011 | | | AFF | PL 389 | | 62 |
| 21-A | 1011 | | | AMD | PL 389 | | 5 |
| 21-A | 1012 | 2 | B | AMD | PL 389 | | 6 |
| 21-A | 1012 | 3 | | AMD | PL 389 | | 7 |
| 21-A | 1012 | 4-A | | NEW | PL 389 | | 8 |
| 21-A | 1013-A | 1 | A | AFF | PL 389 | | 62 |
| 21-A | 1013-A | 1 | A | AMD | PL 389 | | 9 |
| 21-A | 1014 | 1 | | AMD | PL 389 | | 10 |
| 21-A | 1014 | 2 | | AMD | PL 360 | | 1 |
| 21-A | 1014 | 3 | | AMD | PL 389 | | 11 |
| 21-A | 1014 | 4 | | AMD | PL 389 | | 12 |
| 21-A | 1014 | 6 | | NEW | PL 389 | | 13 |
| 21-A | 1015 | 1 | | AMD | PL 382 | | 1 |
| 21-A | 1015 | 2 | | AMD | PL 382 | | 2 |
| 21-A | 1015 | 4 | | AMD | PL 389 | | 14 |
| 21-A | 1017 | 3-A | | AFF | PL 389 | | 62 |
| 21-A | 1017 | 3-A | | AMD | PL 389 | | 15 |
| 21-A | 1017 | 3-B | | COR | RR 2 | | 46 |
| 21-A | 1017-A | 2 | | AMD | PL 389 | | 16 |
| 21-A | 1017-A | 3 | | AMD | PL 389 | | 17 |
| 21-A | 1017-A | 4-A | A | AMD | PL 367 | | 1 |
| 21-A | 1017-A | 4-A | C | AMD | PL 389 | | 18 |
| 21-A | 1017-A | 8 | | AFF | PL 389 | | 62 |
| 21-A | 1017-A | 8 | | AMD | PL 389 | | 19 |
| 21-A | 1019-B | 4 | | AFF | PL 389 | | 62 |
| 21-A | 1019-B | 4 | | AMD | PL 389 | | 20 |
| 21-A | 1019-B | 5 | | NEW | PL 389 | | 21 |
| 21-A | 1020-A | 3 | | AFF | PL 389 | | 62 |
| 21-A | 1020-A | 3 | | AMD | PL 389 | | 22 |
| 21-A | 1020-A | 5-A | A | AMD | PL 389 | | 23 |
| 21-A | 1020-A | 5-A | A-1 | NEW | PL 389 | | 24 |
| 21-A | 1020-A | 5-A | B | AMD | PL 389 | | 25 |
| 21-A | 1052 | 1 | | AMD | PL 389 | | 26 |
| 21-A | 1052 | 3 | C | AMD | PL 389 | | 27 |
| 21-A | 1052 | 3 | D | AMD | PL 389 | | 28 |
| 21-A | 1052 | 4 | | AMD | PL 389 | | 29 |
| 21-A | 1052 | 4-A | | NEW | PL 389 | | 30 |
| 21-A | 1052 | 4-B | | NEW | PL 389 | | 31 |
| 21-A | 1052 | 5 | | AMD | PL 389 | | 32 |
| 21-A | 1053 | | last | AMD | PL 389 | | 34 |
| 21-A | 1053 | 6 | | AMD | PL 389 | | 33 |
| 21-A | 1053-A | | | AMD | PL 389 | | 35 |
| 21-A | 1053-B | | | AMD | PL 389 | | 36 |
| 21-A | 1056 | 1 | | AMD | PL 389 | | 37 |
| 21-A | 1056-B | | 1st | AFF | PL 389 | | 62 |
| 21-A | 1056-B | | 1st | AMD | PL 389 | | 38 |
| 21-A | 1056-B | 2 | | AMD | PL 389 | | 39 |
| 21-A | 1056-B | 2-A | B | AMD | PL 389 | | 40 |
| 21-A | 1056-B | 2-A | C | AMD | PL 389 | | 41 |
| 21-A | 1056-B | 4 | A | AMD | PL 389 | | 42 |
| 21-A | 1059 | | 1st | AFF | PL 389 | | 62 |
| 21-A | 1059 | | 1st | AMD | PL 389 | | 43 |
| 21-A | 1059 | 2 | A | AMD | PL 367 | | 2 |
| 21-A | 1059 | 2 | A | AMD | PL 389 | | 44 |
| 21-A | 1059 | 2 | C | AMD | PL 389 | | 45 |
| 21-A | 1060 | 4 | | AMD | PL 389 | | 46 |
| 21-A | 1060 | 6 | | AMD | PL 389 | | 47 |
| 21-A | 1060 | 7 | | AMD | PL 389 | | 48 |
| 21-A | 1062-A | 4 | | AMD | PL 389 | | 49 |
| 21-A | 1124 | 2 | H | AMD | PL 389 | | 50 |
| 21-A | 1125 | 1 | | AMD | PL 389 | | 51 |
| 21-A | 1125 | 5 | | AMD | PL 389 | | 52 |
| 21-A | 1125 | 5-B | | AMD | PL 389 | | 53 |
| 21-A | 1125 | 6 | | AMD | PL 389 | | 54 |
| 21-A | 1125 | 6-E | | NEW | PL 389 | | 55 |
| 21-A | 1125 | 10 | | AFF | PL 389 | | 62 |
| 21-A | 1125 | 10 | | AMD | PL 389 | | 56 |
| 21-A | 1125 | 12-A | E | AMD | PL 389 | | 57 |
| 21-A | 1125 | 13-A | | AFF | PL 389 | | 62 |
| 21-A | 1125 | 13-A | | AMD | PL 389 | | 58 |
| 21-A | 1125 | 14 | | AMD | PL 389 | | 59 |
| 22 | 255-A | | | RP | PL 344 | | 25 |
| 22 | 328 | 3-A | | AMD | PL 90 | J | 2 |
| 22 | 328 | 3-A | | RP | PL 213 | | 2 |
| 22 | 328 | 16 | | AFF | PL 424 | E | 1 |
| 22 | 328 | 16 | | AMD | PL 424 | A | 1 |
| 22 | 328 | 17-A | | AFF | PL 424 | E | 1 |
| 22 | 328 | 17-A | | AMD | PL 424 | A | 2 |
| 22 | 328 | 27 | | RP | PL 90 | J | 3 |
| 22 | 329 | 2-A | B | AFF | PL 424 | E | 1 |
| 22 | 329 | 2-A | B | AMD | PL 424 | A | 3 |
| 22 | 329 | 3 | | AFF | PL 424 | E | 1 |
| 22 | 329 | 3 | | AMD | PL 424 | A | 4 |
| 22 | 329 | 4-A | | AFF | PL 424 | E | 1 |
| 22 | 329 | 4-A | | AMD | PL 424 | A | 5 |
| 22 | 329 | 6 | | AFF | PL 424 | E | 1 |
| 22 | 329 | 6 | | AMD | PL 424 | B | 1 |
| 22 | 333 | 1 | A-1 | AFF | PL 424 | E | 1 |
| 22 | 333 | 1 | A-1 | AMD | PL 424 | B | 2 |
| 22 | 333 | 1 | B | AFF | PL 424 | E | 1 |
| 22 | 333 | 1 | B | AMD | PL 424 | B | 3 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 22 | 333 | 2 | B | AFF | PL 424 | E | 1 |
| 22 | 333 | 2 | B | AMD | PL 424 | B | 4 |
| 22 | 333-A | 1 | | AFF | PL 424 | E | 1 |
| 22 | 333-A | 1 | | AMD | PL 424 | B | 5 |
| 22 | 333-A | 2 | | AFF | PL 424 | E | 1 |
| 22 | 333-A | 2 | | AMD | PL 424 | B | 6 |
| 22 | 333-A | 3 | | AFF | PL 424 | E | 1 |
| 22 | 333-A | 3 | | RP | PL 424 | B | 7 |
| 22 | 333-A | 3 | A | AMD | PL 90 | J | 4 |
| 22 | 333-A | 3-A | | AFF | PL 424 | E | 1 |
| 22 | 333-A | 3-A | | NEW | PL 424 | B | 8 |
| 22 | 334-A | 1 | | AFF | PL 424 | E | 1 |
| 22 | 334-A | 1 | | RP | PL 424 | B | 9 |
| 22 | 334-A | 1-A | | AFF | PL 424 | E | 1 |
| 22 | 334-A | 1-A | | NEW | PL 424 | B | 10 |
| 22 | 334-A | 2 | B | AFF | PL 424 | E | 1 |
| 22 | 334-A | 2 | B | AMD | PL 424 | B | 11 |
| 22 | 334-A | 2-A | | AFF | PL 424 | E | 1 |
| 22 | 334-A | 2-A | | AMD | PL 424 | B | 12 |
| 22 | 334-A | 2-B | | AFF | PL 424 | E | 1 |
| 22 | 334-A | 2-B | | NEW | PL 424 | B | 13 |
| 22 | 334-A | 3 | | AFF | PL 424 | E | 1 |
| 22 | 334-A | 3 | | AMD | PL 424 | B | 14 |
| 22 | 335 | 1 | | AFF | PL 424 | E | 1 |
| 22 | 335 | 1 | | AMD | PL 424 | B | 15 |
| 22 | 335 | 1 | B | RP | PL 90 | J | 5 |
| 22 | 335 | 1 | E | AMD | PL 213 | | 3 |
| 22 | 335 | 7 | | AMD | PL 90 | J | 6 |
| 22 | 337 | 2 | B | AFF | PL 424 | E | 1 |
| 22 | 337 | 2 | B | AMD | PL 424 | D | 1 |
| 22 | 337 | 5 | | AFF | PL 424 | E | 1 |
| 22 | 337 | 5 | | AMD | PL 424 | D | 2 |
| 22 | 339 | 2 | B | AFF | PL 424 | E | 1 |
| 22 | 339 | 2 | B | AMD | PL 424 | D | 3 |
| 22 | 339 | 5 | | AFF | PL 424 | E | 1 |
| 22 | 339 | 5 | | AMD | PL 424 | D | 4 |
| 22 | 339 | 6 | | AFF | PL 424 | E | 1 |
| 22 | 339 | 6 | | AMD | PL 424 | D | 5 |
| 22 | 411 | | | AMD | PL 306 | | 1 |
| 22 | 412 | | | AMD | PL 306 | | 2 |
| 22 | 412 | 4 | A | AMD | PL 90 | J | 7 |
| 22 | 412 | 6 | A | AMD | PL 90 | J | 8 |
| 22 | 412 | 6 | B | AMD | PL 90 | J | 8 |
| 22 | 412 | 6 | F | RPR | PL 90 | J | 9 |
| 22 | 413 | | | AMD | PL 306 | | 3 |
| 22 | 682 | 3 | | COR | RR 2 | | 47 |
| 22 | 772 | 3 | | RPR | PL 144 | | 1 |
| 22 | 775 | | | AMD | PL 144 | | 2 |
| 22 | 776 | 2 | | AMD | PL 144 | | 3 |
| 22 | 1065 | | | RP | PL 320 | A | 1 |
| 22 | 1231 | | | COR | RR 2 | | 48 |
| 22 | 1315 | 4-A | | RP | PL 183 | | 1 |
| 22 | 1319-A | | | RP | PL 183 | | 2 |
| 22 | 1319-D | | | NEW | PL 183 | | 3 |
| 22 | 1328 | | | RP | PL 96 | | 4 |
| 22 | 1471-AA | | | RP | PL 332 | | 2 |
| 22 | 1471-B | 1 | | AFF | PL 119 | | 2 |
| 22 | 1471-B | 1 | | AMD | PL 119 | | 1 |
| 22 | 1471-C | 22-A | | NEW | PL 169 | | 1 |
| 22 | 1471-D | 2-D | | AFF | PL 169 | | 6 |
| 22 | 1471-D | 2-D | | NEW | PL 169 | | 2 |
| 22 | 1471-M | 1 | C-1 | NEW | PL 169 | | 3 |
| 22 | 1471-Z | | | RP | PL 332 | | 1 |
| 22 | 1493 | | | AMD | PL 337 | | 1 |
| 22 | 1494 | | | RPR | PL 337 | | 2 |
| 22 | 1560-D | 10 | | AMD | PL 380 | II | 2 |
| 22 | 1686-A | | | AMD | PL 242 | | 1 |
| 22 | 1711-C | 6 | A | AMD | PL 347 | | 6 |
| 22 | 1711-C | 6 | B | AMD | PL 347 | | 7 |
| 22 | 1711-C | 7 | | AMD | PL 373 | | 1 |
| 22 | 1711-C | 8 | | AMD | PL 373 | | 2 |
| 22 | 1711-C | 18 | | NEW | PL 347 | | 8 |
| 22 | 1711-C | 18 | | NEW | PL 373 | | 3 |
| 22 | 1711-C | 20 | | NEW | PL 373 | | 4 |
| 22 | 1711-E | 1 | G | AMD | PL 443 | | 1 |
| 22 | 1711-E | 1-B | C | AMD | PL 461 | | 1 |
| 22 | 1711-E | 5 | | AMD | PL 90 | J | 10 |
| 22 | 1717 | 3 | A | AMD | PL 257 | | 1 |
| 22 | 1723 | | | RAL | RR 2 | | 49 |
| 22 | 1724 | | | RAL | RR 2 | | 49 |
| 22 | 1812-G | | | AMD | PL 257 | | 2 |
| 22 | 1812-J | 1 | | AMD | PL 257 | | 3 |
| 22 | 1812-J | 2-A | | NEW | PL 257 | | 4 |
| 22 | 1812-J | 3 | | AMD | PL 257 | | 5 |
| 22 | 1812-J | 3-A | | NEW | PL 257 | | 6 |
| 22 | 1812-J | 6 | | AMD | PL 257 | | 7 |
| 22 | 1812-J | 7 | | AMD | PL 257 | | 8 |
| 22 | 1815 | | | AMD | PL 257 | | 9 |
| 22 | 1832 | | | AFF | PL 254 | | 2 |
| 22 | 1832 | | | NEW | PL 254 | | 1 |
| 22 | 1844 | 2 | A | AMD | PL 90 | J | 11 |
| 22 | 1844 | 2 | D | AMD | PL 90 | J | 12 |
| 22 | 1844 | 4 | C | AMD | PL 90 | J | 13 |
| 22 | 1844 | 4 | F | AMD | PL 90 | J | 14 |
| 22 | 1844 | 6 | | AMD | PL 90 | J | 15 |
| 22 | 1845 | 1 | | AMD | PL 90 | J | 16 |
| 22 | 1845 | 2 | A | AMD | PL 90 | J | 17 |
| 22 | 1845 | 2 | B | AMD | PL 90 | J | 17 |
| 22 | 1849 | 5 | | AMD | PL 90 | J | 18 |
| 22 | 1971 | | | RP | PL 380 | DD | 4 |
| 22 | 1972 | | | RP | PL 380 | DD | 5 |
| 22 | 2031 | | | COR | RR 2 | | 50 |
| 22 | 2041 | 5 | | AMD | PL 257 | | 10 |
| 22 | 2041 | 6 | | RP | PL 257 | | 11 |
| 22 | 2041 | 9 | | AMD | PL 257 | | 12 |
| 22 | 2042 | 7 | | AMD | PL 257 | | 13 |
| 22 | 2061 | 2 | | AMD | PL 90 | J | 19 |
| 22 | 2131 | 1-A | | AMD | PL 257 | | 14 |
| 22 | 2131 | 4 | A | AMD | PL 257 | | 15 |
| 22 | 2138 | 1 | | AMD | PL 257 | | 16 |
| 22 | 2149-A | 2 | A | AMD | PL 257 | | 17 |
| 22 | 2152 | 4-A | | AMD | PL 407 | A | 2 |
| 22 | 2156 | 3 | | COR | RR 2 | | 51 |
| 22 | 2158 | | | AMD | PL 407 | A | 3 |
| 22 | 2159 | | 4th | COR | RR 2 | | 52 |
| 22 | 2175 | | | NEW | PL 412 | | 2 |
| 22 | 2383-B | | | COR | RR 2 | | 53 |
| 22 | 2383-B | 3 | A-1 | RP | PL 420 | A | 13 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 22 | 2383-B | 3 | A-2 | RP | PL 420 | A | 14 |
| 22 | 2383-B | 3 | E | RP | PL 420 | A | 15 |
| 22 | 2390 | | | NEW | PL 447 | | 1 |
| 22 | 2391 | | | NEW | PL 447 | | 1 |
| 22 | 2392 | | | NEW | PL 447 | | 1 |
| 22 | 2393 | | | NEW | PL 447 | | 1 |
| 22 | 2394 | | | NEW | PL 447 | | 1 |
| 22 | 2422 | 1-A | | NEW | PL 407 | B | 1 |
| 22 | 2422 | 2 | D | AMD | PL 407 | B | 2 |
| 22 | 2422 | 3 | | AMD | PL 407 | B | 3 |
| 22 | 2422 | 4-A | | NEW | PL 407 | B | 4 |
| 22 | 2422 | 4-B | | NEW | PL 407 | B | 4 |
| 22 | 2422 | 5 | | AMD | PL 407 | B | 5 |
| 22 | 2422 | 5-A | | NEW | PL 407 | B | 6 |
| 22 | 2422 | 5-B | | NEW | PL 407 | B | 6 |
| 22 | 2422 | 6 | | AMD | PL 407 | B | 7 |
| 22 | 2422 | 6-A | | RP | PL 407 | B | 8 |
| 22 | 2422 | 8-A | | NEW | PL 407 | B | 9 |
| 22 | 2422 | 9 | | AMD | PL 407 | B | 10 |
| 22 | 2422 | 11 | | AMD | PL 407 | B | 11 |
| 22 | 2422 | 12 | | AMD | PL 407 | B | 12 |
| 22 | 2422 | 13-A | | NEW | PL 407 | B | 13 |
| 22 | 2422 | 14 | | AMD | PL 407 | B | 14 |
| 22 | 2422 | 16 | | AMD | PL 407 | B | 15 |
| 22 | 2423-A | | | AMD | PL 407 | B | 16 |
| 22 | 2423-A | 7 | | NEW | PL 383 | | 1 |
| 22 | 2423-A | 8 | | NEW | PL 383 | | 1 |
| 22 | 2423-B | | | RPR | PL 407 | B | 17 |
| 22 | 2423-C | | | AMD | PL 407 | B | 18 |
| 22 | 2423-D | | | AMD | PL 407 | B | 19 |
| 22 | 2423-E | | | AMD | PL 407 | B | 20 |
| 22 | 2424 | 2 | | RPR | PL 407 | B | 21 |
| 22 | 2424 | 3 | | AMD | PL 407 | B | 22 |
| 22 | 2425 | 2 | | AMD | PL 407 | B | 23 |
| 22 | 2425 | 5 | | AMD | PL 383 | | 2 |
| 22 | 2425 | 5 | | AMD | PL 407 | B | 24 |
| 22 | 2425 | 7 | | RPR | PL 407 | B | 25 |
| 22 | 2425 | 8 | A | AMD | PL 407 | B | 26 |
| 22 | 2425 | 8 | F | AMD | PL 407 | B | 27 |
| 22 | 2425 | 8 | G | AMD | PL 383 | | 3 |
| 22 | 2425 | 8 | G | AMD | PL 407 | B | 27 |
| 22 | 2425 | 8 | H | AMD | PL 407 | B | 27 |
| 22 | 2425 | 8 | J | AMD | PL 407 | B | 27 |
| 22 | 2425 | 9-A | | NEW | PL 407 | B | 28 |
| 22 | 2425 | 10 | C | RP | PL 407 | B | 29 |
| 22 | 2425 | 11 | | NEW | PL 383 | | 4 |
| 22 | 2426 | 1 | E | AMD | PL 407 | B | 30 |
| 22 | 2426 | 3-A | | NEW | PL 407 | B | 31 |
| 22 | 2428 | | | AMD | PL 407 | B | 32 |
| 22 | 2429 | 1 | | RP | PL 407 | B | 33 |
| 22 | 2429 | 3 | | RP | PL 407 | B | 34 |
| 22 | 2430-B | | | NEW | PL 383 | | 5 |
| 22 | 2430-B | | | NEW | PL 407 | B | 35 |
| 22 | 2491 | 1 | | AMD | PL 193 | A | 1 |
| 22 | 2491 | 4 | | AMD | PL 193 | A | 2 |
| 22 | 2491 | 6 | | AMD | PL 193 | A | 3 |
| 22 | 2491 | 7 | | AMD | PL 193 | A | 4 |
| 22 | 2491 | 7-E | | NEW | PL 193 | A | 5 |
| 22 | 2491 | 7-F | | NEW | PL 193 | A | 6 |
| 22 | 2491 | 10-A | | NEW | PL 193 | A | 7 |
| 22 | 2491 | 10-B | | NEW | PL 193 | A | 8 |
| 22 | 2491 | 11 | | RPR | PL 193 | A | 9 |
| 22 | 2491 | 12 | | RP | PL 193 | A | 10 |
| 22 | 2491 | 13 | | RP | PL 193 | A | 11 |
| 22 | 2491 | 14 | | AMD | PL 193 | A | 12 |
| 22 | 2491 | 16 | | AMD | PL 193 | A | 13 |
| 22 | 2492 | 1 | | AMD | PL 193 | A | 14 |
| 22 | 2492 | 3 | | AMD | PL 193 | A | 15 |
| 22 | 2494 | | 1st | AMD | PL 193 | B | 1 |
| 22 | 2494 | 2 | | AMD | PL 193 | B | 2 |
| 22 | 2494 | | last | AMD | PL 375 | | 1 |
| 22 | 2495 | | 1st | AMD | PL 193 | B | 3 |
| 22 | 2497 | | | AMD | PL 375 | | 2 |
| 22 | 2498 | 1 | A | AMD | PL 193 | B | 4 |
| 22 | 2498 | 1 | B | AMD | PL 193 | B | 5 |
| 22 | 2498 | 1 | C | AMD | PL 193 | B | 6 |
| 22 | 2499 | | 1st | AMD | PL 193 | B | 9 |
| 22 | 2499 | | 1st | AMD | PL 295 | | 1 |
| 22 | 2499 | 1 | | AMD | PL 295 | | 2 |
| 22 | 2499 | 2 | | AMD | PL 193 | B | 7 |
| 22 | 2499 | 4 | | AMD | PL 193 | A | 16 |
| 22 | 2499 | 6 | | AMD | PL 193 | A | 17 |
| 22 | 2499 | 8 | | AMD | PL 193 | B | 8 |
| 22 | 2499 | 9 | | AMD | PL 193 | A | 18 |
| 22 | 2501 | | | AMD | PL 193 | B | 10 |
| 22 | 2622 | | 1st | AMD | PL 45 | | 1 |
| 22 | 2624-A | 6 | | AMD | PL 45 | | 2 |
| 22 | 2625-A | | 1st | AMD | PL 45 | | 3 |
| 22 | 2628 | | | AMD | PL 45 | | 4 |
| 22 | 2629 | | | AMD | PL 45 | | 5 |
| 22 | 2681 | 16 | | NEW | PL 380 | SS | 1 |
| 22 | 2685 | 5 | | AMD | PL 461 | | 2 |
| 22 | 2687 | | | NEW | PL 323 | | 1 |
| 22 | 2698-A | | | RP | PL 461 | | 3 |
| 22 | 2698-B | | | RP | PL 461 | | 4 |
| 22 | 2699 | | | RP | PL 443 | | 2 |
| 22 | 2700-A | | | AMD | PL 461 | | 5 |
| 22 | 2706 | | | AMD | PL 58 | | 1 |
| 22 | 2841 | | 1st | COR | RR 2 | | 54 |
| 22 | 2843-A | 2 | | AMD | PL 387 | | 1 |
| 22 | 2843-A | 8 | | AMD | PL 387 | | 2 |
| 22 | 2843-A | 10 | | NEW | PL 387 | | 3 |
| 22 | 2845 | | | AFF | PL 371 | | 3 |
| 22 | 2845 | | | AMD | PL 371 | | 1 |
| 22 | 2847 | | | NEW | PL 371 | | 2 |
| 22 | 2900 | | | NEW | PL 318 | | 1 |
| 22 | 3022 | 2 | | AMD | PL 1 | JJ | 1 |
| 22 | 3024 | | 4th | AFF | PL 445 | | 3 |
| 22 | 3024 | | 4th | AMD | PL 445 | | 1 |
| 22 | 3025 | 1 | D | AMD | PL 60 | | 1 |
| 22 | 3025 | 1 | D | AFF | PL 420 | D | 6 |
| 22 | 3025 | 1 | D | AMD | PL 420 | D | 2 |
| 22 | 3028 | 6 | | AMD | PL 182 | | 1 |
| 22 | 3086 | 1 | | AMD | PL 293 | | 1 |
| 22 | 3087 | | | RP | PL 293 | | 2 |
| 22 | 3088 | | | RPR | PL 293 | | 3 |
| 22 | 3089 | | | AMD | PL 293 | | 4 |
| 22 | 3104-A | 1 | | RPR | PL 380 | KK | 1 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 22 | 3172-B | 3 | | COR | RR 2 | | 55 |
| 22 | 3173-C | 2 | | AFF | PL 458 | | 4 |
| 22 | 3173-C | 2 | | AMD | PL 458 | | 1 |
| 22 | 3173-C | 8 | | AFF | PL 458 | | 4 |
| 22 | 3173-C | 8 | | NEW | PL 458 | | 2 |
| 22 | 3174-G | 1 | E | AMD | PL 380 | KK | 2 |
| 22 | 3174-G | 1 | F | AMD | PL 380 | KK | 2 |
| 22 | 3174-G | 1 | G | NEW | PL 380 | KK | 3 |
| 22 | 3174-QQ | | | NEW | PL 35 | | 1 |
| 22 | 3174-QQ | | | NEW | PL 457 | | 1 |
| 22 | 3187 | | last | AMD | PL 380 | XXX | 1 |
| 22 | 3472 | 6 | | AMD | PL 291 | | 1 |
| 22 | 3477 | 1 | | AMD | PL 291 | | 2 |
| 22 | 3477 | 6 | | NEW | PL 291 | | 3 |
| 22 | 3477 | 7 | | NEW | PL 291 | | 4 |
| 22 | 3480 | 1 | B | COR | RR 2 | | 56 |
| 22 | 3485 | | | RPR | PL 291 | | 5 |
| 22 | 3731 | 1 | | AMD | PL 388 | | 4 |
| 22 | 3731 | 2-A | | NEW | PL 388 | | 5 |
| 22 | 3732 | 4 | | AMD | PL 388 | | 6 |
| 22 | 3732 | 5 | | AMD | PL 388 | | 7 |
| 22 | 3736 | 1 | | AMD | PL 388 | | 8 |
| 22 | 3739 | 2 | | AMD | PL 388 | | 9 |
| 22 | 3739 | 3 | | AMD | PL 388 | | 10 |
| 22 | 3739 | 3-A | | NEW | PL 388 | | 11 |
| 22 | 3739 | 3-B | | NEW | PL 388 | | 12 |
| 22 | 3739 | 6 | | AMD | PL 388 | | 13 |
| 22 | 3739 | 8 | | NEW | PL 388 | | 14 |
| 22 | 3762 | 3 | B | AMD | PL 380 | KK | 4 |
| 22 | 3762 | 15 | | RP | PL 380 | PP | 1 |
| 22 | 3762 | 18 | | NEW | PL 380 | LL | 1 |
| 22 | 3762 | 18 | | NEW | PL 380 | PP | 2 |
| 22 | 3762 | 19 | | NEW | PL 380 | PP | 2 |
| 22 | 3763 | 1 | | AMD | PL 380 | PP | 3 |
| 22 | 3763 | 1-A | | NEW | PL 380 | PP | 4 |
| 22 | 4002 | 9-D | | NEW | PL 402 | | 1 |
| 22 | 4012 | 1 | | AMD | PL 402 | | 2 |
| 22 | 4031 | 1 | | AMD | PL 402 | | 3 |
| 22 | 4036-B | 3-A | | NEW | PL 402 | | 4 |
| 22 | 4037-A | | | NEW | PL 402 | | 5 |
| 22 | 4038-C | 1 | C | AMD | PL 402 | | 6 |
| 22 | 4038-C | 1 | D | AMD | PL 402 | | 7 |
| 22 | 4038-C | 1 | E | NEW | PL 402 | | 8 |
| 22 | 4038-C | 13 | | NEW | PL 402 | | 9 |
| 22 | 4038-D | 2 | | AMD | PL 402 | | 10 |
| 22 | 4038-D | 3 | | RP | PL 402 | | 11 |
| 22 | 4038-D | 4 | | AMD | PL 402 | | 12 |
| 22 | 4038-D | 5 | | AMD | PL 402 | | 13 |
| 22 | 4038-D | 8 | | RP | PL 402 | | 14 |
| 22 | 4038-E | | | NEW | PL 402 | | 15 |
| 22 | 4038-E | 1 | H | AFF | PL 420 | I | 5 |
| 22 | 4038-E | 1 | H | AMD | PL 420 | I | 1 |
| 22 | 4038-E | 1 | J | AFF | PL 420 | I | 5 |
| 22 | 4038-E | 1 | J | AMD | PL 420 | I | 1 |
| 22 | 4038-E | 6 | | AFF | PL 420 | I | 5 |
| 22 | 4038-E | 6 | | AMD | PL 420 | I | 2 |
| 22 | 4038-E | 8 | B | AFF | PL 420 | I | 5 |
| 22 | 4038-E | 8 | B | AMD | PL 420 | I | 3 |
| 22 | 4038-E | 11 | | AFF | PL 420 | I | 5 |
| 22 | 4038-E | 11 | | AMD | PL 420 | I | 4 |
| 22 | 4056 | 1 | | COR | RR 2 | | 57 |
| 22 | 4059 | | | NEW | PL 402 | | 16 |
| 22 | 4099-H | | | NEW | PL 385 | | 1 |
| 22 | 4307 | 4 | | COR | RR 2 | | 58 |
| 22 | 4307 | 5 | | COR | RR 2 | | 59 |
| 22 | 4322 | | 2nd | COR | RR 2 | | 60 |
| 22 | 7247 | | | AMD | PL 380 | WW | 1 |
| 22 | 7250 | 4 | F | AMD | PL 218 | | 1 |
| 22 | 7250 | 4 | G | AMD | PL 218 | | 2 |
| 22 | 7250 | 4 | H | NEW | PL 218 | | 3 |
| 22 | 7250 | 4-A | | NEW | PL 218 | | 4 |
| 22 | 7261 | | | NEW | PL 217 | | 1 |
| 22 | 7262 | | | NEW | PL 217 | | 1 |
| 22 | 7263 | | | NEW | PL 217 | | 1 |
| 22 | 7264 | | | NEW | PL 217 | | 1 |
| 22 | 7265 | | | NEW | PL 217 | | 1 |
| 22 | 7266 | | | NEW | PL 217 | | 1 |
| 22 | 7267 | | | NEW | PL 217 | | 1 |
| 22 | 7268 | | | NEW | PL 217 | | 1 |
| 22 | 7269 | | | NEW | PL 217 | | 1 |
| 22 | 7270 | | | NEW | PL 217 | | 1 |
| 22 | 7271 | | | NEW | PL 217 | | 1 |
| 22 | 7272 | | | NEW | PL 217 | | 1 |
| 22 | 7273 | | | NEW | PL 217 | | 1 |
| 22 | 7274 | | | NEW | PL 217 | | 1 |
| 22 | 7316 | | | NEW | PL 422 | | 1 |
| 22 | 7317 | | | NEW | PL 422 | | 1 |
| 22 | 7704 | | | RAL | RR 2 | | 61 |
| 22 | 7706 | | | RAL | RR 2 | | 61 |
| 22 | 7801 | 6 | | NEW | PL 145 | | 2 |
| 22 | 8101 | 3 | | AMD | PL 187 | | 1 |
| 22 | 8101 | 4 | E | AMD | PL 186 | A | 1 |
| 22 | 8307 | 2 | | COR | RR 2 | | 62 |
| 22 | 8606 | 1 | A | AMD | PL 257 | | 18 |
| 22 | 8702 | 4 | | AMD | PL 233 | | 1 |
| 22 | 8702 | 8-B | | AMD | PL 443 | | 3 |
| 22 | 8702 | 9 | | AMD | PL 233 | | 2 |
| 22 | 8712 | 1 | | COR | RR 2 | | 63 |
| 22 | 8761 | | | RPR | PL 316 | | 1 |
| 22 | 9001 | | | NEW | PL 444 | | 1 |
| 22 | 9002 | | | NEW | PL 444 | | 1 |
| 22 | 9003 | | | NEW | PL 444 | | 1 |
| 22 | 9004 | | | NEW | PL 444 | | 1 |
| 22 | 9005 | | | NEW | PL 444 | | 1 |
| 23 | 1612 | | 1st | AMD | PL 391 | | 1 |
| 23 | 1652 | | | AMD | PL 392 | L | 2 |
| 23 | 1903 | 8 | | AMD | PL 115 | | 1 |
| 23 | 1904 | | | RP | PL 344 | | 26 |
| 23 | 1906 | 1 | | AMD | PL 344 | | 27 |
| 23 | 1908-A | | | NEW | PL 114 | | 1 |
| 23 | 1909 | | | AMD | PL 344 | | 28 |
| 23 | 1910 | | | AMD | PL 344 | | 29 |
| 23 | 1912-B | | last | AMD | PL 344 | | 30 |
| 23 | 1914 | 4 | | AMD | PL 115 | | 2 |
| 23 | 1914 | 4-A | | NEW | PL 115 | | 3 |
| 23 | 1925 | | | AMD | PL 344 | | 31 |
| 23 | 1961 | 2 | | AMD | PL 302 | | 2 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 23 | 1961 | 6 | | AMD | PL 302 | | 3 |
| 23 | 1961 | 7 | | NEW | PL 302 | | 4 |
| 23 | 1964 | 2-A | | NEW | PL 302 | | 5 |
| 23 | 1964 | 2-B | | NEW | PL 302 | | 5 |
| 23 | 1964 | 4-A | | AMD | PL 302 | | 6 |
| 23 | 1964 | 6-A | | RP | PL 302 | | 7 |
| 23 | 1964 | 7-A | | NEW | PL 302 | | 8 |
| 23 | 1964 | 7-B | | NEW | PL 302 | | 8 |
| 23 | 1964-A | | | NEW | PL 302 | | 9 |
| 23 | 1965 | | | AMD | PL 302 | | 10 |
| 23 | 1966 | 2 | | AMD | PL 302 | | 11 |
| 23 | 1966 | 2-A | | NEW | PL 302 | | 12 |
| 23 | 1966 | 2-B | | NEW | PL 302 | | 13 |
| 23 | 1969 | 1 | A | AMD | PL 302 | | 14 |
| 23 | 1974 | 6 | | AMD | PL 302 | | 15 |
| 23 | 1977 | | | AMD | PL 302 | | 16 |
| 23 | 1980 | 2-A | G | AMD | PL 302 | | 17 |
| 23 | 1980 | 2-B | B | AMD | PL 302 | | 18 |
| 23 | 1980 | 2-C | | NEW | PL 302 | | 19 |
| 23 | 1980 | 2-C | B | AFF | PL 420 | H | 2 |
| 23 | 1980 | 2-C | B | AMD | PL 420 | H | 1 |
| 23 | 1980 | 2-C | D | AFF | PL 420 | H | 2 |
| 23 | 1980 | 2-C | D | AMD | PL 420 | H | 1 |
| 23 | 3360-A | 3 | E | AMD | PL 72 | | 1 |
| 23 | 3360-A | 5 | | AMD | PL 72 | | 2 |
| 23 | 3360-A | 5-B | | AMD | PL 72 | | 3 |
| 23 | 3360-A | 5-I | | NEW | PL 72 | | 4 |
| 23 | 3360-A | 5-J | | NEW | PL 72 | | 5 |
| 23 | 3360-A | 6-C | F | AMD | PL 72 | | 6 |
| 23 | 3360-A | 6-D | | NEW | PL 72 | | 7 |
| 23 | 4202 | | | AMD | PL 420 | A | 16 |
| 23 | 4203 | | 1st | AMD | PL 420 | A | 17 |
| 23 | 4206 | 1 | N | AMD | PL 302 | | 20 |
| 23 | 4210-B | 7 | | AFF | PL 380 | G | 3 |
| 23 | 4210-B | 7 | | RP | PL 380 | G | 1 |
| 23 | 4210-B | 7 | | AFF | PL 420 | J | 3 |
| 23 | 4210-B | 7 | | AMD | PL 420 | J | 1 |
| 23 | 4210-B | 7-A | | AFF | PL 380 | G | 3 |
| 23 | 4210-B | 7-A | | NEW | PL 380 | G | 2 |
| 23 | 4210-B | 7-A | | AFF | PL 420 | J | 3 |
| 23 | 4210-B | 7-A | | AMD | PL 420 | J | 2 |
| 24 | 2317-B | 12-F | | RPR | PL 420 | A | 18 |
| 24 | 2317-B | 12-G | | NEW | PL 420 | A | 19 |
| 24 | 2317-B | 12-H | | NEW | PL 420 | A | 20 |
| 24 | 2329 | 8 | | AMD | PL 320 | A | 2 |
| 24 | 2502 | 1-A | | AMD | PL 190 | | 1 |
| 24 | 2502 | 1-C | | AMD | PL 190 | | 2 |
| 24 | 2502 | 2 | | AMD | PL 190 | | 3 |
| 24 | 2502 | 3 | | AMD | PL 190 | | 4 |
| 24 | 2502 | 4-A | | AMD | PL 190 | | 5 |
| 24 | 2510 | 6 | | AMD | PL 190 | | 6 |
| 24 | 2986 | 2 | | AMD | PL 420 | A | 21 |
| 24 | 2986 | 3 | | AMD | PL 59 | | 1 |
| 24-A | 3 | 2 | | AFF | PL 345 | | 7 |
| 24-A | 3 | 2 | | AMD | PL 345 | | 1 |
| 24-A | 3 | 3 | | AFF | PL 345 | | 7 |
| 24-A | 3 | 3 | | AMD | PL 345 | | 1 |
| 24-A | 3 | 4 | | AFF | PL 345 | | 7 |
| 24-A | 3 | 4 | | NEW | PL 345 | | 2 |
| 24-A | 14 | | | NEW | PL 90 | D | 1 |
| 24-A | 225 | 3 | | AMD | PL 320 | A | 3 |
| 24-A | 226 | 2 | | AMD | PL 320 | A | 4 |
| 24-A | 227 | | | AMD | PL 320 | A | 5 |
| 24-A | 235 | 3 | | COR | RR 2 | | 64 |
| 24-A | 236 | 1 | | COR | RR 2 | | 65 |
| 24-A | 405 | 6 | | AMD | PL 90 | C | 1 |
| 24-A | 405 | 7 | | NEW | PL 90 | C | 2 |
| 24-A | 405-A | | | NEW | PL 90 | C | 3 |
| 24-A | 405-B | | | NEW | PL 90 | C | 4 |
| 24-A | 405-C | | | NEW | PL 90 | C | 5 |
| 24-A | 423-E | | | AFF | PL 90 | B | 10 |
| 24-A | 423-E | | | RP | PL 90 | B | 3 |
| 24-A | 601 | 5 | F | AMD | PL 238 | H | 1 |
| 24-A | 601 | 5 | G | AMD | PL 238 | H | 2 |
| 24-A | 601 | 5 | H | RP | PL 238 | H | 3 |
| 24-A | 601 | 29 | | NEW | PL 297 | | 1 |
| 24-A | 601 | 29 | | AFF | PL 345 | | 7 |
| 24-A | 601 | 29 | | NEW | PL 345 | | 3 |
| 24-A | 704 | 1 | | AMD | PL 192 | | 1 |
| 24-A | 704 | 3 | | NEW | PL 192 | | 2 |
| 24-A | 952-A | 4 | H | AMD | PL 320 | A | 6 |
| 24-A | 957 | | 2nd | AMD | PL 420 | A | 22 |
| 24-A | 1109 | 2 | D | COR | RR 2 | | 66 |
| 24-A | 1415 | 1 | | AMD | PL 238 | H | 4 |
| 24-A | 1420-C | 2 | F | AMD | PL 297 | | 2 |
| 24-A | 1420-C | 2 | G | AMD | PL 297 | | 3 |
| 24-A | 1420-C | 2 | H | NEW | PL 297 | | 4 |
| 24-A | 1450 | 2 | | AMD | PL 238 | H | 5 |
| 24-A | 1913 | | | RPR | PL 443 | | 4 |
| 24-A | 2001-A | | | AFF | PL 331 | | 16,17 |
| 24-A | 2001-A | | | NEW | PL 331 | | 1 |
| 24-A | 2002-A | 3 | | AFF | PL 331 | | 16,17 |
| 24-A | 2002-A | 3 | | AMD | PL 331 | | 2 |
| 24-A | 2003 | | | AFF | PL 331 | | 16,17 |
| 24-A | 2003 | | | AMD | PL 331 | | 3 |
| 24-A | 2007 | | | AFF | PL 331 | | 16,17 |
| 24-A | 2007 | | | AMD | PL 331 | | 4 |
| 24-A | 2016 | 2 | | AFF | PL 331 | | 16,17 |
| 24-A | 2016 | 2 | | RP | PL 331 | | 5 |
| 24-A | 2101 | 2 | E | AFF | PL 331 | | 16,17 |
| 24-A | 2101 | 2 | E | AMD | PL 331 | | 6 |
| 24-A | 2101 | 2 | F | AFF | PL 331 | | 16,17 |
| 24-A | 2101 | 2 | F | NEW | PL 331 | | 7 |
| 24-A | 2113 | | | AFF | PL 331 | | 16,17 |
| 24-A | 2113 | | | RP | PL 331 | | 8 |
| 24-A | 2315 | | | RP | PL 320 | A | 7 |
| 24-A | 2323 | 4 | | AMD | PL 320 | A | 8 |
| 24-A | 2325-B | 9 | | AMD | PL 320 | A | 9 |
| 24-A | 2384-B | 1 | | AMD | PL 83 | | 1 |
| 24-A | 2384-C | 1 | | AMD | PL 83 | | 2 |
| 24-A | 2424 | | 1st | COR | RR 2 | | 67 |
| 24-A | 2537 | 10 | | AMD | PL 163 | | 1 |
| 24-A | 2556 | 2 | | AFF | PL 123 | | 5 |
| 24-A | 2556 | 2 | | AMD | PL 123 | | 1 |
| 24-A | 2556 | 3 | | AFF | PL 123 | | 5 |
| 24-A | 2556 | 3 | | AMD | PL 123 | | 1 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 24-A | 2606-A | | 1st | AMD | PL 163 | | 2 |
| 24-A | 2694-A | 3 | | RP | PL 90 | J | 20 |
| 24-A | 2707-A | | | AFF | PL 123 | | 5 |
| 24-A | 2707-A | | | AMD | PL 123 | | 2 |
| 24-A | 2735-A | 1 | | AMD | PL 364 | | 1 |
| 24-A | 2736-A | | 1st | AMD | PL 364 | | 2 |
| 24-A | 2736-C | 1 | C | AMD | PL 238 | D | 1 |
| 24-A | 2736-C | 2 | C | AMD | PL 90 | A | 1 |
| 24-A | 2736-C | 2 | C | AMD | PL 364 | | 3 |
| 24-A | 2736-C | 2 | C-1 | NEW | PL 90 | A | 2 |
| 24-A | 2736-C | 2 | D | AMD | PL 90 | A | 3 |
| 24-A | 2736-C | 2 | D | AMD | PL 364 | | 4 |
| 24-A | 2736-C | 2 | G | AFF | PL 90 | B | 10 |
| 24-A | 2736-C | 2 | G | RP | PL 90 | B | 4 |
| 24-A | 2736-C | 2 | H | RP | PL 90 | A | 4 |
| 24-A | 2736-C | 2 | I | NEW | PL 90 | A | 5 |
| 24-A | 2736-C | 2 | I | AMD | PL 364 | | 5 |
| 24-A | 2736-C | 2 | J | NEW | PL 364 | | 6 |
| 24-A | 2736-C | 2-A | | AFF | PL 90 | B | 10 |
| 24-A | 2736-C | 2-A | | RP | PL 90 | B | 5 |
| 24-A | 2736-C | 2-B | | NEW | PL 90 | D | 2 |
| 24-A | 2736-C | 2-B | | AMD | PL 364 | | 7 |
| 24-A | 2736-C | 3 | | AFF | PL 90 | B | 10 |
| 24-A | 2736-C | 3 | | AMD | PL 90 | B | 6 |
| 24-A | 2736-C | 5 | | AMD | PL 90 | D | 3 |
| 24-A | 2736-C | 8 | | RP | PL 90 | F | 1 |
| 24-A | 2736-C | 9 | | AMD | PL 364 | | 8 |
| 24-A | 2752 | 3 | A | AMD | PL 90 | J | 21 |
| 24-a | 2766 | | | RAL | PL 420 | A | 23,24 |
| 24-A | 2767 | | | RAL | PL 420 | A | 23 |
| 24-A | 2768 | | | RAL | PL 420 | A | 24 |
| 24-A | 2803 | | | AMD | PL 238 | G | 1 |
| 24-A | 2803-A | 2 | | AMD | PL 395 | | 4 |
| 24-A | 2808-B | 1 | D | AMD | PL 364 | | 9 |
| 24-A | 2808-B | 2 | C | AMD | PL 90 | A | 6 |
| 24-A | 2808-B | 2 | C | AMD | PL 364 | | 10 |
| 24-A | 2808-B | 2 | C-1 | NEW | PL 90 | A | 7 |
| 24-A | 2808-B | 2 | D | AMD | PL 90 | A | 8 |
| 24-A | 2808-B | 2 | D | AMD | PL 364 | | 11 |
| 24-A | 2808-B | 2 | D-1 | RP | PL 90 | A | 9 |
| 24-A | 2808-B | 2 | E | AMD | PL 364 | | 12 |
| 24-A | 2808-B | 2 | H | NEW | PL 90 | A | 10 |
| 24-A | 2808-B | 2 | H | AMD | PL 364 | | 13 |
| 24-A | 2808-B | 2 | I | NEW | PL 364 | | 14 |
| 24-A | 2808-B | 2-B | C | AMD | PL 364 | | 15 |
| 24-A | 2808-B | 2-C | | AMD | PL 364 | | 16 |
| 24-A | 2808-B | 2-C | B | AMD | PL 90 | D | 4 |
| 24-A | 2808-B | 6 | I | AMD | PL 364 | | 17 |
| 24-A | 2813 | | last | NEW | PL 238 | B | 1 |
| 24-A | 2839 | | | AMD | PL 238 | C | 1 |
| 24-A | 2839-A | 1 | | AMD | PL 90 | F | 2 |
| 24-A | 2842 | 8 | | AMD | PL 320 | A | 10 |
| 24-A | 2847-C | | | AFF | PL 123 | | 5 |
| 24-A | 2847-C | | | AMD | PL 123 | | 3 |
| 24-A | 2847-R | | | RAL | PL 420 | A | 25,26 |
| 24-A | 2847-S | | | RAL | PL 420 | A | 25 |
| 24-A | 2847-T | | | RAL | PL 420 | A | 26 |
| 24-A | 2848 | 1-B | A | AMD | PL 238 | E | 1 |
| 24-A | 2849-B | 1 | | AMD | PL 90 | G | 1 |
| 24-A | 2849-B | 8 | B | AMD | PL 90 | G | 2 |
| 24-A | 2850 | 2 | F | NEW | PL 364 | | 18 |
| 24-A | 2850-B | 3 | G | AMD | PL 238 | F | 1 |
| 24-A | 2850-B | 3 | I | AMD | PL 90 | F | 3 |
| 24-A | 2883 | | | COR | RR 2 | | 68 |
| 24-A | 3102-A | | | RP | PL 38 | | 1 |
| 24-A | 3552 | | 1st | COR | RR 2 | | 69 |
| 24-A | 3703 | 6 | | AMD | PL 105 | | 1 |
| 24-A | 3901 | | | AFF | PL 90 | B | 10 |
| 24-A | 3901 | | | RP | PL 90 | B | 7 |
| 24-A | 3902 | | | AFF | PL 90 | B | 10 |
| 24-A | 3902 | | | RP | PL 90 | B | 7 |
| 24-A | 3903 | | | AFF | PL 90 | B | 10 |
| 24-A | 3903 | | | RP | PL 90 | B | 7 |
| 24-A | 3904 | | | AFF | PL 90 | B | 10 |
| 24-A | 3904 | | | RP | PL 90 | B | 7 |
| 24-A | 3905 | | | AFF | PL 90 | B | 10 |
| 24-A | 3905 | | | RP | PL 90 | B | 7 |
| 24-A | 3906 | | | AFF | PL 90 | B | 10 |
| 24-A | 3906 | | | RP | PL 90 | B | 7 |
| 24-A | 3907 | | | AFF | PL 90 | B | 10 |
| 24-A | 3907 | | | RP | PL 90 | B | 7 |
| 24-A | 3908 | | | AFF | PL 90 | B | 10 |
| 24-A | 3908 | | | RP | PL 90 | B | 7 |
| 24-A | 3909 | | | AFF | PL 90 | B | 10 |
| 24-A | 3909 | | | RP | PL 90 | B | 7 |
| 24-A | 3951 | | | NEW | PL 90 | B | 8 |
| 24-A | 3952 | | | NEW | PL 90 | B | 8 |
| 24-A | 3953 | | | NEW | PL 90 | B | 8 |
| 24-A | 3954 | | | NEW | PL 90 | B | 8 |
| 24-A | 3955 | | | NEW | PL 90 | B | 8 |
| 24-A | 3956 | | | NEW | PL 90 | B | 8 |
| 24-A | 3957 | | | NEW | PL 90 | B | 8 |
| 24-A | 3957 | 2 | | AMD | PL 452 | | 1 |
| 24-A | 3957 | 5 | D | NEW | PL 452 | | 2 |
| 24-A | 3958 | | | NEW | PL 90 | B | 8 |
| 24-A | 3959 | | | NEW | PL 90 | B | 8 |
| 24-A | 3960 | | | NEW | PL 90 | B | 8 |
| 24-A | 3961 | | | NEW | PL 90 | B | 8 |
| 24-A | 4202-A | 1 | | AMD | PL 90 | F | 4 |
| 24-A | 4203 | 3 | S | AMD | PL 90 | F | 5 |
| 24-A | 4204 | 2-A | N | RP | PL 90 | F | 6 |
| 24-A | 4218-A | | | NEW | PL 364 | | 19 |
| 24-A | 4258 | | | RAL | PL 420 | A | 27 |
| 24-A | 4259 | | | RAL | PL 420 | A | 27 |
| 24-A | 4301-A | 1 | | AMD | PL 364 | | 20 |
| 24-A | 4301-A | 3 | F | AMD | PL 364 | | 21 |
| 24-A | 4301-A | 3 | G | AMD | PL 364 | | 21 |
| 24-A | 4301-A | 3 | H | NEW | PL 364 | | 22 |
| 24-A | 4301-A | 7 | | AMD | PL 364 | | 23 |
| 24-A | 4302 | 6 | | NEW | PL 364 | | 24 |
| 24-A | 4303 | 1 | | RPR | PL 90 | F | 7 |
| 24-A | 4303 | 3-B | | AMD | PL 270 | | 1 |
| 24-A | 4303 | 4 | E | NEW | PL 364 | | 25 |
| 24-A | 4303 | 8-A | | NEW | PL 238 | A | 1 |
| 24-A | 4303 | 15 | | NEW | PL 364 | | 26 |
| 24-A | 4303 | 15 | | AFF | PL 451 | | 2 |
| 24-A | 4303 | 15 | | NEW | PL 451 | | 1 |
| 24-A | 4303 | 16 | | NEW | PL 364 | | 27 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 24-A | 4306 | | | AMD | PL 364 | | 28 |
| 24-A | 4306-A | | | NEW | PL 364 | | 29 |
| 24-A | 4309-A | | | NEW | PL 364 | | 30 |
| 24-A | 4312 | 1 | | AMD | PL 364 | | 31 |
| 24-A | 4312 | 2 | | AMD | PL 364 | | 32 |
| 24-A | 4317 | | | RAL | RR 2 | | 70 |
| 24-A | 4317 | 3 | | AMD | PL 443 | | 5 |
| 24-A | 4317 | 4 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 5 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 6 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 7 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 8 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 9 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 10 | | NEW | PL 443 | | 6 |
| 24-A | 4317 | 11 | | NEW | PL 443 | | 6 |
| 24-A | 4318 | | | RAL | RR 2 | | 70 |
| 24-A | 4318 | 4 | | AMD | PL 364 | | 33 |
| 24-A | 4319 | | | NEW | PL 90 | D | 5 |
| 24-A | 4320 | | | NEW | PL 270 | | 2 |
| 24-A | 4320 | | | NEW | PL 364 | | 34 |
| 24-A | 4320-A | | | NEW | PL 364 | | 34 |
| 24-A | 4320-B | | | NEW | PL 364 | | 34 |
| 24-A | 4320-C | | | NEW | PL 364 | | 34 |
| 24-A | 4320-D | | | NEW | PL 364 | | 34 |
| 24-A | 4320-E | | | NEW | PL 364 | | 34 |
| 24-A | 4320-F | | | NEW | PL 364 | | 34 |
| 24-A | 4320-G | | | NEW | PL 364 | | 34 |
| 24-A | 4353 | 20 | | NEW | PL 107 | | 1 |
| 24-A | 4353 | 21 | | NEW | PL 107 | | 2 |
| 24-A | 4387 | | | NEW | PL 107 | | 3 |
| 24-A | 5016 | | | AFF | PL 123 | | 5 |
| 24-A | 5016 | | | NEW | PL 123 | | 4 |
| 24-A | 5082 | | | NEW | PL 198 | | 1 |
| 24-A | 6093 | 12 | | COR | RR 2 | | 71 |
| 24-A | 6451-A | 3-A | | NEW | PL 364 | | 35 |
| 24-A | 6603 | 9 | | RP | PL 90 | F | 8 |
| 24-A | 6702 | 4 | | AMD | PL 90 | I | 1 |
| 24-A | 6702 | 7 | D | AMD | PL 90 | I | 2 |
| 24-A | 6704 | 1 | | AMD | PL 90 | I | 3 |
| 24-A | 6706 | 2-A | | NEW | PL 90 | I | 4 |
| 24-A | 6706 | 4 | | AMD | PL 90 | I | 5 |
| 24-A | 6708 | 1 | | AMD | PL 90 | I | 6 |
| 24-A | 6718 | | | AMD | PL 90 | I | 7 |
| 24-A | 6719 | | | AMD | PL 90 | I | 8 |
| 24-A | 6904 | 1 | | AMD | PL 90 | J | 22 |
| 24-A | 6914 | | | AMD | PL 380 | BBB | 1 |
| 24-A | 6917 | 1 | | AMD | PL 380 | BBB | 2 |
| 24-A | 6951 | 8 | | RP | PL 90 | J | 23 |
| 24-A | 6952 | 7 | D | AMD | PL 90 | J | 24 |
| 24-A | 7001 | | | NEW | PL 297 | | 5 |
| 24-A | 7002 | | | NEW | PL 297 | | 5 |
| 24-A | 7003 | | | NEW | PL 297 | | 5 |
| 24-A | 7004 | | | NEW | PL 297 | | 5 |
| 24-A | 7005 | | | NEW | PL 297 | | 5 |
| 24-A | 7006 | | | NEW | PL 297 | | 5 |
| 24-A | 7007 | | | NEW | PL 297 | | 5 |
| 24-A | 7101 | | | AFF | PL 345 | | 7 |
| 24-A | 7101 | | | NEW | PL 345 | | 4 |
| 24-A | 7102 | | | AFF | PL 345 | | 7 |
| 24-A | 7102 | | | NEW | PL 345 | | 4 |
| 24-A | 7103 | | | AFF | PL 345 | | 7 |
| 24-A | 7103 | | | NEW | PL 345 | | 4 |
| 24-A | 7104 | | | AFF | PL 345 | | 7 |
| 24-A | 7104 | | | NEW | PL 345 | | 4 |
| 24-A | 7105 | | | AFF | PL 345 | | 7 |
| 24-A | 7105 | | | NEW | PL 345 | | 4 |
| 24-A | 7106 | | | AFF | PL 345 | | 7 |
| 24-A | 7106 | | | NEW | PL 345 | | 4 |
| 24-A | 7107 | | | AFF | PL 345 | | 7 |
| 24-A | 7107 | | | NEW | PL 345 | | 4 |
| 24-A | 7108 | | | AFF | PL 345 | | 7 |
| 24-A | 7108 | | | NEW | PL 345 | | 4 |
| 24-A | 7109 | | | AFF | PL 345 | | 7 |
| 24-A | 7109 | | | NEW | PL 345 | | 4 |
| 24-A | 7110 | | | AFF | PL 345 | | 7 |
| 24-A | 7110 | | | NEW | PL 345 | | 4 |
| 24-A | 7111 | | | AFF | PL 345 | | 7 |
| 24-A | 7111 | | | NEW | PL 345 | | 4 |
| 24-A | 7112 | | | AFF | PL 345 | | 7 |
| 24-A | 7112 | | | NEW | PL 345 | | 4 |
| 25 | 1574-A | | | RP | PL 221 | | 1 |
| 25 | 2001-A | 2 | | AMD | PL 394 | | 3 |
| 25 | 2001-A | 2 | A | AMD | PL 298 | | 4 |
| 25 | 2001-A | 2 | E | AMD | PL 396 | | 1 |
| 25 | 2001-A | 2 | F | AMD | PL 298 | | 5 |
| 25 | 2001-A | 2 | F | AMD | PL 396 | | 2 |
| 25 | 2001-A | 2 | G | NEW | PL 396 | | 3 |
| 25 | 2001-A | 2 | H | NEW | PL 396 | | 3 |
| 25 | 2002 | 8-A | | NEW | PL 298 | | 6 |
| 25 | 2002 | 9 | D | AMD | PL 366 | | 5 |
| 25 | 2003 | | | AMD | PL 298 | | 7 |
| 25 | 2004 | 1 | | AMD | PL 298 | | 8 |
| 25 | 2005 | 2 | A | AMD | PL 298 | | 9 |
| 25 | 2005-A | 1 | | AMD | PL 298 | | 10 |
| 25 | 2006 | | | AMD | PL 298 | | 11 |
| 25 | 2357-A | | | AMD | PL 94 | | 1 |
| 25 | 2357-A | | 1st | AMD | PL 365 | | 7 |
| 25 | 2361 | 1-A | | AMD | PL 365 | | 8 |
| 25 | 2371 | 2 | | AMD | PL 94 | | 2 |
| 25 | 2371 | 6 | | AMD | PL 365 | | 9 |
| 25 | 2373 | | 1st | AMD | PL 408 | | 6 |
| 25 | 2394 | | | AMD | PL 27 | | 1 |
| 25 | 2448-A | 1 | | AMD | PL 304 | J | 1 |
| 25 | 2448-A | 2 | A | AMD | PL 94 | | 3 |
| 25 | 2448-A | 7 | | RPR | PL 304 | J | 2 |
| 25 | 2448-A | 8 | | RP | PL 304 | J | 3 |
| 25 | 2452 | | 1st | AMD | PL 349 | | 1 |
| 25 | 2452 | | 1st | AMD | PL 398 | | 1 |
| 25 | 2465 | 1-A | | RPR | PL 225 | | 1 |
| 25 | 2803-B | 1 | D | AMD | PL 265 | | 2 |
| 25 | 2803-B | 2 | | AMD | PL 265 | | 3 |
| 25 | 2803-B | 3 | | AMD | PL 265 | | 4 |
| 25 | 2926 | 2-A | | AMD | PL 420 | A | 28 |
| 25 | 3502 | | | AMD | PL 267 | | 1 |
| 25 | 3503 | | | AMD | PL 267 | | 2 |
| 26 | 600 | | | NEW | PL 393 | | 1 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 26 | 663 | 8 | | AMD | PL 118 | | 1 |
| 26 | 663 | 15 | | NEW | PL 118 | | 2 |
| 26 | 664 | 2 | | AMD | PL 118 | | 3 |
| 26 | 664 | 2-A | | NEW | PL 118 | | 4 |
| 26 | 664 | 2-B | | NEW | PL 118 | | 4 |
| 26 | 681 | 8 | | AMD | PL 196 | | 1 |
| 26 | 774 | 1 | B | AMD | PL 174 | | 1 |
| 26 | 774 | 1 | D | AMD | PL 174 | | 2 |
| 26 | 774 | 1 | F | AMD | PL 174 | | 3 |
| 26 | 781 | 1 | C | COR | RR 2 | | 72 |
| 26 | 873 | 8 | A | COR | RR 2 | | 73 |
| 26 | 873 | 8 | B | COR | RR 2 | | 74 |
| 26 | 962 | 7 | A | AMD | PL 446 | | 3 |
| 26 | 1022 | 9 | | COR | RR 2 | | 75 |
| 26 | 1026 | 4 | A | COR | RR 2 | | 76 |
| 26 | 1043 | 11 | E | AMD | PL 292 | | 1 |
| 26 | 1043 | 11 | F | AMD | PL 66 | | 1 |
| 26 | 1043 | 11 | F | AMD | PL 70 | | 1 |
| 26 | 1082 | 3 | | AMD | PL 212 | | 1 |
| 26 | 1190 | 2 | A | AMD | PL 212 | | 2 |
| 26 | 1190 | 2 | B | AMD | PL 212 | | 2 |
| 26 | 1191 | 6 | | COR | RR 2 | | 77 |
| 26 | 1198 | | | AFF | PL 91 | | 3 |
| 26 | 1198 | | | NEW | PL 91 | | 1 |
| 26 | 1302-A | | | RP | PL 403 | | 1 |
| 26 | 1304 | | 1st | RPR | PL 463 | | 1 |
| 26 | 1304 | 5-A | | NEW | PL 463 | | 2 |
| 26 | 1312 | 1 | | AMD | PL 403 | | 2 |
| 26 | 1316 | | | NEW | PL 463 | | 3 |
| 26 | 1411-D | 9 | | AMD | PL 348 | | 8 |
| 26 | 1419 | 1 | B-2 | AMD | PL 173 | | 1 |
| 27 | 81 | | | AMD | PL 152 | | 1 |
| 27 | 85-A | 4 | | AMD | PL 151 | | 1 |
| 27 | 86 | 1 | | AMD | PL 151 | | 2 |
| 27 | 511 | 5 | B | AMD | PL 453 | | 1 |
| 27 | 601 | | | AMD | PL 263 | | 1 |
| 28-A | 89 | | | NEW | PL 380 | S | 1 |
| 28-A | 453-A | 9 | | NEW | PL 460 | | 1 |
| 28-A | 453-D | | | NEW | PL 135 | | 1 |
| 28-A | 460 | 2 | J | AMD | PL 103 | | 1 |
| 28-A | 461 | | | NEW | PL 140 | | 1 |
| 28-A | 606 | 2 | | AMD | PL 380 | PPPP | 1 |
| 28-A | 709 | 2 | E | AMD | PL 259 | | 1 |
| 28-A | 1010-A | | | NEW | PL 460 | | 2 |
| 28-A | 1013 | | | NEW | PL 460 | | 3 |
| 28-A | 1051 | 7 | | NEW | PL 242 | | 2 |
| 28-A | 1052-C | | | NEW | PL 259 | | 2 |
| 28-A | 1064 | | | COR | RR 2 | | 78 |
| 28-A | 1205 | 1 | | AMD | PL 69 | | 1 |
| 28-A | 1205 | 2 | H | AMD | PL 103 | | 2 |
| 28-A | 1205 | 2 | K | COR | RR 2 | | 79 |
| 28-A | 1205 | 2 | L | COR | RR 2 | | 80 |
| 28-A | 1205 | | last | RP | PL 69 | | 2 |
| 28-A | 1207 | 2 | H | AMD | PL 103 | | 3 |
| 28-A | 1355 | 3 | B | AMD | PL 62 | | 1 |
| 28-A | 1355 | 3 | B-1 | NEW | PL 62 | | 2 |
| 28-A | 1355 | 3 | E | NEW | PL 48 | | 1 |
| 28-A | 1355 | 10 | | NEW | PL 280 | | 2 |
| 28-A | 1364 | | | AMD | PL 147 | | 1 |
| 28-A | 1366 | | | NEW | PL 280 | | 3 |
| 28-A | 1405 | 3 | A | AMD | PL 147 | | 2 |
| 28-A | 1652 | 2-A | | AMD | PL 147 | | 3 |
| 29-A | 101 | 19-A | | RPR | PL 139 | | 1 |
| 29-A | 101 | 70 | | AMD | PL 356 | | 2 |
| 29-A | 103 | 4 | | NEW | PL 156 | | 1 |
| 29-A | 203 | | | RP | PL 392 | I | 1 |
| 29-A | 401 | 2 | | COR | RR 2 | | 81 |
| 29-A | 405 | 1 | | AFF | PL 167 | | 7 |
| 29-A | 405 | 1 | | AMD | PL 167 | | 1 |
| 29-A | 409 | 5 | | AMD | PL 240 | | 1 |
| 29-A | 456-A | 8 | | RPR | PL 356 | | 3 |
| 29-A | 458-B | 6 | | AMD | PL 139 | | 2 |
| 29-A | 458-B | 7 | | AMD | PL 139 | | 3 |
| 29-A | 459 | | | AMD | PL 44 | | 1 |
| 29-A | 460-A | | | NEW | PL 356 | | 4 |
| 29-A | 468 | 10 | | AMD | PL 356 | | 5 |
| 29-A | 501 | 1 | | AMD | PL 356 | | 6 |
| 29-A | 501 | 6 | | RP | PL 356 | | 7 |
| 29-A | 510 | 5 | | NEW | PL 356 | | 8 |
| 29-A | 513 | 1-A | | AMD | PL 356 | | 9 |
| 29-A | 513 | 3 | | NEW | PL 356 | | 10 |
| 29-A | 515-B | 4 | | AMD | PL 356 | | 11 |
| 29-A | 521 | 5 | | AMD | PL 23 | | 1 |
| 29-A | 521 | 6-A | | NEW | PL 117 | | 1 |
| 29-A | 523 | 3-A | | AMD | PL 356 | | 12 |
| 29-A | 523 | 5 | | AMD | PL 22 | | 1 |
| 29-A | 523 | 7 | | AMD | PL 22 | | 2 |
| 29-A | 524 | | | AMD | PL 356 | | 13 |
| 29-A | 524-B | | | NEW | PL 246 | | 1 |
| 29-A | 555 | 2 | | AMD | PL 164 | | 1 |
| 29-A | 555 | 4 | D | NEW | PL 164 | | 2 |
| 29-A | 555 | 4 | E | NEW | PL 164 | | 3 |
| 29-A | 556 | 6 | E | AMD | PL 356 | | 14 |
| 29-A | 558 | 1-A | | AMD | PL 219 | | 1 |
| 29-A | 558 | 1-B | D | AFF | PL 455 | | 4 |
| 29-A | 558 | 1-B | D | AMD | PL 455 | | 1 |
| 29-A | 651 | 3 | | AMD | PL 356 | | 15 |
| 29-A | 654 | 2 | | AMD | PL 356 | | 16 |
| 29-A | 705 | 6 | | NEW | PL 356 | | 17 |
| 29-A | 1003 | 7 | | AMD | PL 44 | | 2 |
| 29-A | 1252 | 1 | C | AMD | PL 165 | | 1 |
| 29-A | 1301 | 6-A | | NEW | PL 149 | | 4 |
| 29-A | 1301 | 12 | | NEW | PL 170 | | 1 |
| 29-A | 1304 | 1 | F | AMD | PL 356 | | 18 |
| 29-A | 1311 | 1 | A | AMD | PL 13 | | 1 |
| 29-A | 1354 | 5-A | B | AMD | PL 442 | | 1 |
| 29-A | 1354 | 5-A | C | AMD | PL 442 | | 2 |
| 29-A | 1401 | 6 | | RPR | PL 149 | | 5 |
| 29-A | 1401 | 9 | | NEW | PL 149 | | 6 |
| 29-A | 1402-A | 4 | B | RP | PL 168 | | 2 |
| 29-A | 1402-A | 4 | D | RP | PL 168 | | 3 |
| 29-A | 1402-B | | | NEW | PL 168 | | 4 |
| 29-A | 1406 | 4 | | AMD | PL 356 | | 19 |
| 29-A | 1410 | 5 | | RPR | PL 149 | | 7 |
| 29-A | 1410 | 10 | | NEW | PL 170 | | 2 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 29-A | 1412 | | | NEW | PL 356 | | 20 |
| 29-A | 1611 | 2 | A | AMD | PL 78 | | 1 |
| 29-A | 1611 | 2 | F | NEW | PL 78 | | 2 |
| 29-A | 1752 | 10 | | AMD | PL 8 | | 1 |
| 29-A | 1752 | 11 | | AMD | PL 8 | | 2 |
| 29-A | 1752 | 12 | | NEW | PL 8 | | 3 |
| 29-A | 1754 | 1-A | | NEW | PL 191 | | 1 |
| 29-A | 1758 | 2 | | AFF | PL 167 | | 3 |
| 29-A | 1758 | 3 | | AFF | PL 167 | | 3,7 |
| 29-A | 1758 | 3 | | AMD | PL 167 | | 2 |
| 29-A | 1766 | 3 | | AMD | PL 191 | | 2 |
| 29-A | 1766 | 3-A | | NEW | PL 191 | | 3 |
| 29-A | 1768 | 8 | | AFF | PL 448 | | 4 |
| 29-A | 1768 | 8 | | NEW | PL 448 | | 1 |
| 29-A | 1851 | | last | NEW | PL 88 | | 1 |
| 29-A | 1852 | | | AMD | PL 46 | | 1 |
| 29-A | 1854 | 4 | B | AMD | PL 46 | | 2 |
| 29-A | 1856 | 1 | | AMD | PL 46 | | 3 |
| 29-A | 1857 | | | AMD | PL 46 | | 4 |
| 29-A | 1862 | | | NEW | PL 88 | | 2 |
| 29-A | 1912 | 6 | | RPR | PL 158 | | 1 |
| 29-A | 2052 | 6 | | AMD | PL 415 | | 1 |
| 29-A | 2054 | 2 | C | AMD | PL 448 | | 2 |
| 29-A | 2069 | 5 | | COR | RR 2 | | 82 |
| 29-A | 2073 | 1 | C | AMD | PL 415 | | 2 |
| 29-A | 2074 | 3-A | | AMD | PL 415 | | 3 |
| 29-A | 2089-A | 5 | | AMD | PL 356 | | 21 |
| 29-A | 2119 | | | NEW | PL 207 | | 1 |
| 29-A | 2251 | 7 | | AMD | PL 390 | | 1 |
| 29-A | 2251 | 7-A | | NEW | PL 390 | | 2 |
| 29-A | 2251 | 7-A | B | AFF | PL 420 | K | 2 |
| 29-A | 2251 | 7-A | B | AMD | PL 420 | K | 1 |
| 29-A | 2354-C | 1 | A | AMD | PL 356 | | 22 |
| 29-A | 2360-A | 3 | | RP | PL 86 | | 1 |
| 29-A | 2382 | 5 | | RPR | PL 356 | | 23 |
| 29-A | 2395 | 7 | | COR | RR 2 | | 83 |
| 29-A | 2395 | 8 | | COR | RR 2 | | 84 |
| 29-A | 2401 | 8 | | AMD | PL 335 | | 2 |
| 29-A | 2411 | 1-A | D | AMD | PL 159 | | 1 |
| 29-A | 2411 | 5-A | | AMD | PL 81 | | 1 |
| 29-A | 2431 | 1 | | AMD | PL 335 | | 3 |
| 29-A | 2432 | | | AMD | PL 335 | | 4 |
| 29-A | 2434 | 4 | | AMD | PL 81 | | 2 |
| 29-A | 2453-A | | | NEW | PL 335 | | 5 |
| 29-A | 2472 | 3 | | AMD | PL 335 | | 6 |
| 29-A | 2472 | 4 | | AMD | PL 335 | | 7 |
| 29-A | 2472 | 5 | | AMD | PL 335 | | 8 |
| 29-A | 2482 | 2 | C | AMD | PL 335 | | 9 |
| 29-A | 2482 | 2 | F | AMD | PL 335 | | 10 |
| 29-A | 2483 | 4-A | | NEW | PL 143 | | 1 |
| 29-A | 2502 | 1 | | AMD | PL 335 | | 11 |
| 29-A | 2503 | 1 | | AMD | PL 335 | | 12 |
| 29-A | 2508 | 1 | | AMD | PL 335 | | 13 |
| 29-A | 2525 | 1 | | AMD | PL 335 | | 14 |
| 29-A | 2525 | 2 | | AMD | PL 335 | | 14 |
| 29-A | 2526 | | | AMD | PL 335 | | 15 |
| 30-A | 371-B | 3 | C | AMD | PL 342 | | 32 |
| 30-A | 371-B | 3 | D | AMD | PL 342 | | 33 |
| 30-A | 371-B | 3 | E | NEW | PL 342 | | 34 |
| 30-A | 373 | 1 | | AMD | PL 95 | | 1 |
| 30-A | 373 | 3 | | NEW | PL 95 | | 2 |
| 30-A | 374 | | | AMD | PL 95 | | 3 |
| 30-A | 383 | 5 | | NEW | PL 15 | | 1 |
| 30-A | 406 | 1 | | AMD | PL 374 | | 1 |
| 30-A | 406 | 1-A | | NEW | PL 374 | | 2 |
| 30-A | 406 | 2 | | AMD | PL 374 | | 3 |
| 30-A | 501 | 5 | | NEW | PL 15 | | 2 |
| 30-A | 701 | 2-A | | AFF | PL 431 | | 2 |
| 30-A | 701 | 2-A | | AMD | PL 431 | | 1 |
| 30-A | 701 | 2-A | H | AFF | PL 315 | | 4 |
| 30-A | 701 | 2-A | H | AMD | PL 315 | | 1 |
| 30-A | 701 | 2-A | L | AFF | PL 315 | | 4 |
| 30-A | 701 | 2-A | L | AMD | PL 315 | | 2 |
| 30-A | 709 | | | AMD | PL 374 | | 4 |
| 30-A | 710 | 1 | | AMD | PL 374 | | 5 |
| 30-A | 710 | 2 | | AMD | PL 374 | | 5 |
| 30-A | 710 | 3 | | AMD | PL 374 | | 5 |
| 30-A | 1562-A | | | NEW | PL 60 | | 2 |
| 30-A | 1562-A | | | AFF | PL 420 | D | 6 |
| 30-A | 1562-A | | | AMD | PL 420 | D | 3 |
| 30-A | 1563 | | | AMD | PL 60 | | 3 |
| 30-A | 1659-A | 5 | | RPR | PL 464 | | 28 |
| 30-A | 2102 | 4 | C | AMD | PL 255 | | 1 |
| 30-A | 2354 | 5 | | AMD | PL 255 | | 2 |
| 30-A | 2502 | | | AFF | PL 389 | | 62 |
| 30-A | 2502 | | | AMD | PL 389 | | 60 |
| 30-A | 2505 | | | NEW | PL 324 | | 1 |
| 30-A | 2530-A | | 1st | AMD | PL 255 | | 3 |
| 30-A | 2530-A | | 2nd | AMD | PL 255 | | 3 |
| 30-A | 2530-A | 2 | | RP | PL 255 | | 4 |
| 30-A | 2530-A | 3 | | RP | PL 255 | | 4 |
| 30-A | 2530-A | 4 | | RP | PL 255 | | 4 |
| 30-A | 2530-A | 9 | | NEW | PL 255 | | 5 |
| 30-A | 2531-A | | | RP | PL 255 | | 6 |
| 30-A | 2531-B | | | NEW | PL 255 | | 7 |
| 30-A | 2532 | | | AMD | PL 255 | | 8 |
| 30-A | 2556 | | | AMD | PL 255 | | 9 |
| 30-A | 2602 | 1 | F | AMD | PL 324 | | 2 |
| 30-A | 2602 | 1 | G | AMD | PL 324 | | 3 |
| 30-A | 2602 | 1 | H | NEW | PL 324 | | 4 |
| 30-A | 2678 | | | AFF | PL 420 | D | 6 |
| 30-A | 2678 | | | NEW | PL 420 | D | 4 |
| 30-A | 2801 | 3-A | | AMD | PL 298 | | 12 |
| 30-A | 3007 | 6 | | NEW | PL 63 | | 1 |
| 30-A | 3962 | 2 | | AMD | PL 427 | D | 18 |
| 30-A | 3964-A | 3 | | AMD | PL 427 | D | 19 |
| 30-A | 4365-A | | | NEW | PL 89 | | 1 |
| 30-A | 4366 | 8 | | RP | PL 89 | | 2 |
| 30-A | 4366 | 10 | | AMD | PL 89 | | 3 |
| 30-A | 4367 | 1 | | AMD | PL 89 | | 4 |
| 30-A | 4367 | 3 | | AMD | PL 89 | | 5 |
| 30-A | 4367 | 4 | A | AMD | PL 89 | | 6 |
| 30-A | 4371 | | | RP | PL 89 | | 7 |
| 30-A | 4408 | | | NEW | PL 245 | | 1 |
| 30-A | 4452 | 3 | C-2 | AMD | PL 228 | | 1 |
| 30-A | 4722 | 1 | CC | COR | RR 2 | | 85 |
| 30-A | 4722 | 1 | DD | AMD | PL 453 | | 2 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 30-A | 4863 | 2 | A | AMD | PL 453 | | 3 |
| 30-A | 5221 | 1 | | AMD | PL 101 | | 1 |
| 30-A | 5221 | 2 | | AMD | PL 101 | | 2 |
| 30-A | 5222 | 1-A | | AMD | PL 101 | | 3 |
| 30-A | 5222 | 4 | | AMD | PL 101 | | 4 |
| 30-A | 5222 | 6 | | AMD | PL 101 | | 5 |
| 30-A | 5222 | 15 | | AMD | PL 101 | | 6 |
| 30-A | 5222 | 17 | | AMD | PL 101 | | 7 |
| 30-A | 5223 | | | AMD | PL 101 | | 8 |
| 30-A | 5223 | 3 | D | AMD | PL 287 | | 1 |
| 30-A | 5224 | 1 | | AMD | PL 101 | | 9 |
| 30-A | 5224 | 2 | I | AMD | PL 101 | | 10 |
| 30-A | 5224 | 5 | | AMD | PL 101 | | 11 |
| 30-A | 5225 | 1 | A | AMD | PL 101 | | 12 |
| 30-A | 5225 | 1 | B | AMD | PL 101 | | 13 |
| 30-A | 5225 | 1 | C | AMD | PL 101 | | 14 |
| 30-A | 5225 | 1 | C | AMD | PL 102 | | 1 |
| 30-A | 5225 | 1 | D | AMD | PL 101 | | 15 |
| 30-A | 5226 | 1 | | AMD | PL 101 | | 16 |
| 30-A | 5226 | 3 | | AMD | PL 101 | | 17 |
| 30-A | 5226 | 4 | | AMD | PL 101 | | 18 |
| 30-A | 5226 | 5 | | AMD | PL 101 | | 19 |
| 30-A | 5227 | | | AMD | PL 101 | | 20 |
| 30-A | 5228 | | | AMD | PL 101 | | 21 |
| 30-A | 5229 | | | AMD | PL 101 | | 22 |
| 30-A | 5230 | | | AMD | PL 101 | | 23 |
| 30-A | 5231 | | | AMD | PL 101 | | 24 |
| 30-A | 5232 | | | AMD | PL 101 | | 25 |
| 30-A | 5233 | | | AMD | PL 101 | | 26 |
| 30-A | 5234 | | | AMD | PL 101 | | 27 |
| 30-A | 5404 | 1 | A | AMD | PL 255 | | 10 |
| 30-A | 5681 | 5-C | | AMD | PL 1 | N | 1 |
| 30-A | 5681 | 5-C | | AMD | PL 380 | I | 1 |
| 30-A | 6006-F | 3 | A | AMD | PL 153 | | 1 |
| 30-A | 6006-F | 3 | B | AMD | PL 153 | | 2 |
| 30-A | 6006-F | 3 | C | AMD | PL 153 | | 3 |
| 30-A | 6006-F | 3 | E | AMD | PL 153 | | 4 |
| 30-A | 6006-F | 3 | G | AMD | PL 153 | | 5 |
| 30-A | 6006-F | 3 | J | AMD | PL 153 | | 6 |
| 30-A | 6006-F | 6 | | AMD | PL 153 | | 7 |
| 30-A | 7051 | 9-A | | NEW | PL 101 | | 28 |
| 31 | 852 | 1 | N | AMD | PL 113 | B | 1 |
| 31 | 1431 | 9 | C | AMD | PL 113 | B | 2 |
| 31 | 1502 | 2 | | AMD | PL 113 | A | 1 |
| 31 | 1502 | 16 | | AMD | PL 113 | A | 2 |
| 31 | 1502 | 17 | | AMD | PL 113 | A | 3 |
| 31 | 1502 | 20 | C | AMD | PL 113 | B | 3 |
| 31 | 1502 | 23 | | AMD | PL 113 | A | 4 |
| 31 | 1503 | 4 | A | AMD | PL 113 | A | 5 |
| 31 | 1508 | 5 | | AMD | PL 113 | B | 4 |
| 31 | 1510 | 2 | | AMD | PL 113 | B | 5 |
| 31 | 1511 | 5 | | AMD | PL 113 | B | 6 |
| 31 | 1522 | 1 | D | AMD | PL 113 | A | 6 |
| 31 | 1522 | 2 | | AMD | PL 113 | A | 7 |
| 31 | 1531 | 3 | | AMD | PL 113 | A | 8 |
| 31 | 1533 | 1 | C | AMD | PL 113 | A | 9 |
| 31 | 1551 | 2 | B | AMD | PL 113 | A | 10 |
| 31 | 1591 | | | AMD | PL 113 | A | 11 |
| 31 | 1592 | | | AMD | PL 113 | A | 12 |
| 31 | 1592 | 8 | | AFF | PL 420 | B | 4 |
| 31 | 1592 | 8 | | AMD | PL 420 | B | 1 |
| 31 | 1593 | | | AMD | PL 113 | A | 13 |
| 31 | 1594 | | | AMD | PL 113 | A | 14 |
| 31 | 1604 | | | AMD | PL 113 | A | 15 |
| 31 | 1621 | 4 | | RPR | PL 113 | A | 16 |
| 31 | 1625 | 5 | | AMD | PL 113 | A | 17 |
| 31 | 1626 | 2 | | AMD | PL 113 | A | 18 |
| 31 | 1626 | 7 | | AFF | PL 420 | B | 4 |
| 31 | 1626 | 7 | | AMD | PL 420 | B | 2 |
| 31 | 1631 | 1 | | AMD | PL 113 | A | 19 |
| 31 | 1632 | 1 | | AMD | PL 113 | A | 20 |
| 31 | 1637 | 1 | B | AMD | PL 113 | A | 21 |
| 31 | 1643 | 2 | E | RPR | PL 113 | A | 22 |
| 31 | 1644 | 1 | H | AMD | PL 113 | A | 23 |
| 31 | 1648 | 2 | F | AMD | PL 113 | A | 24 |
| 31 | 1661 | | | AMD | PL 113 | A | 25 |
| 31 | 1662 | | | AMD | PL 113 | A | 26 |
| 31 | 1664 | 1 | | AMD | PL 113 | B | 7 |
| 31 | 1665 | 1 | | AMD | PL 113 | B | 8 |
| 31 | 1665 | 5 | | AMD | PL 113 | B | 9 |
| 31 | 1665 | 6 | | AMD | PL 113 | B | 10 |
| 31 | 1666 | | | AMD | PL 113 | B | 11 |
| 31 | 1667 | | | AMD | PL 113 | B | 12 |
| 31 | 1672 | 2 | | AMD | PL 113 | B | 13 |
| 31 | 1672 | 3 | | AMD | PL 113 | B | 14 |
| 31 | 1675 | 1 | | AMD | PL 113 | B | 15 |
| 31 | 1677 | 2 | | AMD | PL 113 | B | 16 |
| 31 | 1678 | 2 | | RP | PL 113 | A | 27 |
| 31 | 1678 | 3 | | NEW | PL 113 | A | 28 |
| 31 | 1679 | 1 | | AMD | PL 113 | A | 29 |
| 31 | 1679 | 2 | | AMD | PL 113 | A | 30 |
| 31 | 1680 | 6 | | AMD | PL 113 | B | 17 |
| 31 | 1680 | 9 | | AMD | PL 113 | B | 18 |
| 31 | 1680 | 17 | | AMD | PL 113 | A | 31 |
| 31 | 1680 | 18 | | COR | RR 2 | | 86 |
| 31 | 1680 | 18 | | AMD | PL 113 | B | 19 |
| 31 | 1693 | 2 | B | AMD | PL 113 | A | 32 |
| 31 | 1693 | 5 | | AMD | PL 113 | A | 33 |
| 32 | 64-B | | | AMD | PL 286 | D | 1 |
| 32 | 83 | 2 | | AMD | PL 271 | | 1 |
| 32 | 83 | 3-A | | RP | PL 271 | | 2 |
| 32 | 83 | 6 | | AMD | PL 271 | | 3 |
| 32 | 83 | 8 | | AMD | PL 271 | | 4 |
| 32 | 83 | 16-B | | AMD | PL 271 | | 5 |
| 32 | 84 | 1 | C | AMD | PL 271 | | 6 |
| 32 | 84 | 1 | D | AMD | PL 271 | | 7 |
| 32 | 85 | 3 | | AMD | PL 271 | | 8 |
| 32 | 85 | 4 | | AMD | PL 271 | | 9 |
| 32 | 85 | 5 | | RP | PL 271 | | 10 |
| 32 | 85-A | 2-A | | AMD | PL 271 | | 11 |
| 32 | 85-A | 4 | | AMD | PL 271 | | 12 |
| 32 | 87-B | 3 | | RP | PL 271 | | 13 |
| 32 | 88 | 2 | D | AMD | PL 271 | | 14 |
| 32 | 88 | 3 | D | AMD | PL 271 | | 15 |
| 32 | 88 | 3 | E | AMD | PL 271 | | 16 |
| 32 | 88 | 3 | F | NEW | PL 271 | | 17 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 32 | 90-B | | | NEW | PL 271 | | 18 |
| 32 | 91-B | | | NEW | PL 271 | | 19 |
| 32 | 92 | | | RP | PL 271 | | 20 |
| 32 | 92-A | 2 | | RP | PL 271 | | 21 |
| 32 | 92-B | 4 | | AMD | PL 271 | | 22 |
| 32 | 95 | | | AMD | PL 271 | | 23 |
| 32 | 286 | 7 | | AMD | PL 286 | C | 1 |
| 32 | 291-A | 2 | | AMD | PL 286 | C | 2 |
| 32 | 291-A | 3 | | AMD | PL 286 | C | 3 |
| 32 | 291-A | 4 | | NEW | PL 286 | C | 4 |
| 32 | 503-B | | | AMD | PL 286 | E | 1 |
| 32 | 1062-A | 1 | | AMD | PL 184 | | 1 |
| 32 | 1074 | | | AMD | PL 184 | | 2 |
| 32 | 1077 | 1 | | COR | RR 2 | | 87 |
| 32 | 1081 | 1 | | AMD | PL 184 | | 3 |
| 32 | 1084 | | last | NEW | PL 450 | | 1 |
| 32 | 1086-A | | | NEW | PL 330 | | 1 |
| 32 | 1092 | 1 | | AMD | PL 184 | | 4 |
| 32 | 1101 | 1-A | | AMD | PL 286 | F | 1 |
| 32 | 1101 | 1-A | | AMD | PL 406 | | 1 |
| 32 | 1101 | 3-A | | AMD | PL 286 | F | 2 |
| 32 | 1101 | 4 | | AMD | PL 286 | F | 3 |
| 32 | 1101 | 4-A | | AMD | PL 286 | F | 4 |
| 32 | 1101 | 7 | | RP | PL 290 | | 1 |
| 32 | 1101 | 8 | | RPR | PL 290 | | 2 |
| 32 | 1102 | 1-A | | RPR | PL 290 | | 3 |
| 32 | 1102 | 1-B | | NEW | PL 290 | | 4 |
| 32 | 1102 | 1-C | | NEW | PL 290 | | 5 |
| 32 | 1102 | 2 | | RP | PL 290 | | 6 |
| 32 | 1102-A | | | RP | PL 286 | F | 5 |
| 32 | 1102-A | 10 | | AMD | PL 272 | | 1 |
| 32 | 1102-A | 11 | | AMD | PL 272 | | 2 |
| 32 | 1102-A | 12 | | NEW | PL 272 | | 3 |
| 32 | 1102-B | 1 | | AMD | PL 286 | F | 6 |
| 32 | 1102-B | 2 | | AMD | PL 286 | F | 7 |
| 32 | 1102-B | 3 | | AMD | PL 286 | F | 8 |
| 32 | 1102-B | 5 | B | AMD | PL 290 | | 7 |
| 32 | 1102-B | 5 | B-1 | NEW | PL 290 | | 8 |
| 32 | 1103 | | | AFF | PL 420 | M | 7 |
| 32 | 1103 | | | AMD | PL 420 | M | 1 |
| 32 | 1104-A | | | AMD | PL 286 | F | 9 |
| 32 | 1105 | 1 | | AFF | PL 420 | M | 7 |
| 32 | 1105 | 1 | | AMD | PL 420 | M | 2 |
| 32 | 1105 | 4 | | AFF | PL 420 | M | 7 |
| 32 | 1105 | 4 | | AMD | PL 420 | M | 3 |
| 32 | 1105 | 4 | | AMD | PL 286 | F | 10 |
| 32 | 1155-B | 1 | B | AFF | PL 420 | M | 7 |
| 32 | 1155-B | 1 | B | AMD | PL 420 | M | 4 |
| 32 | 1201 | | | AMD | PL 286 | F | 11 |
| 32 | 1201 | | | AFF | PL 420 | M | 7 |
| 32 | 1201 | | | AMD | PL 420 | M | 5 |
| 32 | 1201-A | | | NEW | PL 286 | F | 12 |
| 32 | 1202 | 2 | | AMD | PL 286 | F | 13 |
| 32 | 1202 | 5 | | RP | PL 406 | | 2 |
| 32 | 1202 | 5 | | AFF | PL 420 | M | 7 |
| 32 | 1202 | 5 | | RP | PL 420 | M | 6 |
| 32 | 1202 | 5 | | AMD | PL 286 | F | 14 |
| 32 | 1865 | 3 | | AMD | PL 429 | | 1 |
| 32 | 1866 | 4 | C | AFF | PL 429 | | 9 |
| 32 | 1866 | 4 | C | AMD | PL 429 | | 2 |
| 32 | 1866 | 11 | | NEW | PL 429 | | 3 |
| 32 | 1871-A | 1 | | AMD | PL 429 | | 4 |
| 32 | 1872 | 2 | | AMD | PL 429 | | 5 |
| 32 | 1872 | 3-A | | NEW | PL 429 | | 6 |
| 32 | 2102 | 8 | A | AMD | PL 257 | | 19 |
| 32 | 2102 | 8 | B | AMD | PL 257 | | 20 |
| 32 | 2102 | 9 | | AMD | PL 257 | | 21 |
| 32 | 2104 | 4 | | AMD | PL 257 | | 22 |
| 32 | 2153-A | 13 | | AMD | PL 1 | AA | 2 |
| 32 | 2153-A | 14 | | AMD | PL 1 | AA | 3 |
| 32 | 2153-A | 15 | | NEW | PL 1 | AA | 4 |
| 32 | 2258 | | | COR | RR 2 | | 88 |
| 32 | 2278 | | | AMD | PL 286 | G | 1 |
| 32 | 3605-B | 3 | | AMD | PL 190 | | 7 |
| 32 | 3605-B | 7 | | NEW | PL 190 | | 8 |
| 32 | 4174 | | last | NEW | PL 206 | | 2 |
| 32 | 4693 | 2 | | COR | RR 2 | | 89 |
| 32 | 4859 | 3 | | AMD | PL 190 | | 9 |
| 32 | 4859 | 6 | | AMD | PL 190 | | 10 |
| 32 | 4859 | 9 | | NEW | PL 190 | | 11 |
| 32 | 4861 | 5 | | AMD | PL 189 | | 1 |
| 32 | 4876 | | | NEW | PL 30 | | 1 |
| 32 | 6192 | 6 | | AMD | PL 427 | D | 20 |
| 32 | 6198 | 1 | E | AMD | PL 427 | D | 21 |
| 32 | 6203-A | 3 | | AMD | PL 222 | | 1 |
| 32 | 6206 | 6 | | NEW | PL 222 | | 2 |
| 32 | 6208-A | 1 | | AMD | PL 286 | H | 1 |
| 32 | 7154 | | 3rd | COR | RR 2 | | 90 |
| 32 | 8101 | | | AMD | PL 366 | | 6 |
| 32 | 8102 | | | AMD | PL 366 | | 7 |
| 32 | 8103 | 1 | | RP | PL 366 | | 8 |
| 32 | 8103 | 1-A | | NEW | PL 366 | | 9 |
| 32 | 8103 | 1-B | | NEW | PL 366 | | 10 |
| 32 | 8103 | 1-C | | NEW | PL 366 | | 11 |
| 32 | 8103 | 2 | | AMD | PL 366 | | 12 |
| 32 | 8103 | 3 | | AMD | PL 366 | | 13 |
| 32 | 8103 | 4-A | | NEW | PL 366 | | 14 |
| 32 | 8103 | 5 | | RPR | PL 366 | | 15 |
| 32 | 8103-A | | | NEW | PL 366 | | 16 |
| 32 | 8104 | 1 | | AMD | PL 366 | | 17 |
| 32 | 8104 | 2 | A | AMD | PL 366 | | 18 |
| 32 | 8104 | 2 | B | RP | PL 366 | | 19 |
| 32 | 8104 | 2 | E | AMD | PL 366 | | 20 |
| 32 | 8104 | 2 | F | AMD | PL 366 | | 21 |
| 32 | 8104 | 2 | H | AMD | PL 366 | | 22 |
| 32 | 8104 | 2 | I | AMD | PL 366 | | 23 |
| 32 | 8104 | 2 | J | AMD | PL 366 | | 24 |
| 32 | 8104 | 2 | K | RPR | PL 366 | | 25 |
| 32 | 8104 | 2 | L | NEW | PL 366 | | 26 |
| 32 | 8104 | 2 | M | NEW | PL 366 | | 27 |
| 32 | 8105 | | 1st | AMD | PL 366 | | 28 |
| 32 | 8105 | 1 | | AMD | PL 366 | | 29 |
| 32 | 8105 | 4 | | AMD | PL 366 | | 30 |
| 32 | 8105 | 5 | | AMD | PL 366 | | 31 |
| 32 | 8105 | 7-A | | AMD | PL 366 | | 32 |
| 32 | 8105 | 8 | | AMD | PL 366 | | 33 |
| 32 | 8106 | | | AMD | PL 366 | | 34 |
| 32 | 8107 | | | AMD | PL 366 | | 35 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 32 | 8108 | | | RP | PL 366 | | 36 |
| 32 | 8109 | | | AMD | PL 366 | | 37 |
| 32 | 8110 | 2 | | AMD | PL 366 | | 38 |
| 32 | 8110 | 3 | | AMD | PL 366 | | 39 |
| 32 | 8110 | 4 | | NEW | PL 366 | | 40 |
| 32 | 8110-A | | | AMD | PL 366 | | 41 |
| 32 | 8110-B | | | NEW | PL 366 | | 42 |
| 32 | 8111 | | | AMD | PL 366 | | 43 |
| 32 | 8113 | | | AMD | PL 366 | | 44 |
| 32 | 8113 | 7 | | AMD | PL 161 | | 1 |
| 32 | 8113 | 8 | | AMD | PL 161 | | 2 |
| 32 | 8113 | 9 | | NEW | PL 161 | | 3 |
| 32 | 8113-A | | | AMD | PL 366 | | 45 |
| 32 | 8114 | | | AMD | PL 366 | | 46 |
| 32 | 8114-A | | | NEW | PL 366 | | 47 |
| 32 | 8115 | | | RPR | PL 366 | | 48 |
| 32 | 8116 | | | AMD | PL 366 | | 49 |
| 32 | 8117 | | | AMD | PL 366 | | 50 |
| 32 | 8120-A | | | AMD | PL 298 | | 13 |
| 32 | 8120-A | | | AMD | PL 366 | | 51 |
| 32 | 8121 | | | AMD | PL 366 | | 52 |
| 32 | 8122 | | | NEW | PL 366 | | 53 |
| 32 | 8123 | | | NEW | PL 366 | | 54 |
| 32 | 9707 | | | AMD | PL 286 | I | 1 |
| 32 | 10010-A | | | RP | PL 206 | | 3 |
| 32 | 13173 | 6 | | AMD | PL 286 | J | 1 |
| 32 | 13177-A | 2 | | AMD | PL 286 | J | 2 |
| 32 | 13741 | | | RP | PL 286 | K | 1 |
| 32 | 14011 | 7 | | NEW | PL 286 | L | 1 |
| 32 | 14027 | 1 | | AMD | PL 286 | L | 2 |
| 32 | 14035 | 2 | A | AMD | PL 286 | L | 3 |
| 32 | 14036 | 2 | A | AMD | PL 286 | L | 4 |
| 32 | 14202 | 3-A | | AMD | PL 286 | M | 1 |
| 32 | 14202 | 5-A | | NEW | PL 286 | M | 2 |
| 32 | 14202 | 10 | | AMD | PL 286 | M | 3 |
| 32 | 14202 | 10-A | | AMD | PL 286 | M | 4 |
| 32 | 14202 | 11 | | AMD | PL 286 | M | 5 |
| 32 | 14202 | 13 | | AMD | PL 286 | M | 6 |
| 32 | 14203 | 2 | | AMD | PL 286 | M | 7 |
| 32 | 14204 | | | AMD | PL 286 | M | 8 |
| 32 | 14205 | 1 | | AMD | PL 286 | M | 9 |
| 32 | 14212-A | 2 | A | AMD | PL 286 | M | 10 |
| 32 | 14224 | 1 | | AMD | PL 286 | M | 11 |
| 32 | 14224 | 2 | | AMD | PL 286 | M | 12 |
| 32 | 14224 | 3 | | AMD | PL 286 | M | 13 |
| 32 | 14224 | 4 | | AMD | PL 286 | M | 14 |
| 32 | 14225 | | last | RP | PL 286 | M | 15 |
| 32 | 14226 | | last | RP | PL 286 | M | 17 |
| 32 | 14226 | 4 | B | RP | PL 286 | M | 16 |
| 32 | 14227 | | last | RP | PL 286 | M | 19 |
| 32 | 14227 | 4 | B | RP | PL 286 | M | 18 |
| 32 | 14227-A | | | NEW | PL 286 | M | 20 |
| 32 | 14228 | 4 | B | RP | PL 286 | M | 21 |
| 32 | 14229 | | | AMD | PL 286 | M | 22 |
| 32 | 14229-A | | | AMD | PL 286 | M | 23 |
| 32 | 14230 | | | AMD | PL 286 | M | 24 |
| 32 | 14231 | | | AMD | PL 286 | M | 25 |
| 32 | 14232 | | | AMD | PL 286 | M | 26 |
| 32 | 14233 | | | AMD | PL 286 | M | 27 |
| 32 | 14235 | | 1st | AMD | PL 286 | M | 28 |
| 32 | 14236-A | 1 | D | AMD | PL 286 | M | 29 |
| 32 | 14306-F | 1 | | AMD | PL 286 | N | 1 |
| 32 | 16410 | 1 | F | COR | RR 2 | | 91 |
| 32 | 16412 | 3 | | AMD | PL 37 | | 1 |
| 32 | 16603 | 2 | B | AMD | PL 37 | | 2 |
| 32 | 16604 | 4 | | AMD | PL 37 | | 3 |
| 32 | 17101 | 4 | | AMD | PL 286 | O | 3 |
| 32 | 17101 | 15 | | RP | PL 286 | O | 4 |
| 32 | 17103 | 7 | | NEW | PL 286 | O | 5 |
| 32 | 17201 | | 1st | AMD | PL 286 | O | 6 |
| 32 | 18107 | | | RPR | PL 225 | | 2 |
| 32 | 18123 | 2 | | RPR | PL 225 | | 3 |
| 33 | 159 | | | AMD | PL 4 | | 1 |
| 33 | 159 | | 3rd | NEW | PL 41 | | 1 |
| 33 | 163 | | | NEW | PL 200 | | 1 |
| 33 | 173 | 4 | B | AMD | PL 96 | | 5 |
| 33 | 469-A | 1 | | AMD | PL 312 | | 1 |
| 33 | 469-A | 2 | | AMD | PL 312 | | 1 |
| 33 | 469-A | 6 | | AMD | PL 312 | | 2 |
| 33 | 469-A | 6-A | | NEW | PL 312 | | 3 |
| 33 | 482 | 3 | | AMD | PL 427 | D | 22 |
| 33 | 524 | | | AMD | PL 427 | D | 23 |
| 33 | 525 | | | AMD | PL 427 | D | 24 |
| 33 | 551 | | 2nd | AMD | PL 146 | | 1 |
| 33 | 594 | 2 | A | COR | RR 2 | | 92 |
| 33 | 751 | 14 | | RP | PL 378 | | 1 |
| 33 | 751 | 14-B | | NEW | PL 378 | | 2 |
| 33 | 751 | 14-C | | NEW | PL 378 | | 2 |
| 33 | 801 | | | RP | PL 126 | | 1 |
| 33 | 801-A | | | NEW | PL 126 | | 2 |
| 33 | 802 | | | RPR | PL 126 | | 3 |
| 33 | 803 | | | AMD | PL 126 | | 4 |
| 33 | 806 | | | AMD | PL 126 | | 5 |
| 33 | 807-A | | | RP | PL 126 | | 6 |
| 33 | 1603-102 | (a) | (14) | AMD | PL 368 | | 1 |
| 33 | 1603-102 | (a) | (16) | AMD | PL 368 | | 2 |
| 33 | 1603-102 | (a) | (17) | AMD | PL 368 | | 3 |
| 33 | 1603-102 | (a) | (18) | NEW | PL 368 | | 4 |
| 33 | 1603-108 | | | AMD | PL 368 | | 5 |
| 33 | 1603-116 | (e) | | AMD | PL 368 | | 6 |
| 33 | 1603-116 | (j) | | NEW | PL 368 | | 7 |
| 33 | 1603-118 | | | RPR | PL 368 | | 8 |
| 33 | 1953 | 1 | G | AMD | PL 433 | | 1 |
| 34-A | 1214-A | | | NEW | PL 241 | | 3 |
| 34-A | 1403 | 7 | | AMD | PL 340 | | 1 |
| 34-A | 1403 | 9 | A | AMD | PL 340 | | 2 |
| 34-A | 1403 | 12 | | NEW | PL 380 | AA | 1 |
| 34-A | 1404 | 1 | | AMD | PL 374 | | 6 |
| 34-A | 1404 | 2 | | AMD | PL 374 | | 6 |
| 34-A | 1801 | 1 | | AMD | PL 374 | | 7 |
| 34-A | 1801 | 2 | | AMD | PL 374 | | 8 |
| 34-A | 1802 | 1 | A | AMD | PL 374 | | 9 |
| 34-A | 1802 | 1 | B | AMD | PL 374 | | 9 |
| 34-A | 1802 | 1 | E | AMD | PL 374 | | 10 |
| 34-A | 1803 | | 1st | AMD | PL 374 | | 11 |
| 34-A | 1803 | 1 | | AMD | PL 374 | | 12 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 34-A | 1803 | 3 | C | AMD | PL 374 | | 13 |
| 34-A | 1803 | 10 | | AMD | PL 374 | | 14 |
| 34-A | 1803-A | | | NEW | PL 374 | | 15 |
| 34-A | 1804 | | last | AMD | PL 374 | | 16 |
| 34-A | 3002-A | | | RP | PL 344 | | 32 |
| 34-A | 3035 | 4 | B | COR | RR 2 | | 93 |
| 34-A | 3045 | | | AMD | PL 60 | | 4 |
| 34-A | 3045 | | | AFF | PL 420 | D | 6 |
| 34-A | 3045 | | | AMD | PL 420 | D | 5 |
| 34-A | 3802 | 1 | B | AMD | PL 282 | | 6 |
| 34-A | 4102-A | 1 | B | AMD | PL 282 | | 7 |
| 34-A | 11203 | 6-A | | NEW | PL 423 | | 10 |
| 34-A | 11221 | 9 | A | AMD | PL 307 | | 1 |
| 34-A | 11221 | 9-A | | NEW | PL 299 | | 1 |
| 34-A | 11221 | 10 | | AMD | PL 299 | | 2 |
| 34-A | 11221 | 13 | | NEW | PL 299 | | 3 |
| 34-A | 11222 | 4-A | C | AMD | PL 420 | C | 4 |
| 34-A | 11222 | 4-B | C | AMD | PL 420 | C | 5 |
| 34-B | 1203-A | 8 | | NEW | PL 145 | | 3 |
| 34-B | 1207 | 1 | F | AMD | PL 420 | C | 6 |
| 34-B | 1207 | 1 | G | AMD | PL 347 | | 9 |
| 34-B | 1207 | 1 | G | RP | PL 420 | C | 7 |
| 34-B | 1207 | 1 | H | AMD | PL 347 | | 10 |
| 34-B | 1207 | 1 | I | NEW | PL 347 | | 11 |
| 34-B | 1224 | | | RAL | RR 2 | | 94 |
| 34-B | 1225 | | | RAL | RR 2 | | 94 |
| 34-B | 1409 | 15 | | AMD | PL 1 | S | 2 |
| 34-B | 1436 | | | COR | RR 2 | | 95 |
| 34-B | 3004 | 3 | D | AMD | PL 348 | | 9 |
| 34-B | 5433 | 5 | | AMD | PL 348 | | 10 |
| 34-B | 5601 | 1-B | | NEW | PL 186 | A | 2 |
| 34-B | 5601 | 1-C | | NEW | PL 186 | A | 3 |
| 34-B | 5601 | 2 | | RP | PL 186 | A | 4 |
| 34-B | 5601 | 5-A | | AMD | PL 186 | A | 5 |
| 34-B | 5601 | 5-B | | NEW | PL 186 | A | 6 |
| 34-B | 5601 | 6 | | RP | PL 186 | A | 7 |
| 34-B | 5601 | 6-A | | NEW | PL 186 | A | 8 |
| 34-B | 5601 | 6-B | | NEW | PL 186 | A | 9 |
| 34-B | 5601 | 7 | | AMD | PL 186 | A | 10 |
| 34-B | 5601 | 7-A | | AMD | PL 186 | A | 11 |
| 34-B | 5601 | 7-B | | NEW | PL 186 | A | 12 |
| 34-B | 5601 | 8 | | AMD | PL 186 | A | 13 |
| 34-B | 5603 | | | AMD | PL 186 | A | 14 |
| 34-B | 5604 | | 2nd | NEW | PL 186 | A | 17 |
| 34-B | 5604 | | 3rd | NEW | PL 186 | A | 17 |
| 34-B | 5604 | 2 | | AMD | PL 186 | A | 15 |
| 34-B | 5604 | 4 | | RP | PL 186 | A | 16 |
| 34-B | 5605 | 3 | | AMD | PL 186 | A | 18 |
| 34-B | 5605 | 5 | | AMD | PL 186 | A | 19 |
| 34-B | 5605 | 6 | | AMD | PL 186 | A | 20 |
| 34-B | 5605 | 7 | | AMD | PL 186 | A | 21 |
| 34-B | 5605 | 8 | C | AMD | PL 186 | A | 22 |
| 34-B | 5605 | 8 | D | AMD | PL 186 | A | 23 |
| 34-B | 5605 | 8 | F | RP | PL 186 | A | 24 |
| 34-B | 5605 | 10 | | AMD | PL 186 | A | 25 |
| 34-B | 5605 | 12 | | AMD | PL 186 | A | 26 |
| 34-B | 5605 | 13 | | AMD | PL 186 | A | 27 |
| 34-B | 5605 | 14-A | | AMD | PL 186 | A | 28 |
| 34-B | 5605 | 14-B | | RP | PL 186 | A | 29 |
| 34-B | 5605 | 14-C | | RP | PL 186 | A | 30 |
| 34-B | 5605 | 15 | B | AMD | PL 186 | A | 31 |
| 34-B | 5605 | 16 | | NEW | PL 186 | A | 32 |
| 34-B | 5605 | 17 | | NEW | PL 186 | A | 33 |
| 34-B | 5605 | | last | NEW | PL 186 | A | 34 |
| 34-B | 5607 | 2 | | AMD | PL 186 | A | 35 |
| 34-B | 5608 | | | AMD | PL 186 | A | 36 |
| 34-B | 6004 | | 1st | AMD | PL 348 | | 11 |
| 34-B | 9005 | | | COR | RR 2 | | 96 |
| 34-B | 9008 | 1 | | AMD | PL 420 | A | 29 |
| 35-A | 107 | 1 | A | AMD | PL 420 | A | 30 |
| 35-A | 107 | 2 | A | AMD | PL 420 | A | 31 |
| 35-A | 107 | 2 | C | AMD | PL 420 | A | 32 |
| 35-A | 109 | 2 | | COR | RR 2 | | 97 |
| 35-A | 117 | 3 | | AMD | PL 27 | | 2 |
| 35-A | 117 | 3 | B | COR | RR 2 | | 98 |
| 35-A | 504 | 2 | | AMD | PL 71 | | 1 |
| 35-A | 505 | | | AMD | PL 77 | | 1 |
| 35-A | 902 | 1 | | COR | RR 2 | | 99 |
| 35-A | 1301 | | | COR | RR 2 | | 100 |
| 35-A | 1308 | | | COR | RR 2 | | 101 |
| 35-A | 1309 | 5 | | AMD | PL 420 | A | 33 |
| 35-A | 1702 | 9 | | NEW | PL 79 | | 2 |
| 35-A | 1702 | 10 | | NEW | PL 79 | | 2 |
| 35-A | 1712 | | | RP | PL 79 | | 3 |
| 35-A | 2105 | 2 | | COR | RR 2 | | 102 |
| 35-A | 3132 | 6 | | RPR | PL 281 | | 1 |
| 35-A | 3153-A | 1 | E | COR | RR 2 | | 103 |
| 35-A | 3203 | 3 | | AMD | PL 284 | | 1 |
| 35-A | 3203 | 4 | E | AMD | PL 284 | | 2 |
| 35-A | 3203 | 4 | F | AMD | PL 284 | | 3 |
| 35-A | 3203 | 4 | G | RP | PL 284 | | 4 |
| 35-A | 3209-A | | | NEW | PL 262 | | 1 |
| 35-A | 3210 | 2 | B-4 | AMD | PL 413 | | 1 |
| 35-A | 3210 | 7 | | AMD | PL 283 | | 1 |
| 35-A | 3210 | 9 | B | AMD | PL 314 | | 1 |
| 35-A | 3210-C | 3 | | AMD | PL 413 | | 2 |
| 35-A | 3210-C | 3 | C | AFF | PL 273 | | 3 |
| 35-A | 3210-C | 3 | C | AMD | PL 273 | | 1 |
| 35-A | 3210-C | 10 | | AFF | PL 273 | | 3 |
| 35-A | 3210-C | 10 | | AMD | PL 273 | | 2 |
| 35-A | 3210-C | 11 | | NEW | PL 413 | | 3 |
| 35-A | 3210-C | 12 | | NEW | PL 413 | | 3 |
| 35-A | 3210-E | 5 | | AMD | PL 413 | | 4 |
| 35-A | 3215 | 1 | A | AMD | PL 109 | | 1 |
| 35-A | 4392 | 6 | | COR | RR 2 | | 104 |
| 35-A | 4517 | | | NEW | PL 110 | | 1 |
| 35-A | 4702 | | | RP | PL 197 | | 1 |
| 35-A | 4702-A | | | NEW | PL 197 | | 2 |
| 35-A | 4710 | | 1st | AMD | PL 197 | | 3 |
| 35-A | 4712 | | | NEW | PL 27 | | 3 |
| 35-A | 6104-A | 2 | | AMD | PL 106 | | 1 |
| 35-A | 6104-A | 3 | | AMD | PL 106 | | 1 |
| 35-A | 6104-A | 5 | | AMD | PL 106 | | 1 |
| 35-A | 6111-A | 1 | | AMD | PL 97 | | 1 |
| 35-A | 6111-A | 4 | | AMD | PL 97 | | 2 |
| 35-A | 7104-B | 5 | | AMD | PL 54 | | 1 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 35-A | 10106 | 1 | A | AMD | PL 343 | | 1 |
| 35-A | 10121 | 1 | | AMD | PL 314 | | 2 |
| 35-A | 10121 | 2 | | AMD | PL 314 | | 3 |
| 35-A | 10121 | 4 | | NEW | PL 314 | | 4 |
| 35-A | 10122 | | | AFF | PL 424 | E | 1 |
| 35-A | 10122 | | | NEW | PL 424 | A | 6 |
| 35-A | 10153 | 1 | B | AMD | PL 84 | | 1 |
| 35-A | 10155 | 2 | | AMD | PL 427 | D | 25 |
| 36 | 111 | 1-A | | AFF | PL 1 | P | 2 |
| 36 | 111 | 1-A | | AMD | PL 1 | P | 1 |
| 36 | 111 | 2 | | RPR | PL 380 | J | 1 |
| 36 | 112 | 8 | D | AMD | PL 211 | | 17 |
| 36 | 135 | 1 | | AMD | PL 380 | M | 1 |
| 36 | 141 | 1 | | AMD | PL 380 | J | 2 |
| 36 | 141 | 2 | | AMD | PL 380 | J | 3 |
| 36 | 141 | 2 | C | AFF | PL 1 | BB | 3 |
| 36 | 141 | 2 | C | AMD | PL 1 | BB | 1 |
| 36 | 143 | | 1st | AFF | PL 439 | | 12 |
| 36 | 143 | | 1st | AMD | PL 439 | | 1 |
| 36 | 144 | 1 | | AFF | PL 1 | DD | 4 |
| 36 | 144 | 1 | | AMD | PL 1 | DD | 1 |
| 36 | 144 | 2 | A | AMD | PL 211 | | 18 |
| 36 | 144 | 2 | A | AMD | PL 380 | M | 2 |
| 36 | 145 | | | AMD | PL 380 | J | 4 |
| 36 | 151 | | | AFF | PL 439 | | 12 |
| 36 | 151 | | | RPR | PL 439 | | 2 |
| 36 | 151 | | 1st | AMD | PL 380 | J | 5 |
| 36 | 151-B | | | AFF | PL 439 | | 12 |
| 36 | 151-B | | | NEW | PL 439 | | 3 |
| 36 | 151-C | | | AFF | PL 439 | | 12 |
| 36 | 151-C | | | NEW | PL 439 | | 4 |
| 36 | 171 | | | AMD | PL 380 | J | 6 |
| 36 | 172 | | 1st | AMD | PL 380 | J | 7 |
| 36 | 175 | 2 | | AMD | PL 380 | J | 8 |
| 36 | 176-A | 1 | B-1 | NEW | PL 380 | J | 9 |
| 36 | 176-A | 1 | D | RP | PL 380 | J | 10 |
| 36 | 176-A | 2 | E | AMD | PL 380 | J | 11 |
| 36 | 176-A | 3 | | AMD | PL 380 | J | 12 |
| 36 | 176-A | 5 | D | AMD | PL 380 | J | 13 |
| 36 | 176-A | 6 | A | AMD | PL 380 | J | 14 |
| 36 | 176-A | 6 | B | AMD | PL 380 | J | 15 |
| 36 | 176-A | 15 | A | AMD | PL 380 | J | 16 |
| 36 | 187-B | 1 | | AFF | PL 380 | K | 2 |
| 36 | 187-B | 1 | | AMD | PL 380 | K | 1 |
| 36 | 187-B | 7 | | AMD | PL 380 | L | 1 |
| 36 | 191 | 2 | G | AMD | PL 240 | | 2 |
| 36 | 191 | 2 | GG | AMD | PL 253 | | 37 |
| 36 | 191 | 2 | NN | AMD | PL 240 | | 3 |
| 36 | 191 | 1 | NN | COR | RR 2 | | 105 |
| 36 | 191 | 2 | OO | COR | RR 2 | | 106 |
| 36 | 191 | 2 | PP | COR | RR 2 | | 107 |
| 36 | 191 | 2 | PP | RAL | RR 2 | | 108 |
| 36 | 191 | 2 | PP | AMD | PL 211 | | 19 |
| 36 | 191 | 2 | PP | AFF | PL 331 | | 16,17 |
| 36 | 191 | 2 | PP | AMD | PL 331 | | 9 |
| 36 | 191 | 2 | PP | AFF | PL 439 | | 12 |
| 36 | 191 | 2 | PP | AMD | PL 439 | | 5 |
| 36 | 191 | 2 | QQ | RAL | RR 2 | | 108 |
| 36 | 191 | 2 | QQ | AMD | PL 211 | | 20 |
| 36 | 191 | 2 | QQ | AFF | PL 331 | | 16,17 |
| 36 | 191 | 2 | QQ | AMD | PL 331 | | 10 |
| 36 | 191 | 2 | QQ | AFF | PL 380 | Q | 7 |
| 36 | 191 | 2 | QQ | AMD | PL 380 | Q | 2 |
| 36 | 191 | 2 | QQ | AFF | PL 439 | | 12 |
| 36 | 191 | 2 | QQ | AMD | PL 439 | | 6 |
| 36 | 191 | 2 | RR | NEW | PL 211 | | 21 |
| 36 | 191 | 2 | RR | AFF | PL 331 | | 16,17 |
| 36 | 191 | 2 | RR | NEW | PL 331 | | 11 |
| 36 | 191 | 2 | RR | AFF | PL 380 | Q | 7 |
| 36 | 191 | 2 | RR | AMD | PL 380 | Q | 3 |
| 36 | 191 | 2 | RR | AFF | PL 439 | | 12 |
| 36 | 191 | 2 | RR | NEW | PL 439 | | 7 |
| 36 | 191 | 2 | SS | AFF | PL 380 | Q | 7 |
| 36 | 191 | 2 | SS | NEW | PL 380 | Q | 4 |
| 36 | 191 | 2 | SS | AFF | PL 439 | | 12 |
| 36 | 191 | 2 | SS | NEW | PL 439 | | 8 |
| 36 | 310 | 4 | | AMD | PL 240 | | 4 |
| 36 | 330 | 1 | | AMD | PL 240 | | 5 |
| 36 | 457 | | | AMD | PL 430 | | 1 |
| 36 | 458 | | | AMD | PL 430 | | 2 |
| 36 | 505 | 4 | | AMD | PL 380 | FFF | 1 |
| 36 | 578 | 1 | | AMD | PL 404 | | 1 |
| 36 | 579 | | | AMD | PL 240 | | 6 |
| 36 | 943 | | 3rd | AMD | PL 104 | | 1 |
| 36 | 944 | 2 | | AMD | PL 104 | | 2 |
| 36 | 1109 | 1 | | AMD | PL 240 | | 7 |
| 36 | 1109 | 3 | | AMD | PL 240 | | 8 |
| 36 | 1112 | | 3rd | AMD | PL 404 | | 2 |
| 36 | 1137 | 1 | | AMD | PL 240 | | 9 |
| 36 | 1482 | 1 | | AMD | PL 240 | | 10 |
| 36 | 1482 | 2 | | AMD | PL 240 | | 11 |
| 36 | 1482 | 3 | | AMD | PL 240 | | 12 |
| 36 | 1482 | 5 | | AMD | PL 240 | | 13 |
| 36 | 1482 | 6 | E | RP | PL 240 | | 14 |
| 36 | 1483-A | | | AFF | PL 313 | | 2 |
| 36 | 1483-A | | | NEW | PL 313 | | 1 |
| 36 | 1504 | 1 | | AMD | PL 240 | | 15 |
| 36 | 1752 | 1-B | | AMD | PL 296 | | 1 |
| 36 | 1752 | 1-C | | AMD | PL 240 | | 16 |
| 36 | 1752 | 11 | B | AFF | PL 209 | | 5 |
| 36 | 1752 | 11 | B | AMD | PL 209 | | 1 |
| 36 | 1752 | 11-A | | AFF | PL 380 | DDDD | 5,6 |
| 36 | 1752 | 11-A | | NEW | PL 380 | DDDD | 1 |
| 36 | 1752 | 14 | B | AMD | PL 211 | | 22 |
| 36 | 1752 | 17-B | | AFF | PL 209 | | 5 |
| 36 | 1752 | 17-B | | AMD | PL 209 | | 2 |
| 36 | 1753 | | | AMD | PL 285 | | 2 |
| 36 | 1760 | 6 | E | AFF | PL 380 | DDDD | 5,6 |
| 36 | 1760 | 6 | E | AMD | PL 380 | DDDD | 2 |
| 36 | 1760 | 6 | E | AMD | PL 240 | | 17 |
| 36 | 1760 | 6 | F | AFF | PL 380 | DDDD | 5,6 |
| 36 | 1760 | 6 | F | AMD | PL 380 | DDDD | 3 |
| 36 | 1760 | 6 | G | AFF | PL 380 | DDDD | 5,6 |
| 36 | 1760 | 6 | G | NEW | PL 380 | DDDD | 4 |
| 36 | 1760 | 12-A | A | RPR | PL 240 | | 18 |
| 36 | 1760 | 23-C | C | AMD | PL 380 | GGGG | 1 |
| 36 | 1760 | 25 | B | AFF | PL 285 | | 15 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 36 | 1760 | 25 | B | RPR | PL 285 | | 3 |
| 36 | 1760 | 45 | A-1 | AFF | PL 285 | | 15 |
| 36 | 1760 | 45 | A-1 | RP | PL 285 | | 4 |
| 36 | 1760 | 45 | A-3 | AMD | PL 380 | GGGG | 2 |
| 36 | 1760 | 62 | | AMD | PL 240 | | 19 |
| 36 | 1760 | 87 | | AMD | PL 285 | | 5 |
| 36 | 1760 | 88-A | | NEW | PL 380 | GGGG | 3 |
| 36 | 1760 | 92 | | AFF | PL 209 | | 5 |
| 36 | 1760 | 92 | | NEW | PL 209 | | 3 |
| 36 | 1760 | 93 | | AFF | PL 380 | FFFF | 2 |
| 36 | 1760 | 93 | | NEW | PL 380 | FFFF | 1 |
| 36 | 1760-D | | | AFF | PL 285 | | 15 |
| 36 | 1760-D | | | AMD | PL 285 | | 6 |
| 36 | 1811 | | | AFF | PL 209 | | 5 |
| 36 | 1811 | | | AMD | PL 209 | | 4 |
| 36 | 1862 | | | AMD | PL 240 | | 20 |
| 36 | 1951-A | | | AMD | PL 285 | | 7 |
| 36 | 1955-B | | | AMD | PL 240 | | 21 |
| 36 | 2013 | 2 | | AFF | PL 380 | EEEE | 3 |
| 36 | 2013 | 2 | | AMD | PL 380 | EEEE | 1 |
| 36 | 2013 | 3 | | AFF | PL 380 | EEEE | 3 |
| 36 | 2013 | 3 | | AMD | PL 380 | EEEE | 2 |
| 36 | 2013 | 4 | | AFF | PL 285 | | 15 |
| 36 | 2013 | 4 | | AMD | PL 285 | | 8 |
| 36 | 2020 | | | AFF | PL 425 | | 3 |
| 36 | 2020 | | | NEW | PL 425 | | 1 |
| 36 | 2513 | | 1st | AFF | PL 331 | | 16,17 |
| 36 | 2513 | | 1st | AMD | PL 331 | | 12 |
| 36 | 2519 | | | AFF | PL 331 | | 16,17 |
| 36 | 2519 | | | AMD | PL 331 | | 13 |
| 36 | 2531 | | | AFF | PL 331 | | 16,17 |
| 36 | 2531 | | | NEW | PL 331 | | 14 |
| 36 | 2531 | | | AFF | PL 380 | Q | 7 |
| 36 | 2531 | | | NEW | PL 380 | Q | 5 |
| 36 | 2531 | | | NEW | PL 453 | | 4 |
| 36 | 2532 | | | AFF | PL 331 | | 16,17 |
| 36 | 2532 | | | NEW | PL 331 | | 15 |
| 36 | 2558 | 2 | | AFF | PL 1 | CC | 5 |
| 36 | 2558 | 2 | | AMD | PL 1 | CC | 1 |
| 36 | 2726 | 4 | | AFF | PL 462 | | 2 |
| 36 | 2726 | 4 | | AMD | PL 462 | | 1 |
| 36 | 2727 | | | RP | PL 240 | | 22 |
| 36 | 2860 | | | RP | PL 240 | | 23 |
| 36 | 2872 | 1 | C | AMD | PL 411 | | 1 |
| 36 | 2872 | 1 | D | AMD | PL 411 | | 2 |
| 36 | 2872 | 1 | E | NEW | PL 411 | | 3 |
| 36 | 2872 | 2 | C | AMD | PL 411 | | 4 |
| 36 | 2872 | 2 | D | AMD | PL 411 | | 5 |
| 36 | 2872 | 2 | E | NEW | PL 411 | | 6 |
| 36 | 2873 | 4 | | AMD | PL 411 | | 7 |
| 36 | 2903 | 1 | | AMD | PL 240 | | 24 |
| 36 | 3203 | 1-B | B | AMD | PL 240 | | 25 |
| 36 | 3213 | | | AMD | PL 240 | | 26 |
| 36 | 3321 | 5 | | NEW | PL 392 | C | 1 |
| 36 | 4061 | | | AFF | PL 380 | M | 10 |
| 36 | 4061 | | | AMD | PL 380 | M | 3 |
| 36 | 4062 | 1-A | A | AFF | PL 380 | M | 10 |
| 36 | 4062 | 1-A | A | AMD | PL 380 | M | 4 |
| 36 | 4062 | 3 | | AFF | PL 380 | M | 10 |
| 36 | 4062 | 3 | | AMD | PL 380 | M | 5 |
| 36 | 4062 | 6 | | AFF | PL 380 | M | 10 |
| 36 | 4062 | 6 | | AMD | PL 380 | M | 6 |
| 36 | 4064 | | | AFF | PL 380 | M | 10 |
| 36 | 4064 | | | AMD | PL 380 | M | 7 |
| 36 | 4068 | 2 | B | AFF | PL 380 | M | 10 |
| 36 | 4068 | 2 | B | AMD | PL 380 | M | 8 |
| 36 | 4069-A | 3 | | AMD | PL 240 | | 27 |
| 36 | 4074 | | | AFF | PL 1 | EE | 4 |
| 36 | 4074 | | | AMD | PL 1 | EE | 1 |
| 36 | 4075 | | | AFF | PL 1 | CC | 5 |
| 36 | 4075 | | | AMD | PL 1 | CC | 2 |
| 36 | 4075-A | 1 | | AFF | PL 1 | DD | 4 |
| 36 | 4075-A | 1 | | AMD | PL 1 | DD | 2 |
| 36 | 4075-A | 2 | | AFF | PL 1 | EE | 4 |
| 36 | 4075-A | 2 | | AMD | PL 1 | EE | 2 |
| 36 | 4101 | | | NEW | PL 380 | M | 9 |
| 36 | 4102 | | | NEW | PL 380 | M | 9 |
| 36 | 4103 | | | NEW | PL 380 | M | 9 |
| 36 | 4104 | | | NEW | PL 380 | M | 9 |
| 36 | 4105 | | | NEW | PL 380 | M | 9 |
| 36 | 4106 | | | NEW | PL 380 | M | 9 |
| 36 | 4107 | | | NEW | PL 380 | M | 9 |
| 36 | 4108 | | | NEW | PL 380 | M | 9 |
| 36 | 4109 | | | NEW | PL 380 | M | 9 |
| 36 | 4110 | | | NEW | PL 380 | M | 9 |
| 36 | 4111 | | | NEW | PL 380 | M | 9 |
| 36 | 4112 | | | NEW | PL 380 | M | 9 |
| 36 | 4113 | | | NEW | PL 380 | M | 9 |
| 36 | 4114 | | | NEW | PL 380 | M | 9 |
| 36 | 4115 | | | NEW | PL 380 | M | 9 |
| 36 | 4116 | | | NEW | PL 380 | M | 9 |
| 36 | 4117 | | | NEW | PL 380 | M | 9 |
| 36 | 4118 | | | NEW | PL 380 | M | 9 |
| 36 | 4361 | 1-B | | NEW | PL 285 | | 9 |
| 36 | 4361 | 2 | | AMD | PL 285 | | 10 |
| 36 | 4366-A | 4-A | | AMD | PL 441 | | 1 |
| 36 | 4366-A | 4-B | | NEW | PL 441 | | 2 |
| 36 | 4401 | 1-A | | NEW | PL 285 | | 11 |
| 36 | 4401 | 2 | | AMD | PL 285 | | 12 |
| 36 | 4404 | | 2nd | AMD | PL 441 | | 3 |
| 36 | 4404 | | 3rd | NEW | PL 441 | | 4 |
| 36 | 4603 | 5 | | AMD | PL 7 | | 1 |
| 36 | 4603 | 6 | | AMD | PL 7 | | 2 |
| 36 | 4603 | 8 | | AMD | PL 7 | | 3 |
| 36 | 4605 | 1 | | AMD | PL 7 | | 4 |
| 36 | 4605 | 6 | | AMD | PL 7 | | 5 |
| 36 | 4641-B | 4-A | | RP | PL 453 | | 5 |
| 36 | 4641-B | 4-B | | NEW | PL 453 | | 6 |
| 36 | 4716 | | | RP | PL 240 | | 28 |
| 36 | 4717 | | | RP | PL 240 | | 29 |
| 36 | 4901 | 3 | | AMD | PL 125 | | 1 |
| 36 | 4902 | 1 | | AMD | PL 125 | | 2 |
| 36 | 4903 | | | NEW | PL 125 | | 3 |
| 36 | 5102 | 5 | | AMD | PL 132 | | 1 |
| 36 | 5111 | 1-B | | AFF | PL 380 | N | 19 |
| 36 | 5111 | 1-B | | AMD | PL 380 | N | 1 |
| 36 | 5111 | 1-C | | AFF | PL 380 | N | 19 |
| 36 | 5111 | 1-C | | NEW | PL 380 | N | 2 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 36 | 5111 | 2-B | | AFF | PL 380 | N | 19 |
| 36 | 5111 | 2-B | | AMD | PL 380 | N | 3 |
| 36 | 5111 | 2-C | | AFF | PL 380 | N | 19 |
| 36 | 5111 | 2-C | | NEW | PL 380 | N | 4 |
| 36 | 5111 | 3-B | | AFF | PL 380 | N | 19 |
| 36 | 5111 | 3-B | | AMD | PL 380 | N | 5 |
| 36 | 5111 | 3-C | | AFF | PL 380 | N | 19 |
| 36 | 5111 | 3-C | | NEW | PL 380 | N | 6 |
| 36 | 5122 | 1 | AA | AMD | PL 380 | O | 2 |
| 36 | 5122 | 1 | CC | AFF | PL 90 | H | 8 |
| 36 | 5122 | 1 | CC | AMD | PL 90 | H | 1 |
| 36 | 5122 | 1 | DD | AMD | PL 380 | O | 3 |
| 36 | 5122 | 1 | DD | AFF | PL 90 | H | 8 |
| 36 | 5122 | 1 | DD | AMD | PL 90 | H | 2 |
| 36 | 5122 | 1 | EE | AFF | PL 90 | H | 8 |
| 36 | 5122 | 1 | EE | NEW | PL 90 | H | 3 |
| 36 | 5122 | 1 | EE | AMD | PL 380 | O | 4 |
| 36 | 5122 | 1 | FF | NEW | PL 380 | O | 5 |
| 36 | 5122 | 1 | G | AMD | PL 240 | | 30 |
| 36 | 5122 | 1 | N | AMD | PL 380 | O | 1 |
| 36 | 5122 | 2 | AA | COR | RR 2 | | 109 |
| 36 | 5122 | 2 | BB | AMD | PL 240 | | 31 |
| 36 | 5122 | 2 | DD | COR | RR 2 | | 110 |
| 36 | 5122 | 2 | EE | COR | RR 2 | | 111 |
| 36 | 5122 | 2 | FF | COR | RR 2 | | 112 |
| 36 | 5122 | 2 | FF | RAL | RR 2 | | 113 |
| 36 | 5122 | 2 | FF | AFF | PL 138 | | 4 |
| 36 | 5122 | 2 | FF | AMD | PL 138 | | 1 |
| 36 | 5122 | 2 | GG | RAL | RR 2 | | 113 |
| 36 | 5122 | 2 | GG | AFF | PL 138 | | 4 |
| 36 | 5122 | 2 | GG | AMD | PL 138 | | 2 |
| 36 | 5122 | 2 | GG | AMD | PL 380 | O | 6 |
| 36 | 5122 | 2 | HH | AFF | PL 138 | | 4 |
| 36 | 5122 | 2 | HH | NEW | PL 138 | | 3 |
| 36 | 5122 | 2 | HH | AMD | PL 380 | O | 7 |
| 36 | 5122 | 2 | HH | NEW | PL 454 | | 9 |
| 36 | 5122 | 2 | II | NEW | PL 380 | O | 8 |
| 36 | 5124-A | | 1st | AFF | PL 380 | N | 19,20 |
| 36 | 5124-A | | 1st | AMD | PL 380 | N | 7 |
| 36 | 5125 | 3 | D | AFF | PL 380 | N | 19,20 |
| 36 | 5125 | 3 | D | AMD | PL 380 | N | 8 |
| 36 | 5125 | 3 | E | AFF | PL 380 | N | 19,20 |
| 36 | 5125 | 3 | E | AMD | PL 380 | N | 9 |
| 36 | 5125 | 3 | F | AFF | PL 380 | N | 19,20 |
| 36 | 5125 | 3 | F | RP | PL 380 | N | 10 |
| 36 | 5126 | | 1st | AFF | PL 380 | N | 19 |
| 36 | 5126 | | 1st | AMD | PL 380 | N | 11 |
| 36 | 5142 | 1 | | AMD | PL 240 | | 32 |
| 36 | 5142 | 8-A | | AFF | PL 380 | CCCC | 4 |
| 36 | 5142 | 8-A | | RP | PL 380 | CCCC | 1 |
| 36 | 5142 | 8-B | | AFF | PL 380 | CCCC | 4 |
| 36 | 5142 | 8-B | | NEW | PL 380 | CCCC | 2 |
| 36 | 5142 | 9 | | AFF | PL 130 | | 2 |
| 36 | 5142 | 9 | | NEW | PL 130 | | 1 |
| 36 | 5200-A | 1 | N | AMD | PL 380 | O | 9 |
| 36 | 5200-A | 1 | T | AMD | PL 380 | O | 10 |
| 36 | 5200-A | 1 | U | AMD | PL 240 | | 33 |
| 36 | 5200-A | 1 | V | AFF | PL 90 | H | 8 |
| 36 | 5200-A | 1 | V | AMD | PL 90 | H | 4 |
| 36 | 5200-A | 1 | W | AFF | PL 90 | H | 8 |
| 36 | 5200-A | 1 | W | AMD | PL 90 | H | 5 |
| 36 | 5200-A | 1 | W | AMD | PL 380 | O | 11 |
| 36 | 5200-A | 1 | X | AFF | PL 90 | H | 8 |
| 36 | 5200-A | 1 | X | NEW | PL 90 | H | 6 |
| 36 | 5200-A | 1 | X | AMD | PL 380 | O | 12 |
| 36 | 5200-A | 1 | Y | NEW | PL 380 | O | 13 |
| 36 | 5200-A | 2 | H | AMD | PL 240 | | 34 |
| 36 | 5200-A | 2 | R | COR | RR 2 | | 114 |
| 36 | 5200-A | 2 | S | AMD | PL 240 | | 35 |
| 36 | 5200-A | 2 | S | AMD | PL 454 | | 10 |
| 36 | 5200-A | 2 | T | AMD | PL 380 | O | 14 |
| 36 | 5200-A | 2 | T | AMD | PL 454 | | 11 |
| 36 | 5200-A | 2 | U | AMD | PL 380 | O | 15 |
| 36 | 5200-A | 2 | U | AMD | PL 454 | | 12 |
| 36 | 5200-A | 2 | V | NEW | PL 380 | O | 16 |
| 36 | 5200-A | 2 | V | NEW | PL 454 | | 13 |
| 36 | 5203-C | 2 | A | AFF | PL 380 | N | 19 |
| 36 | 5203-C | 2 | A | AMD | PL 380 | N | 12 |
| 36 | 5203-C | 2 | B | AFF | PL 380 | N | 19 |
| 36 | 5203-C | 2 | B | AMD | PL 380 | N | 13 |
| 36 | 5203-C | 4 | B | AFF | PL 380 | N | 19,20 |
| 36 | 5203-C | 4 | B | AMD | PL 380 | N | 14 |
| 36 | 5204 | | | AFF | PL 380 | N | 19 |
| 36 | 5204 | | | AMD | PL 380 | N | 15 |
| 36 | 5204-A | | | AFF | PL 380 | N | 19 |
| 36 | 5204-A | | | AMD | PL 380 | N | 16 |
| 36 | 5216-B | 1 | C | AMD | PL 454 | | 14 |
| 36 | 5216-B | 1 | D | NEW | PL 454 | | 15 |
| 36 | 5216-B | 2 | | AMD | PL 454 | | 16 |
| 36 | 5216-B | 3 | | AMD | PL 454 | | 17 |
| 36 | 5216-B | 5 | | AMD | PL 454 | | 18 |
| 36 | 5216-D | | | NEW | PL 380 | HHHH | 3 |
| 36 | 5219-BB | 1 | C | AMD | PL 453 | | 7 |
| 36 | 5219-BB | 2 | | AMD | PL 453 | | 8 |
| 36 | 5219-BB | 2 | B | AMD | PL 240 | | 38 |
| 36 | 5219-BB | 4 | | AMD | PL 453 | | 9 |
| 36 | 5219-DD | 2 | | AMD | PL 434 | | 1 |
| 36 | 5219-DD | 3 | | AMD | PL 434 | | 2 |
| 36 | 5219-DD | 6 | | AMD | PL 434 | | 3 |
| 36 | 5219-FF | | | AFF | PL 90 | H | 8 |
| 36 | 5219-FF | | | NEW | PL 90 | H | 7 |
| 36 | 5219-GG | | | AFF | PL 380 | O | 18 |
| 36 | 5219-GG | | | AFF | PL 380 | Q | 7 |
| 36 | 5219-GG | | | NEW | PL 380 | O | 17 |
| 36 | 5219-GG | | | NEW | PL 380 | Q | 6 |
| 36 | 5219-H | | | AMD | PL 240 | | 36 |
| 36 | 5219-Y | 1 | | AMD | PL 240 | | 37 |
| 36 | 5220 | 2 | | AFF | PL 380 | CCCC | 4 |
| 36 | 5220 | 2 | | AMD | PL 380 | CCCC | 3 |
| 36 | 5227-A | 2 | | AFF | PL 1 | CC | 5 |
| 36 | 5227-A | 2 | | AMD | PL 1 | CC | 3 |
| 36 | 5245 | | | AFF | PL 1 | CC | 5 |
| 36 | 5245 | | | AMD | PL 1 | CC | 4 |
| 36 | 5250 | 1 | | AMD | PL 240 | | 39 |
| 36 | 5253 | | | AMD | PL 240 | | 40 |
| 36 | 5276-A | 2 | | AFF | PL 1 | BB | 3 |
| 36 | 5276-A | 2 | | AMD | PL 1 | BB | 2 |
| 36 | 5278 | | | AFF | PL 1 | DD | 4 |

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 36 | 5278 | | | AMD | PL 1 | DD | 3 |
| 36 | 5279 | | | AFF | PL 1 | EE | 4 |
| 36 | 5279 | | | AMD | PL 1 | EE | 3 |
| 36 | 5333 | 1 | | AMD | PL 285 | | 13 |
| 36 | 5402 | 1-B | | AFF | PL 380 | N | 19,20 |
| 36 | 5402 | 1-B | | AMD | PL 380 | N | 17 |
| 36 | 5403 | | | AFF | PL 380 | N | 19 |
| 36 | 5403 | | | AMD | PL 380 | N | 18 |
| 36 | 6207 | 1 | B | AMD | PL 380 | P | 1 |
| 36 | 6208 | | | AMD | PL 240 | | 41 |
| 36 | 6213 | | | AMD | PL 240 | | 42 |
| 36 | 6652 | 1-B | | AMD | PL 240 | | 43 |
| 36 | 6754 | 1 | D | AMD | PL 240 | | 44 |
| 36 | 6901 | 2 | | AFF | PL 240 | | 47 |
| 36 | 6901 | 2 | | AMD | PL 240 | | 45 |
| 36 | 6902 | 1 | | AMD | PL 240 | | 46 |
| 37-B | 3 | 1 | D | AMD | PL 112 | | 1 |
| 37-B | 107 | | | AMD | PL 112 | | 2 |
| 37-B | 158 | 1 | | RP | PL 344 | | 33 |
| 37-B | 403 | 2 | | COR | RR 2 | | 115 |
| 37-B | 513 | | | NEW | PL 329 | | 1 |
| 37-B | 531 | | | RP | PL 344 | | 34 |
| 37-B | 532 | | | RP | PL 344 | | 34 |
| 37-B | 533 | | | RP | PL 344 | | 34 |
| 37-B | 534 | | | RP | PL 344 | | 34 |
| 37-B | 535 | | | RP | PL 344 | | 34 |
| 37-B | 536 | | | RP | PL 344 | | 34 |
| 37-B | 1130 | 1 | | AMD | PL 112 | | 3 |
| 37-B | 1130 | 2 | | AMD | PL 112 | | 4 |
| 37-B | 1151 | 8 | | AMD | PL 380 | LLLL | 1 |
| 37-B | 1151 | 9 | | NEW | PL 380 | LLLL | 2 |
| 37-B | 1151 | 10 | | NEW | PL 380 | LLLL | 2 |
| 37-B | 1151 | 11 | | NEW | PL 380 | LLLL | 2 |
| 38 | 87-A | 1 | D | AMD | PL 14 | | 1 |
| 38 | 87-A | 1 | E | AMD | PL 14 | | 2 |
| 38 | 87-A | 1 | F | NEW | PL 14 | | 3 |
| 38 | 341-A | 3 | B | AMD | PL 357 | | 1 |
| 38 | 341-A | 3 | D | NEW | PL 357 | | 2 |
| 38 | 341-B | | | AMD | PL 304 | H | 1 |
| 38 | 341-C | 1 | | AMD | PL 304 | H | 2 |
| 38 | 341-C | 2 | | AMD | PL 304 | H | 3 |
| 38 | 341-C | 8 | | AMD | PL 357 | | 3 |
| 38 | 341-D | 1-B | | RP | PL 304 | H | 4 |
| 38 | 341-D | 1-C | | NEW | PL 304 | H | 5 |
| 38 | 341-D | 2 | | AMD | PL 304 | H | 6 |
| 38 | 341-D | 3 | | RPR | PL 304 | H | 7 |
| 38 | 341-D | 4 | B | RP | PL 304 | H | 8 |
| 38 | 341-D | 4 | D | AMD | PL 304 | H | 9 |
| 38 | 341-D | 5 | | RP | PL 304 | H | 10 |
| 38 | 341-D | 6 | | RPR | PL 304 | H | 11 |
| 38 | 341-D | 7 | | AMD | PL 304 | H | 12 |
| 38 | 341-E | | | AMD | PL 304 | H | 13 |
| 38 | 341-H | | | NEW | PL 304 | H | 14 |
| 38 | 342 | 9 | | AMD | PL 304 | H | 15 |
| 38 | 342 | 11-A | | AMD | PL 304 | H | 16 |
| 38 | 342 | 11-B | | NEW | PL 304 | H | 17 |
| 38 | 342-B | 4-A | | NEW | PL 206 | | 4 |
| 38 | 343-D | | | AFF | PL 206 | | 37 |
| 38 | 343-D | | | AMD | PL 206 | | 5 |
| 38 | 343-D | | | AMD | PL 206 | | 6 |
| 38 | 344 | 2-A | A | AMD | PL 304 | H | 18 |
| 38 | 344 | 7 | | AMD | PL 120 | | 2 |
| 38 | 346 | 4 | | RPR | PL 420 | A | 34 |
| 38 | 347-A | 1 | A | AMD | PL 304 | H | 19 |
| 38 | 347-A | 4 | D | AMD | PL 304 | H | 20 |
| 38 | 347-A | 8 | | RP | PL 350 | | 1 |
| 38 | 347-A | 9 | | NEW | PL 350 | | 2 |
| 38 | 349 | 2 | | COR | RR 2 | | 116 |
| 38 | 349-L | | | NEW | PL 304 | A | 1 |
| 38 | 349-M | | | NEW | PL 304 | A | 1 |
| 38 | 349-N | | | NEW | PL 304 | A | 1 |
| 38 | 349-O | | | NEW | PL 304 | A | 1 |
| 38 | 349-P | | | NEW | PL 304 | A | 1 |
| 38 | 349-Q | | | NEW | PL 304 | A | 1 |
| 38 | 349-R | | | NEW | PL 304 | A | 1 |
| 38 | 352 | 6 | | RP | PL 120 | | 3 |
| 38 | 353 | 3 | | AMD | PL 304 | H | 21 |
| 38 | 410-N | 1 | A | AMD | PL 47 | | 2 |
| 38 | 413 | 3 | | AMD | PL 121 | | 1 |
| 38 | 413 | 3-A | A | AMD | PL 121 | | 2 |
| 38 | 413 | 3-A | B | AMD | PL 121 | | 2 |
| 38 | 414-A | 5 | C | AMD | PL 304 | H | 22 |
| 38 | 420 | 1-B | F | NEW | PL 194 | | 1 |
| 38 | 420 | 2 | J | NEW | PL 194 | | 2 |
| 38 | 420-D | 4 | | AMD | PL 206 | | 7 |
| 38 | 420-D | 5 | | AMD | PL 206 | | 8 |
| 38 | 420-D | 7 | F | RP | PL 206 | | 9 |
| 38 | 420-D | 7 | H | NEW | PL 359 | | 1 |
| 38 | 420-D | 9 | | AMD | PL 359 | | 2 |
| 38 | 420-D | 11 | | AMD | PL 206 | | 10 |
| 38 | 436-A | 7-A | | NEW | PL 231 | | 1 |
| 38 | 439-A | 9 | | NEW | PL 231 | | 2 |
| 38 | 449 | | | RP | PL 120 | | 4 |
| 38 | 464 | 4 | J | NEW | PL 194 | | 3 |
| 38 | 464 | 4 | K | NEW | PL 194 | | 3 |
| 38 | 469 | | | AMD | PL 206 | | 11 |
| 38 | 470-C | 8 | | AMD | PL 120 | | 5 |
| 38 | 470-C | 9 | | AMD | PL 120 | | 5 |
| 38 | 470-C | 10 | | NEW | PL 120 | | 6 |
| 38 | 470-D | | 2nd | AMD | PL 120 | | 7 |
| 38 | 480-B | 2-E | | NEW | PL 64 | | 1 |
| 38 | 480-B | 5-B | | NEW | PL 64 | | 2 |
| 38 | 480-BB | 2 | | RPR | PL 362 | | 1 |
| 38 | 480-BB | 4 | | AMD | PL 362 | | 2 |
| 38 | 480-BB | 5 | | AMD | PL 362 | | 3 |
| 38 | 480-BB | 6 | | NEW | PL 362 | | 4 |
| 38 | 480-E | 7 | | RPR | PL 65 | | 1 |
| 38 | 480-E | 8 | | RPR | PL 65 | | 2 |
| 38 | 480-Q | 2 | | AMD | PL 205 | | 1 |
| 38 | 480-Q | 2-A | | RP | PL 205 | | 2 |
| 38 | 480-Q | 2-D | | NEW | PL 205 | | 3 |
| 38 | 480-Q | 28 | | AMD | PL 12 | | 1 |
| 38 | 480-Q | 28 | | AMD | PL 64 | | 3 |
| 38 | 480-Q | 29 | | AMD | PL 12 | | 2 |
| 38 | 480-Q | 29 | | AMD | PL 64 | | 4 |
| 38 | 480-Q | 30 | | NEW | PL 12 | | 3 |

**CROSS REFERENCE TABLE I**

| TITLE | SECTION | SUB | PARA | EFF | CHAPTER | PART | SEC |
|---|---|---|---|---|---|---|---|
| 38 | 480-Q | 30 | | NEW | PL 64 | | 5 |
| 38 | 484 | 3 | H | NEW | PL 359 | | 3 |
| 38 | 489-A | 10 | | AMD | PL 304 | H | 23 |
| 38 | 489-E | | | RPR | PL 359 | | 4 |
| 38 | 542 | 6 | | AMD | PL 206 | | 12 |
| 38 | 562-A | 15 | | AMD | PL 206 | | 13 |
| 38 | 563 | 1 | A | AMD | PL 206 | | 14 |
| 38 | 564 | 2-A | L | AMD | PL 317 | | 1 |
| 38 | 564 | 5 | | RPR | PL 276 | | 1 |
| 38 | 566-A | 1 | | AMD | PL 276 | | 2 |
| 38 | 566-A | 1-A | | AMD | PL 276 | | 3 |
| 38 | 566-A | 2 | | AMD | PL 206 | | 15 |
| 38 | 568-A | 1 | B-2 | AMD | PL 206 | | 16 |
| 38 | 568-A | 2 | | AMD | PL 243 | | 1 |
| 38 | 568-A | 2-B | | NEW | PL 206 | | 17 |
| 38 | 568-A | 3-A | | RP | PL 243 | | 2 |
| 38 | 568-B | | | AMD | PL 243 | | 3 |
| 38 | 568-B | 2 | E | AFF | PL 211 | | 27 |
| 38 | 568-B | 2 | E | AMD | PL 211 | | 23 |
| 38 | 569-C | | | NEW | PL 206 | | 18 |
| 38 | 570-H | | | AMD | PL 211 | | 24 |
| 38 | 570-H | | | RP | PL 243 | | 4 |
| 38 | 580-A | 18-B | | NEW | PL 277 | | 1 |
| 38 | 580-B | 2-A | | NEW | PL 277 | | 2 |
| 38 | 584-A | | | RPR | PL 206 | | 19 |
| 38 | 585-D | | last | RP | PL 120 | | 8 |
| 38 | 585-H | | | RP | PL 120 | | 9 |
| 38 | 1208 | | 2nd | AMD | PL 104 | | 3 |
| 38 | 1208 | | 3rd | AMD | PL 104 | | 4 |
| 38 | 1258 | | | NEW | PL 26 | | 1 |
| 38 | 1303-C | 6 | E | RPR | PL 206 | | 20 |
| 38 | 1310-B | 2 | | RPR | PL 420 | A | 35 |
| 38 | 1310-F | 1-B | | AMD | PL 435 | | 1 |
| 38 | 1319-R | 1 | D | NEW | PL 250 | | 1 |
| 38 | 1393 | 1 | B | AMD | PL 206 | | 21 |
| 38 | 1393 | 2 | A | AMD | PL 206 | | 22 |
| 38 | 1393 | 2 | B | AMD | PL 206 | | 23 |
| 38 | 1609 | 14 | B | AMD | PL 160 | | 1 |
| 38 | 1610 | 2 | B | AMD | PL 250 | | 2 |
| 38 | 1610 | 2 | B-2 | NEW | PL 250 | | 3 |
| 38 | 1610 | 2 | F | RP | PL 250 | | 4 |
| 38 | 1610 | 5 | A | AMD | PL 250 | | 5 |
| 38 | 1610 | 5 | A-1 | NEW | PL 250 | | 6 |
| 38 | 1610 | 5 | B | AMD | PL 250 | | 7 |
| 38 | 1610 | 5 | D | AMD | PL 250 | | 8 |
| 38 | 1610 | 6-A | | AMD | PL 250 | | 9 |
| 38 | 1610 | 8 | | AMD | PL 250 | | 10 |
| 38 | 1661-C | 9 | A | AMD | PL 206 | | 24 |
| 38 | 1661-C | 11 | | NEW | PL 206 | | 25 |
| 38 | 1661-C | 12 | | NEW | PL 206 | | 26 |
| 38 | 1665-A | 5 | B | AMD | PL 206 | | 27 |
| 38 | 1665-B | 1 | D | AMD | PL 206 | | 28 |
| 38 | 1665-B | 2 | A | AMD | PL 206 | | 29 |
| 38 | 1665-B | 2 | A | AFF | PL 420 | E | 5 |
| 38 | 1665-B | 2 | A | AMD | PL 420 | E | 1 |
| 38 | 1665-B | 2 | E | AMD | PL 206 | | 30 |
| 38 | 1665-B | 2 | E | AFF | PL 420 | E | 5 |
| 38 | 1665-B | 2 | E | AMD | PL 420 | E | 2 |
| 38 | 1665-B | 2 | F | AMD | PL 206 | | 31 |
| 38 | 1665-B | 2 | F | AFF | PL 420 | E | 5 |
| 38 | 1665-B | 2 | F | AMD | PL 420 | E | 3 |
| 38 | 1672 | 4 | A | AMD | PL 275 | | 1 |
| 38 | 1672 | 4 | F | COR | RR 2 | | 117 |
| 38 | 1672 | 6 | | NEW | PL 275 | | 2 |
| 38 | 1691 | | | AMD | PL 319 | | 2 |
| 38 | 1693 | | | RPR | PL 319 | | 3 |
| 38 | 1693-A | | | NEW | PL 319 | | 4 |
| 38 | 1694 | | | AMD | PL 319 | | 5 |
| 38 | 1695 | 1 | | AMD | PL 319 | | 6 |
| 38 | 1696 | 1 | | AMD | PL 319 | | 7 |
| 38 | 1696 | 2 | A | AMD | PL 319 | | 8 |
| 38 | 1696 | 2 | B | AMD | PL 319 | | 8 |
| 38 | 1697 | 9 | | NEW | PL 319 | | 9 |
| 38 | 1697 | 10 | | NEW | PL 319 | | 9 |
| 38 | 1697 | 11 | | NEW | PL 319 | | 9 |
| 38 | 1698 | | 1st | AMD | PL 319 | | 10 |
| 38 | 1699-A | 2 | | AMD | PL 319 | | 11 |
| 38 | 1771 | 6 | | AMD | PL 206 | | 33 |
| 38 | 1771 | 8-A | | NEW | PL 206 | | 34 |
| 38 | 1871 | 2 | | AMD | PL 47 | | 3 |
| 38 | 2165 | 6 | | RP | PL 206 | | 35 |
| 38 | 2165 | 8 | | AMD | PL 206 | | 36 |
| 38 | 2201 | | 1st | AMD | PL 429 | | 7 |
| 38 | 2322 | 8 | | AMD | PL 319 | | 12 |
| 39-A | 105-A | 6 | | NEW | PL 403 | | 3 |
| 39-A | 114 | | | NEW | PL 176 | | 1 |
| 39-A | 206 | 14 | | AMD | PL 338 | | 1 |
| 39-A | 208 | 2 | E | AMD | PL 338 | | 2 |
| 39-A | 209 | | | RP | PL 338 | | 3 |
| 39-A | 209-A | | | NEW | PL 338 | | 4 |
| 39-A | 312 | 1 | | AMD | PL 215 | | 1 |
| 39-A | 312 | 2 | | AMD | PL 215 | | 2 |
| 39-A | 324 | 1 | | AMD | PL 361 | | 1 |
| 39-A | 324 | 3 | C | AMD | PL 113 | B | 20 |
| 39-A | 403 | 3 | | AMD | PL 180 | | 1 |
| 39-A | 403 | 3 | C | AMD | PL 98 | | 1 |
| 39-A | 403 | 5 | D | AMD | PL 180 | | 2 |
| 39-A | 404 | 14 | | RP | PL 83 | | 3 |

## TABLE II

Public Laws not allocated to the Maine Revised Statutes of 1964 affected by the laws of the First Regular Session of the 125th Legislature and the Revisor's Report 2009, Chapter 2 of the 124th Legislature.

| YEAR | CHAP | SEC | AFFECTED BY (TYPE) | YEAR | CHAP | SEC |
|---|---|---|---|---|---|---|
| 1997 | 444 | 9 | RP PL | 2011 | 120 | 10 |
| 2007 | 240 | X2 | AMD | PL 2011 | 380 | VV1 |
| 2007 | 240 | X5 | AMD | PL 2011 | 380 | VV2 |
| 2007 | 240 | X6 | AMD | PL 2011 | 380 | VV3 |
| 2007 | 240 | XXXX36 | AMD | PL 2011 | 2519 | |
| 2007 | 240 | XXXX36 | AFF PL | 2011 | 251 | 12 |
| 2007 | 240 | XXXX36 | AMD | PL 2011 | 25 | 110 |
| 2007 | 240 | XXXX36 | AFF PL | 2011 | 251 | 12 |
| 2007 | 240 | XXXX44 | RP PL | 2011 | 251 | 11 |
| 2007 | 240 | XXXX44 | AFF PL | 2011 | 251 | 12 |
| 2007 | 533 | 3/1 | AMD | PL 2011 | 3625 | |
| 2007 | 648 | 9 | RP PL | 2011 | 149 | 8 |
| 2009 | 213 | EEE1 | AMD | PL 2011 | 1 | D1 |
| 2009 | 213 | MMM2 | AMD | PL 2011 | 1 | M1 |
| 2009 | 213 | MMM2 | AFF PL | 2011 | 1 | M2 |
| 2009 | 213 | RRR1/3 | AMD | PL 2011 | 28 | J1 |
| 2009 | 213 | TTT2 | AMD | PL 2011 | 1 | GG1 |
| 2009 | 517 | 18A/C | CORRR | 2009 | 2 | 118 |
| 2009 | 571 | E32 | AMD | PL 2011 | 1 | C3 |
| 2009 | 571 | E33 | AMD | PL 2011 | 1 | C4 |
| 2009 | 571 | I1 | AMD | PL 2011 | 1 | J1 |
| 2009 | 571 | AA3 | AMD | PL 2011 | 1 | W1 |
| 2009 | 600 | H1 | AMD | PL 2011 | 20 | C1 |
| 2009 | 624 | 4 | AMD | PL 2011 | 1673 | |
| 2009 | 646 | 3 | AMD | PL 2011 | 36 | 3 |
| 2011 | 1 | Q1 | AMD | PL 2011 | 28 | K1 |
| 2011 | 1 | Q2 | AMD | PL 2011 | 28 | K2 |
| 2011 | 45 | 6 | AMD | PL 2011 | 380 | RR1 |
| 2011 | 134 | | RP PL | 2011 | 356 | 24 |
| 2011 | 150 | 5 | RP PL | 2011 | 420 | G6 |
| 2011 | 150 | 5 | AFF PL | 2011 | 420 | G9 |
| 2011 | 150 | 6 | RP PL | 2011 | 420 | G6 |
| 2011 | 150 | 6 | AFF PL | 2011 | 420 | G9 |
| 2011 | 150 | 7 | RP PL | 2011 | 420 | G6 |
| 2011 | 150 | 7 | AFF PL | 2011 | 420 | G9 |
| 2011 | 150 | 8 | RP PL | 2011 | 420 | G6 |
| 2011 | 150 | 8 | AFF PL | 2011 | 420 | G9 |
| 2011 | 150 | 9 | AMD | PL 2011 | 420 | G7 |
| 2011 | 150 | 9 | AFF PL | 2011 | 420 | G9 |
| 2011 | 206 | 32 | RP PL | 2011 | 420 | E4 |
| 2011 | 206 | 32 | AFF PL | 2011 | 420 | E5 |

## TABLE III

Public Laws exempted in revisions prior to 1964 affected by the laws of the Second Regular Session of the 125th Legislature and the Revisor's Report 2009, Chapter 2 of the 124th Legislature.

(THERE WERE NONE.)

# SUBJECT INDEX

to the Laws of the First Regular Session of the 125th Legislature


CHAPTER

**ABANDONMENT**
MANUFACTURED HOUSING
DISPOSAL....PUBLIC 127
MOTOR VEHICLES
REDEFINED, NOTIFICATION....PUBLIC 46
PROPERTY
MUSEUMS & HISTORICAL SOCIETIES....PUBLIC 263
SELF-SERVICE STORAGE
PERSONAL PROPERTY VALUES....PUBLIC 376
**ABUSE & NEGLECT**
CHILDREN
EMERGENCY REPORTS VIA MAIL OR FAX....PUBLIC 402
ELDERLY
DEPENDENT ADULT CLARIFIED, REPORTING....PUBLIC 291
DEPENDENT ADULTS, PROTECTION....PUBLIC 201
VISUAL TRAUMA PHOTOGRAPHS....PUBLIC 291
STRANGULATION
PATTERNS & MANAGEMENT STUDY....RESOLVE 76
**ACCESS TO INFORMATION**
ALL-PAYOR CLAIMS DATA BASE SYSTEMS
REVIEW & RECOMMEND....RESOLVE 109
CONFIDENTIALITY
ADDRESS DEFINED....PUBLIC 195
COMMUNICATIONS W/ ELECTED OFFICIALS....PUBLIC 264
DNA COLLECTION
CLASS D & E CRIMES REPEALED....PUBLIC 221
ELECTED OFFICIALS EMAILS
BENEFIT OF PUBLIC DISCLOSURE STUDY....PUBLIC 264
HEALTH INFORMATION EXCHANGE
DISCLOSURE & PRIVACY PROTECTION....PUBLIC 347
INFORME PUBLIC INFO ACCESS ACT
CONFIDENTIAL RECORDS CLARIFIED....PUBLIC 321
PUBLIC RECORDS & MEETINGS
EXEMPTIONS & ACCESSIBILITY....PUBLIC 320
STATE FILING FORMS
PAPER COPY AVAILABLE AT NO COST....PUBLIC 33
**ACTIONS**
BREACH OF COVENANTS
LIMITATION OF ACTIONS....PUBLIC 124
SERVICE OF CIVIL PROCESS
SUNDAY RESTRICTION REPEALED....PUBLIC 32
**ADDRESSES**
SEE GOVERNOR
SEE SUPREME JUDICIAL COURT
**ADJUTANT GENERAL**
SEE DEFENSE, VETS & EMER MAN DEPT
**ADMINISTRATIVE & FINANCIAL SERV DEP**
SEE ALSO ALCOHOLIC BEV/LOT OP BUR
SEE ALSO BUDGET BUREAU
SEE ALSO EMPLOYEE HEALTH/BENE OFF
SEE ALSO GENERAL SERVICES BUREAU

CHAPTER

**ADMINISTRATIVE & FINANCIAL SERV DEP (Cont.)**
SEE ALSO REVENUE SERVICES BUREAU
BANGOR CAMPUS FUNDS TRANSFER
ADD SUPPLEMENTAL FY11 (PART E)....PUBLIC 28
BUDGET STABILIZATION FUND TRANSFER
ADD SUPPLEMENTAL FY11 (PART I)....PUBLIC 28
FUNDS (RRR)....PUBLIC 380
SUPPLEMENTAL FY11 (PART M)....PUBLIC 1
CONVEY INTEREST OF STATE
ROCKWOOD & SINCLAIR....RESOLVE 70
DELIVERY OF LOCAL/REG SERV TRANSFER
SUPPLEMENTAL FY11 (PART L)....PUBLIC 1
EXTEND DATES TO SELL PROPERTY IN
5 TOWNS....RESOLVE 70
FINANCING ARRANGEMENTS
VEHICLES FOR STATE POLICE (CCC)....PUBLIC 380
HEALTHY MAINE FUND TRANSFERS
SUPPLEMENTAL FY11 (PART G)....PUBLIC 1
INFORMATION TECHNOLOGY OFFICE
SAVINGS TRANSFER (MMMM)....PUBLIC 380
REVENUE-SHARING TRANSFERS
SUPPLEMENTAL FY11 (PART N)....PUBLIC 1
SALARY PLAN TRANSFERS
ADD SUPPLEMENTAL FY11 (PART K)....PUBLIC 28
SUPPLEMENTAL FY11 (PART Q)....PUBLIC 1
SOCIAL SECURITY NUMBERS
POLICY TO BE USED AS GUIDANCE....RESOLVE 56
TAXPAYER ADVOCATE
ESTABLISHED....PUBLIC 439
VACANT POSITION REVIEW & REPORT
SUPPLEMENTAL FY11 (PART R)....PUBLIC 1
**ADMINISTRATIVE LAW**
PROPOSED OR ADOPTED RULES
POSTED OR LINK TO POSTING....PUBLIC 326
PROPOSED RULES
COST-BENEFIT ANALYSIS....PUBLIC 304
RULEMAKING
PROCEDURES CLARIFIED....PUBLIC 244
RULE REVIEW FOR RELEVANCE & CLARITY....PUBLIC 304
RULES
REDEFINED....PUBLIC 304
**ADOPTION**
PETITION FROM PERMANENCY GUARDIAN
ELEMENTS & PROVISIONS....PUBLIC 402
**AESTHETICIANS**
LICENSES
INITIAL LICENSURE PROVISIONS REVISED....PUBLIC 286
**AFFORDABLE HOUSING BLUE RIBBON COM**
MEMBERSHIP
ESTABLISHED....RESOLVE 108
POWERS & DUTIES
ESTABLISHED....RESOLVE 108

CHAPTER

**AGENCY LIQUOR STORES**
SEE ALCOHOLIC BEVERAGES
**AGRICULTURAL FAIRS**
PULLING EVENTS
PROHIBITED SUBSTANCES PENALTIES....PUBLIC 73
SLOT MACHINES
REVENUE USE REPORT....PUBLIC 358
**AGRICULTURAL LAND**
COMPOSTING OPERATIONS
MANAGEMENT PLANS, DEP & AGR DEPT....RESOLVE 60
RESTRICTIONS FOR PRODUCTION
REPORT FROM DEP....RESOLVE 101
**AGRICULTURAL PRODUCTS**
CORRECTIONAL FACILITY FARM PROG
SUPPORTED BY GRAVEL MINING PROG....PUBLIC 340
FARM & FISH TO SCHOOL
PILOT PROGRAM....RESOLVE 91
FARMERS MARKETS
LOCAL BEER & WINE SALES ALLOWED....PUBLIC 280
**AGRICULTURE**
AGRICULTURAL MARKETING LOAN FUND
USES OF INTEREST EXPANDED (OOO)....PUBLIC 380
EQUIPMENT
DEALERS....PUBLIC 236
VOLUNTARY TOWN FARM SUPPORT PROG
RULE REVIEW BY LEGISLATURE....RESOLVE 7
**AGRICULTURE DEPT**
AGRICULTURAL FAIRS
SLOT MACHINE REVENUE USE REPORT....PUBLIC 358
ANIMAL CRUELTY RECORDS
CONFIDENTIAL....PUBLIC 210
ANIMAL TRESPASS COMPLAINTS
IMMEDIATE REMOVAL....PUBLIC 18
COMMINGLING AGREEMENTS, PLASTIC
BAGS & REDEMPTION CTR LCTNS, RULES....PUBLIC 429
COMPOSTING OPERATIONS
MANAGEMENT PLANS W/ DEP....RESOLVE 60
FARM & FISH TO SCHOOL
PILOT PROGRAM....RESOLVE 91
INVASIVE TERRESTRIAL PLANTS
CRITERIA TO IDENTIFY....RESOLVE 65
MARKET & PROD DEV PROG RENAMED
SUPPLEMENTAL FY11 (PART F)....PUBLIC 1
PULLING EVENTS
PROHIBITED SUBSTANCES PENALTIES....PUBLIC 73
VOLUNTARY TOWN FARM SUPPORT PROG
RULE REVIEW BY LEGISLATURE....RESOLVE 7
WOLF HYBRIDS
STATUS REPORT AS PETS....PUBLIC 100
**AIDS**
HIV & AIDS PREVENTION
COMPREHENSIVE PLAN & STUDY....RESOLVE 55
HIV TESTS
NEWBORNS....PUBLIC 229
**AIR POLLUTION CONTROL**
EMISSIONS STANDARDS
ADOPTION CLARIFIED....PUBLIC 206
GREENHOUSE GAS INITIATIVE
CONDITIONS FROM WITHDRAWAL....PUBLIC 277
RADON TESTING
ELIMINATED FOR SHORT-TERM RENTALS....PUBLIC 96
**AIRCRAFT**
AIRCRAFT ENGINES
PURCHASE BY DIFW (GG)....PUBLIC 380

CHAPTER

**AIRPORTS**
CAPITAL IMPROVEMENT GRANT PROG
PROCEDURES....PUBLIC 351
**ALCOHOL & DRUG COUNSELORS**
SCOPE OF PRACTICE
NICOTINE ADDICTION INCLUDED....PUBLIC 222
**ALCOHOL & DRUG COUNSELORS BOARD**
MEMBERSHIP
REDUCED....PUBLIC 286
**ALCOHOLIC BEV & LOTTERY OP BUREAU**
SEE ALSO ADMIN & FIN SERV DEPT
POWERS & DUTIES
CLARIFIED....PUBLIC 310
**ALCOHOLIC BEVERAGES**
AGENCY STORES
ELIGIBILITY & CLASS VIII LICENSES....PUBLIC 460
MINIMUM STOCK REQUIREMENT....PUBLIC 140
RELOCATION PROCESS....PUBLIC 135
RETURN BY CONSUMERS AUTHORIZED....RESOLVE 41
BEER & WINE
LICENSING REPORTING PROCEDURES....PUBLIC 147
LOCAL, SALES AT FARMERS MARKETS....PUBLIC 280
SMALL RESTAURANTS SERVING LIQUOR
TOILET FACILITIES....PUBLIC 242
SPECIAL FOOD & BEVERAGE INDUSTRY
TASTE-TASTING EVENT LICENSE....PUBLIC 259
TASTINGS
FREQUENCY INCREASED....PUBLIC 103
WHOLESALE LIQUOR
CONTRACTS & PROFIT DISTRIBUTION (S)....PUBLIC 380
WINE
FARM WINERIES LICENSE REVISED....PUBLIC 48
TASTE TESTING....PUBLIC 69
WINERIES
CHARGES FOR SAMPLES....PUBLIC 62
**ALL-TERRAIN VEHICLES**
LAW ENFORCEMENT
STOPPING ON PRIVATE PROPERTY....PUBLIC 248
REGISTRATION
SHORT-TERM CREATED....PUBLIC 116
**ALZHEIMERS DISEASE**
SEE DISEASES
**ALZHEIMERS DISEASE STUDY TASK FORCE**
MEMBERSHIP
ESTABLISHED....RESOLVE 58
POWERS & DUTIES
ESTABLISHED....RESOLVE 58
**AMPHETAMINE**
SEE DRUG OFFENSES
**ANATOMICAL GIFTS**
SEE ALSO ORGAN DONATION ADV COMM
DONATION & TRANSPORTATION
ADVISORY COUNCIL TO ASSIST....PUBLIC 168
**ANIMAL TRESPASS**
SEE CRIMES & OFFENSES
**ANIMAL WELFARE**
SEE CRUELTY TO ANIMALS
**ANIMALS**
SEE ALSO DOGS
SEE ALSO WILDLIFE
ANIMAL TRESPASS
REPEATED INSTANCES....PUBLIC 18
LIVESTOCK
ROTATIONAL GRAZING....PUBLIC 76
NONPROFIT ANIMAL SHELTERS
SURPLUS PROPERTY SALES AUTHORIZED....PUBLIC 9

CHAPTER

**ANIMALS (Cont.)**
RABIES VACCINATIONS
REPORTING RECIPROCITY, ME & NH....RESOLVE 64
SERVICE ANIMALS
REDEFINED....PUBLIC 369
SLAUGHTERHOUSES
EXAMINATION OF LAWS & RULES....RESOLVE 66
UNATTENDED MOTOR VEHICLE
REMOVAL AUTHORIZED....PUBLIC 288
WOLF HYBRIDS
KEEPING REGULATED....PUBLIC 100
**ANSON & MADISON WATER DISTRICT**
POWERS & DUTIES
CREATED....P & S 6
**ANSON WATER DISTRICT**
CHARTER CHANGES
TERRITORY & BOARD OF DIRECTORS....P & S 5
**APPROPRIATIONS**
ABANDONED PROPERTY FUND
FY11-13 ( PART A)....PUBLIC 380
ACCIDENT, SICKNESS ... TRANSFERS
FY11-13 (PART BBBB)....PUBLIC 380
ACCIDENT, SICKNESS... SERVICE FUND
ADD SUPPLEMENTAL FY11 (PART G)....PUBLIC 28
FY11-13 ( PART A)....PUBLIC 380
BLOCK GRANT FUND
SUPPLEMENTAL FY11 (PARTS A, B)....PUBLIC 1
BLOCK GRANT FUND ARRA
SUPPLEMENTAL FY11 (PART A)....PUBLIC 1
CENTRAL MOTOR POOL
FY11-13 ( PART A)....PUBLIC 380
COMPETITIVE SKILLS SCHOLARSHIP FUND
FY11-13 ( PART A)....PUBLIC 380
CONSOLIDATED EMER COMM FUND
FY11-13 ( PART A)....PUBLIC 380
SUPPLEMENTAL FY11 (PART A)....PUBLIC 1
DIRIGO HEALTH FUND
FY11-13 ( PART A)....PUBLIC 380
DIRIGO HEALTH FUND REVENUE
FY11-13 (PART BBB)....PUBLIC 380
DIRIGO HEALTH FUND TRANSFERS
FY11-13 (PART BBB)....PUBLIC 380
EMPLOYMENT SECURITY TRUST FUND
FY11-13 ( PART A)....PUBLIC 380
FEDERAL BLOCK GRANT FUND
FY11-13 ( PART A)....PUBLIC 380
FEDERAL BLOCK GRANT FUND ARRA
FY11-13 ( PART A)....PUBLIC 380
FEDERAL FUND
FY11-13 ( PART A, B)....PUBLIC 380
FY12-13 (PART A, B)....PUBLIC 392
SUPPLEMENTAL FY11 (PART B)....PUBLIC 20
SUPPLEMENTAL FY11 (PARTS A, B)....PUBLIC 1
FEDERAL FUND ARRA
FY11-13 ( PART A)....PUBLIC 380
SUPPLEMENTAL FY11 (PART A)....PUBLIC 1
FEDERAL FUND TRANSFERS
ADD SUPPLEMENTAL FY11 (PART B)....PUBLIC 28
FINANCIAL & PERSONNEL SERV FUND
FY11-13 ( PART A, B)....PUBLIC 380
SUPPLEMENTAL FY11 (PART B)....PUBLIC 1
FIREFIGHTERS & LAW ENFORCE ... FUND
FY11-13 ( PART A)....PUBLIC 380
FLEET SERVICES FUND - DOT
FY12-13 (PART A)....PUBLIC 392

CHAPTER

**APPROPRIATIONS (Cont.)**
GENERAL FUND
ADD SUPPLEMENTAL FY11 (PARTS A, H)....PUBLIC 28
SUPPLEMENTAL FY11 (PARTS A, B)....PUBLIC 1
GENERAL FUND REVENUE
FY11-13 (PART A,G,I,K,M,N,O,P,Q,S,II,CCCC)....PUBLIC 380
FY11-13 (PART DDDD,EEEE,FFFF,GGGG,HHHH)..PUBLIC 380
FY12-13 (PART C)....PUBLIC 392
SUPPLEMENTAL FY11 (PART A, N, P, T, GG, II)....PUBLIC 1
GENERAL FUND TRANSFERS
ADD SUPPLEMENTL FY11 (B,D,E,F,G,J,K,M,N)....PUBLIC 28
FY11-13 (D,AAA,EEE,GGG, JJJ, RRR,TTT,YYY)....PUBLIC 380
FY11-13 (PART BBBB,JJJJ,LLLL,NNNN,QQQQ)....PUBLIC 380
SUPPL FY11 (PART H,I,J,L,M,Q,U,V,Y,Z,HH)....PUBLIC 1
HEALTHY MAINE FUND
FY11-13 ( PART A)....PUBLIC 380
SUPPLEMENTAL FY11 (PART A)....PUBLIC 1
HEALTHY MAINE FUND REVENUE
FY11-13 (PART II)....PUBLIC 380
HEALTHY MAINE FUND TRANSFERS
FY11-13 (PART TTT)....PUBLIC 380
HIGHWAY FUND
FY12-13 (PART A, B, D, N, O, P, Q, R)....PUBLIC 392
SUPPLEMENTAL FY11 (PARTS A, B)....PUBLIC 20
HIGHWAY FUND REVENUE
FY12-13 (PART C)....PUBLIC 392
HIGHWAY FUND TRANSFERS
FY12-13 (PART F)....PUBLIC 392
INFORMATION SERVICES FUND
SUPPLEMENTAL FY11 (PART B)....PUBLIC 1
INFORMATION SERVICES OFFICE FUND
FY11-13 ( PART A, B)....PUBLIC 380
ISLAND FERRY SERVICES FUND
FY12-13 (PART A)....PUBLIC 392
LOTTERY FUND
FY11-13 ( PART A)....PUBLIC 380
MARINE PORTS FUND
FY12-13 (PART A)....PUBLIC 392
MILITARY AUTH ENTERPRISE FUND
FY11-13 ( PART A)....PUBLIC 380
POSTAL, PRINTING & SUPPLY FUND
FY11-13 ( PART A)....PUBLIC 380
PRISON INDUSTRIES FUND
FY11-13 ( PART A)....PUBLIC 380
PRIVATE TRUST FUNDS
FY11-13 ( PART A)....PUBLIC 380
REAL PROPERTY LEASE INT SERV FUND
FY11-13 ( PART A)....PUBLIC 380
RETIREE HEALTH INS FUND
FY11-13 ( PART A)....PUBLIC 380
REVENUE SERVICES BUREAU FUND
FY11-13 ( PART A)....PUBLIC 380
RISK MANAGEMENT FUND
FY11-13 ( PART A)....PUBLIC 380
SEED POTATO BOARD FUND
FY11-13 ( PART A)....PUBLIC 380
SUPPLEMENTAL FY11 (PART A)....PUBLIC 1
SPECIAL REVENUE FUNDS
FY11-13 ( PART A, B)....PUBLIC 380
FY12-13 (PART A, B)....PUBLIC 392
SUPPLEMENTAL FY11 (PART B)....PUBLIC 20
SUPPLEMENTAL FY11 (PARTS A, B)....PUBLIC 1
SPECIAL REVENUE FUNDS REVENUE
FY11-13 (PART I, SS, DDDD)....PUBLIC 380
FY12-13 (PART C)....PUBLIC 392

CHAPTER

**APPROPRIATIONS-SPECIAL REVENUE FUNDS REVENUE (Cont.)**
SUPPLEMENTAL FY11 (PART N, P, GG) ..... PUBLIC 1
SPECIAL REVENUE FUNDS TRANSFERS
ADD SUPPLEMENTAL FY11 (PARTS E, J, M, N)..... PUBLIC 28
FY11-13 (AAA,BBB,EEE,GGG, JJJ,LLLL,NNNN) .... PUBLIC 380
FY12-13 (PART C)..... PUBLIC 392
SUPPLEMENTAL FY11 (PART H, J, L, U, HH) ..... PUBLIC 1
STATE-ADMINISTERED FUND
FY11-13 ( PART A)..... PUBLIC 380
TRANSIT, AVIATION & RAIL ...FUND
FY12-13 (PART A)..... PUBLIC 392
TRANSIT, AVIATION & RAIL... REVENUE
FY11-13 (PART G) ..... PUBLIC 380
TRANSPORTATION FACILITIES FUND
FY12-13 (PART A)..... PUBLIC 392
WORKERS COMP MANAGEMENT FUND
FY11-13 ( PART A)..... PUBLIC 380

**AQUACULTURE**
AQUATIC NUISANCE SPECIES
REDEFINED..... PUBLIC 47
LEASES
APPLICATIONS, RENEWALS & EMERGENCIES ..... PUBLIC 93
LEASES FOR SCIENTIFIC RESEARCH
PUBLIC HEARING FOR RENEWAL ..... PUBLIC 93

**AQUACULTURE ADVISORY COUNCIL**
POWERS & DUTIES
REPEALED ..... PUBLIC 344

**AQUATIC NUISANCE PLANTS**
SEE AQUACULTURE

**ARBITRATION ACT**
SEE UNIFORM LAWS

**ARBORIST ADVISORY COUNCIL**
MEMBERSHIP
STAGGERED TERMS..... RESOLVE 16

**AROOSTOOK COUNTY**
E TWP
CONVEY INTEREST OF STATE..... RESOLVE 54

**ARRESTS**
CIVIL ORDER OF ARREST
FAILURE TO APPEAR..... PUBLIC 177
ELECTRONIC WARRANTS
INTEGRATED SYS TO MANAGE & ENFORCE..... PUBLIC 214
PROTECTION FROM ABUSE ORDERS
VIOLATIONS ..... PUBLIC 178

**ATTORNEY GENERAL DEPT**
BALLOT QUESTIONS
EXPLANATIONS..... PUBLIC 342
FRAUD DETECTION
STUDY W/ DHHS (OO)..... PUBLIC 380
UNEXPENDED FUNDS TRANSFER
ADD SUPPLEMENTAL FY11 (PART N)..... PUBLIC 28

**ATTORNEYS**
ATTORNEYS FEES
AWARD IF ABUSE COMPLAINT FRIVOLOUS..... PUBLIC 303
FEES
FORECLOSURE PROCESS ..... PUBLIC 269

**AUCTIONEERS LICENSING BOARD**
DISCIPLINARY ACTIONS
UNQUALIFIED AUCTION ASSISTANT ..... PUBLIC 286

**AUCTIONS**
ASSISTANTS
QUALIFICATIONS..... PUBLIC 286

**AUDIT DEPT**
OFFSET FUNDS TRANSFER
ADD SUPPLEMENTAL FY11 (PART J)..... PUBLIC 28

CHAPTER

**AUGUSTA**
BRICK FARMHOUSE ON HOSPITAL ST
DATES EXTENDED TO SELL PROPERTY ..... RESOLVE 70

**AUTO DEALERS LICENSING WORKING GRP**
MEMBERSHIP
ESTABLISHED..... RESOLVE 11
POWERS & DUTIES
ESTABLISHED..... RESOLVE 11

**AUTOMOBILES**
SEE MOTOR VEHICLES

**BAIL & RECOGNIZANCE**
APPLICABILITY
NOT IF ARRESTED FOR JUVENILE CRIME ..... PUBLIC 336
BAIL COMMISSIONERS
PRECONVICTION BAIL..... PUBLIC 341
CRIME INVOLVING DOMESTIC VIOLENCE
REDEFINED FOR BAIL CODE ..... PUBLIC 341

**BANGOR**
AUDITORIUM & CIVIC CENTER
REPLACEMENT, BOND FINANCING ..... ..P & S 15
HEDIN HALL, D DIX PSYCHIATRIC CTR
DATES EXTENDED TO SELL PROPERTY ..... RESOLVE 70

**BANKRUPTCY**
EXEMPTIONS
FEDERAL UPDATES..... PUBLIC 203

**BARBER & COSMETOLOGY BOARD**
LICENSES
NAIL TECH, AESTHETICS,BARBERS,COSMETOL .... PUBLIC 286

**BARBERS**
LICENSES
INITIAL LICENSURE PROVISIONS REVISED..... PUBLIC 286
LIMITED CREATED ..... PUBLIC 286

**BEANO**
SEE BINGO

**BEHAVIORAL HEALTH STAKEHOLDER GRP**
MEMBERSHIP
ESTABLISHED..... RESOLVE 107
POWERS & DUTIES
ESTABLISHED..... RESOLVE 107

**BENTON**
BRIDGE OVER KENNEBEC RIVER
BRIAN BUKER/FRANK HASKELL BRIDGE..... RESOLVE 3

**BINGO**
BEANO PRIZE LIMIT
INCREASED ONCE PER YEAR ..... PUBLIC 301
HIGH-STAKES BEANO GAMES
NATIVE AMERICAN EVENTS ..... PUBLIC 410
TERMS OF LICENSE & FEES..... PUBLIC 410
SEASONAL LICENSES
PRIZES, MINORS, NUMBER ISSUED ..... PUBLIC 339

**BLUEBERRY PIE**
SEE FOOD

**BOARD OF EDUCATION**
AUTISM SPECTRUM DISORDERS
TEACHERS,PARAPROF PREPARATION..... RESOLVE 47
SPEECH-LANGUAGE PATHOLOGISTS
DUAL CERTIFICATION RULES REVISED ..... PUBLIC 49

**BOARDS & COMMISSIONS**
INACTIVE
REPEALED ..... PUBLIC 344

**BOILER RULE REVIEW WORKING GROUP**
POWERS & DUTIES
ESTABLISHED..... RESOLVE 45

**BOILERS**
REGULATIONS
WORKING GROUP TO REVIEW..... RESOLVE 45

CHAPTER

**BOILERS & PRESSURE VESSELS BOARD**
BOILER RULES
REVIEW & REPORT ..... RESOLVE 45
**BOND ISSUES**
MARINE INFRASTRUCTURE & TECH FUND
BOND REAUTHORIZED ..... RESOLVE 73
**BONDS**
GARVEE BONDS
AUTHORIZATION ..... PUBLIC 391
PRIVATE ACTIVITY
CEILINGS CY 2011 & 2012 ..... P & S 18
**BORROW PITS**
SEE GRAVEL
**BOTTLE BILL**
SEE POPULAR NAMES OF LAWS
**BOTTLES**
SEE CONTAINERS
**BOUNDARIES**
CUSHING & FRIENDSHIP, WARREN,
THOMASTON & WALDOBORO ..... P & S 4
SUBDIVISIONS
RIGHTS-OF-WAY ..... PUBLIC 312
**BRIDGES**
KENNEBEC RIVER, BENTON & FAIRFIELD
BRIAN BUKER/FRANK HASKELL BRIDGE ..... RESOLVE 3
MAIN STREET IN NEWPORT
NAMED: SGT DONALD SIDNEY SKIDGEL ..... RESOLVE 52
PARK STREET BRIDGE, PRESQUE ISLE
GOLD STAR MEMORIAL BRIDGE ..... RESOLVE 37
PATTAGUMPUS STREAM
NAMING DEAUTHORIZED ..... RESOLVE 2
PUBLIC WORKS CONTRACTS
LABOR ORGANIZATION AGREEMENTS ..... PUBLIC 463
**BUDGET BUREAU**
SEE ALSO ADMIN & FIN SERV DEPT
CENTRAL SERVICES SAVINGS
CALCULATION & TRANSFER (R) ..... PUBLIC 380
VACANT POSITIONS
SAVINGS TRANSFER & HEADCOUNT (QQQ) ..... PUBLIC 380
**BUILDING & ENERGY CODE**
SEE UNIFORM LAWS
**BUILDINGS**
ACCESSIBILITY
STANDARDS UNDER HUMAN RIGHTS ACT ..... PUBLIC 322
BUILDING & ENERGY CODE
ADOPTION BY MUNICIPALITIES ..... PUBLIC 408
CROP STORAGE BUILDINGS ..... PUBLIC 365
RESIDENTIAL BASEMENT WALL INSULATION ..... PUBLIC 365
COASTAL SAND DUNE SYSTEMS
IMPERVIOUS & FOOTPRINT DEFINED ..... PUBLIC 64
MUNICIPAL BUILDING INSPECTIONS
BUILDING OFFICIAL DEFINED ..... PUBLIC 94
SEASONAL ENTERTAINMENT FACILITIES
SPRINKLER SYSTEMS ..... PUBLIC 349
**BUS**
BUS STOPS
PUBLICLY OWNED, OUTDOOR ADS ..... PUBLIC 114
**BUSINESS DEVELOPMENT OFFICE**
SEE ECONOMIC & COMM DEV DEPT
**BUSINESS OMBUDSMAN PROGRAM**
SEE ECONOMIC & COMM DEV DEPT
**CALAIS**
HIGH-STAKES BEANO
PASSAMAQUODDY TRIBE IF APPROVED ..... PUBLIC 410

CHAPTER

**CAMPING AREAS**
LICENSURE
INSPECTION PROVISIONS REVISED ..... PUBLIC 375
**CAPTIVE INSURANCE**
SEE INSURANCE BUREAU
**CARS**
SEE MOTOR VEHICLES
**CASINOS**
SEE GAMES OF CHANCE
**CASTLE HILL**
MUNICIPAL DISBURSEMENT WARRANTS
PROCESS REVISED ..... P & S 13
**CATHODE RAY TUBES**
SEE WASTE DISPOSAL
**CEDAR LAKE TOWNSHIP**
NAME CHANGE FROM
TOWNSHIP 3, RANGE 9 NWP ..... P & S 2
**CEMETERIES**
VETERANS CEMETERIES
SOUTHERN MAINE, PERSONNEL ..... PUBLIC 440
**CENTRAL FLEET MANAGEMENT DIV**
MOTOR VEHICLES ACQUISITION
FINANCING ARRANGEMENTS (H) ..... PUBLIC 380
**CERTIFICATE OF NEED**
SEE HEALTH CARE FACILITIES
**CERTIFICATE OF NEED STAKEHOLDER GRP**
MEMBERSHIP
ESTABLISHED ..... PUBLIC 424
POWERS & DUTIES
ESTABLISHED ..... PUBLIC 424
**CHAPMAN**
MUNICIPAL DISBURSEMENT WARRANTS
PROCESS REVISED ..... P & S 13
**CHARITABLE ORGANIZATIONS**
CHARITABLE SOLICITATIONS ACT
VARIOUS PROVISIONS REVISED ..... PUBLIC 286
**CHEMICALS**
BISPHENOL A IN CHILD PRODUCTS
RULE REVIEW BY LEGISLATURE ..... RESOLVE 25
CHEMICALS OF HIGH CONCERN
NAME CHG: CHEMICALS OF CONCERN ..... PUBLIC 319
ISOPROPYL ALCOHOL & WOOD ASH
COMMERCIAL PRODUCT SUBSTITUTES ..... PUBLIC 304
POLYBROMINATED DIPHENYL ETHERS
PHASEOUT CLARIFIED ..... PUBLIC 160
**CHIEF DEPUTY SHERIFF**
SEE SHERIFF
**CHILD CARE**
FACILITIES
REIMBURSEMENT RULE REVIEW ..... RESOLVE 98
RATES
STATE-PAID ESTABLISHED (UU) ..... PUBLIC 380
**CHILD CARE ADVISORY COUNCIL**
MEETINGS
NOTICE, ATTENDANCE, CONDUCT OF ..... PUBLIC 388
**CHILD DEVELOPMENT SERVICES SYSTEM**
EARLY CHILDHOOD SERVICES
SUPPLEMENTAL FY11 (PART C) ..... PUBLIC 1
**CHILDREN**
SEE ALSO ADOPTION
SEE ALSO FAMILIES
AUTISM SPECTRUM DISORDERS
TEACHERS, PARAPROF PREPARATION ..... RESOLVE 47
BINGO OR BEANO
RESORT HOTELS ..... PUBLIC 339

CHAPTER

**CHILDREN (Cont.)**
BISPHENOL A IN CHILD PRODUCTS
RULE REVIEW BY LEGISLATURE....RESOLVE 25
BLOOD LEAD LEVELS TESTS
AVAILABILITY OF FACILITIES....PUBLIC 183
CHILD CARE FACILITIES
REIMBURSEMENT RULE REVIEW....RESOLVE 98
CHILD CARE RATES
STATE-PAID ESTABLISHED (UU)....PUBLIC 380
CHILD SUPPORT
ENFORCEMENT PROCEDURES REVISED....PUBLIC 34
EMERGENCY SHELTER FAMILY HOMES
YOUTH REFERRED BY CORRECTIONS DEPT....PUBLIC 385
FOSTER CARE CHILDREN
RESOURCE FAMILY LICENSES....PUBLIC 187
GUARDIANS
TRANSITIONAL ARRANGEMENTS....PUBLIC 43
HOME VISITATION PROGRAMS
COMPREHENSIVE PLAN DEVELOPMENT....RESOLVE 77
IN CARE & CUSTODY OF STATE
EXTENDED CARE 18-20 YEARS....PUBLIC 402
LIFE-THREATENING CONDITIONS
PROMPT MAINECARE DECISIONS....PUBLIC 35
MEDICAL MARIJUANA
DOCTOR WRITTEN CERTIFICATION....PUBLIC 407
NEWBORN INFANTS
HIV TESTS AT BIRTH....PUBLIC 229
SEX EXPLICIT MATERIAL POSSESSION
CRIME REVISED....PUBLIC 50
SUMMER FOOD SERVICE PROGRAM
SCHOOL PARTICIPATION....PUBLIC 379
UNPERMITTED CONTACT
QUESTIONING BY PRIVATE INVESTIGATOR....PUBLIC 161
WORKING
HOURS INCREASED....PUBLIC 174
**CHILDRENS GROWTH COUNCIL**
POWERS & DUTIES
QUORUM, STAFFING, REPORTING....PUBLIC 388
**CHIMNEYS**
CONNECTIONS
SOLID FUEL BURNING APPLIANCES....PUBLIC 225
MAINTENANCE & INSPECTIONS
RULES REVISED....PUBLIC 225
**CHIROPRACTIC LICENSURE BOARD**
DISCIPLINARY CONFERENCES
INFORMAL W/ LICENSEES....PUBLIC 286
**CIGARETTE TAX**
CREDIT
PRODUCTS RETURNED AS UNFIT....PUBLIC 441
**CIVIL ORDER OF ARREST**
SEE CIVIL PROCEDURE
**CIVIL PROCEDURE**
ADMINISTRATIVE ORDERS
RECOVERY OF AMOUNTS DUE....PUBLIC 181
CIVIL ORDER OF ARREST
FAILURE TO APPEAR....PUBLIC 177
SERVICE OF CIVIL PROCESS
SUNDAY RESTRICTION REPEALED....PUBLIC 32
**COASTAL AREAS**
COASTAL DUNE ACTIVITY
RULE REVIEW BY LEGISLATURE....RESOLVE 27
SAND DUNE SYSTEMS
IMPERVIOUS AREA & FOOTPRINT DEFINED....PUBLIC 64
**COLLEGE SAVINGS ADVISORY COMM**
MEMBERSHIP
REVISED....PUBLIC 150

CHAPTER

**COLLEGES & UNIVERSITIES**
RETENTION & GRADUATION RATES
PROVIDED TO EDUCATION DEPT....PUBLIC 232
**COMBAT SPORTS AUTHORITY**
POWERS & DUTIES
BOXING COMPETITIONS REGULATED....PUBLIC 305
**COMMEMORATIONS**
GOVERNOR WILLIAM KING DAY
ESTABLISHED....PUBLIC 17
JUNETEENTH INDEPENDENCE DAY
3RD SATURDAY IN JUNE....PUBLIC 53
VIETNAM WAR REMEMBRANCE DAY
ESTABLISHED....PUBLIC 92
**COMMERCIAL FISHING SAFETY COUNCIL**
MEMBERSHIP
REVISED....PUBLIC 128
**COMMUNITY COLLEGE SYSTEM**
EASEMENTS
CERTAIN EXTINGUISHED....RESOLVE 33
SLOT MACHINE REVENUE
USE REPORT....PUBLIC 358
**COMPENSATION (EMPLOYMENT)**
PAYROLL PROCESSORS
LICENSE FEES REVISED....PUBLIC 308
TIPS
DEFINED, POOLING, SERVICE CHARGES....PUBLIC 118
**COMPUTERS**
COMPUTER CRIMES
ADDED JURISDICTION TO PROSECUTE....PUBLIC 377
INVASION OF PRIVACY
PROSECUTION PROVISIONS....PUBLIC 133
**CONDOMINIUMS**
ASSOCIATION RECORDS
RETENTION PROVISIONS....PUBLIC 368
MEETINGS
EXECUTIVE BOARD....PUBLIC 368
**CONSERVATION DEPT**
SEE ALSO FORESTRY BUREAU
SEE ALSO PARKS & LANDS BUREAU
FOREST PROTECTION DIV TRANSFERS
SUPPLEMENTAL FY11 (PART H)....PUBLIC 1
JET RANGER HELICOPTER SALE
SUPPLEMENTAL FY11 (PART W)....PUBLIC 1
**CONSTITUTION OF MAINE**
CONGRESS, COUNTIES & LEGISLATURE
REDISTRICTING SCHEDULE REVISED....CON RES 1
**CONSTRUCTION**
EQUIPMENT
DEALERS....PUBLIC 236
PERMITS
ABOVEGROUND STORAGE TANKS....RESOLVE 26
PUBLIC CONSTRUCTION PROJECTS
REPORTING, WORKERS COMPENSATION....PUBLIC 403
SCHOOL BUILDINGS
ALTERNATIVE DELIVERY METHODS....P & S 17
**CONSUMER CREDIT**
CREDITORS
TRUTH-IN-LENDING LAWS....PUBLIC 427
DEFERRED PAYMENTS
INTEREST CHARGES....PUBLIC 87
LOANS
NONBANK & BROKERS LICENSING....PUBLIC 427
**CONSUMER CREDIT PROTECTION BUREAU**
SEE ALSO PROF & FIN REG DEPT
CREDIT REPORTING DEBT COLLECTION
REVIEW & RECOMMEND TO LEGISLATURE....RESOLVE 34

CHAPTER

**CONSUMER CREDIT PROTECTION BUREAU (Cont.)**
FORECLOSURE PREVENTION
OUTREACH MEETINGS....PUBLIC 427
HOUSING COUNSELING PROGRAM
STREAMLINED....PUBLIC 427
**CONSUMER PROTECTION**
CREDIT REPORTING
PAID DEBTS & DEBT COLLECTORS....RESOLVE 34
GIFT CARDS & STORED VALUE CARDS
PROVISIONS REVISED....PUBLIC 433
**CONTAINERS**
REDEMPTION
NOT SOLD IN STATE, RIGHT OF ACTION....PUBLIC 429
**CONTRACTORS**
INDEPENDENT CONTRACTORS
UNEMPLOYMENT COMPENSATION....PUBLIC 292
PREQUALIFICATION
PROCESS & STANDARDS....RESOLVE 74
**CONTRACTS**
BREACH OF COVENANT
LIMITATION OF ACTIONS....PUBLIC 124
PUBLIC WORKS
LABOR ORGANIZATION AGREEMENTS....PUBLIC 463
**CONTROLLED MEDS STAKEHOLDER GRP**
MEMBERSHIP
ESTABLISHED (YY)....PUBLIC 380
POWERS & DUTIES
ESTABLISHED (YY)....PUBLIC 380
**CORPORATIONS**
ANNUAL & SPECIAL MEETINGS
REMOTE PARTICIPATION....PUBLIC 274
ARTICLES OF INCORP OR BYLAWS
ELECTRONIC NOTICE OF MEETINGS....PUBLIC 274
BUSINESS CORPORATION ACT
MODEL ACT REVISIONS....PUBLIC 274
CUSTODIAN OR RECEIVER
APPOINTMENT PROCEEDINGS....PUBLIC 274
LIMITED LIABILITY COMPANIES
PROVISIONS REVISED....PUBLIC 113
OTHER REMEDIES
LIMITATION ON CORPORATE ACTIONS....PUBLIC 274
SHAREHOLDERS
PLAN APPROVAL PROCESS....PUBLIC 274
**CORRECTIONAL FACILITIES**
COUNTY SERVICES
COORDINATION....PUBLIC 374
FARM PROGRAMS
SUPPORTED BY GRAVEL MINING PROGRAM....PUBLIC 340
PRISONER DEATH
MEDICAL EXAMINER DECIDES ON AUTOPSY....PUBLIC 60
TWO BRIDGES REGIONAL JAIL
LINCOLN COUNTY PAYMENT....PUBLIC 315
**CORRECTIONS BOARD**
MEMBERSHIP
REVISED....PUBLIC 374
POWERS & DUTIES
COORDINATION OF COUNTY SERVICES....PUBLIC 374
**CORRECTIONS DEPT**
OVERTIME EXPENSES
FUNDS TRANSFER (BB)....PUBLIC 380
PERSONAL SERVICES
BALANCES CARRY OVER (IIII)....PUBLIC 380
TRANSFER OF FUNDS
PAYING FOR FOOD, HEAT, UTILITIES (AA)....PUBLIC 380
YOUTH REFERRALS
EMERGENCY SHELTER FAMILY HOMES....PUBLIC 385

CHAPTER

**COSMETOLOGISTS**
LICENSES
INITIAL LICENSURE PROVISIONS REVISED....PUBLIC 286
**COUNSELORS**
MARRIAGE & FAMILY THERAPISTS
MENTAL HEALTH PROFESSIONALS....PUBLIC 6
SERVICES IN SCHOOLS AUTHORIZED....PUBLIC 19
**COUNTIES**
ELECTED OFFICIALS
CONFIDENTIAL COMMUNICATIONS....PUBLIC 264
REDISTRICTING
SCHEDULE REVISED....CON RES 1
REGISTRIES OF DEEDS
ABSTRACTS & COPIES FEES....PUBLIC 378
SHERIFFS
SALARY PROCEDURES & DUTIES....PUBLIC 95
**COURTS**
INTELLECTUALLY DISABLED PERSONS
LIMITATION OF RIGHTS....PUBLIC 186
JUDICIAL PROCEEDINGS
PRIORITIES & TIMING STUDY....RESOLVE 104
SECURITY
MUNICIPAL LAW ENFORCEMENT (TT)....PUBLIC 380
**CREDIT CARDS**
PAPERLESS BILLING
PENALTIES FOR OPTING OUT PROHIBITED....PUBLIC 226
**CREMATORIUMS**
SEE DEATH
**CRIMES & OFFENSES**
SEE ALSO DRUG OFFENSES
SEE ALSO SEX OFFENSES
SEE ALSO TRAFFIC REGULATIONS
ANIMAL TRESPASS
REPEATED INSTANCES....PUBLIC 18
COMPUTER CRIMES
ADDED JURISDICTION TO PROSECUTE....PUBLIC 377
DOMESTIC VIOLENCE
REDEFINED FOR BAIL CODE....PUBLIC 341
ESCAPE FROM COMMUNITY CONFINEMENT
MONITORING PROGRAM REVISED....PUBLIC 464
FILING FALSE TAX RETURNS
ELECTRONIC FILING INCLUDED....PUBLIC 285
FINES
JAIL TIME CREDIT INCREASED....PUBLIC 334
FISH & WILDLIFE VIOLATIONS
CURRENCY USED IS CONTRABAND....PUBLIC 253
HARASSMENT
ELECTRONIC COMMUNICATION DEVICES....PUBLIC 464
ILLEGAL FIREWORKS SALES
NO LICENSE, TO MINORS, FINES....PUBLIC 416
INVASION OF COMPUTER PRIVACY
PROSECUTION PROVISIONS....PUBLIC 133
INVESTMENT VIOLATIONS INVOLVING
ELDERLY, PENALTIES ENHANCED....PUBLIC 37
JUVENILE CRIMES
DEFAULT JUDGMENTS....PUBLIC 336
LITTER DISPOSAL
FINES, PUBLIC SERVICE, LOSS OF LICENSES....PUBLIC 208
MOTOR CARRIER SAFETY ADMIN
OUT OF SERVICE ORDER FINES....PUBLIC 219
MOTOR VEHICLE INSPECTORS
MECHANICS LICENSE REVOKED....PUBLIC 448
OPERATING UNDER INFLUENCE OF DRUGS
ENFORCEMENT PROVISIONS....PUBLIC 335
OUI ENHANCED SENTENCES
PRIOR CRIMINAL CONVICTION....PUBLIC 159

CHAPTER

**CRIMES & OFFENSES (Cont.)**
SYNTHETIC CANNABINOIDS
ILLEGAL....PUBLIC 428
TEXTING WHILE DRIVING
PROHIBITED....PUBLIC 207
TRAFFICKING IN DANGEROUS KNIVES
CHANGED TO POSSESSION & DISTRIBUTION....PUBLIC 464
TRAFFICKING IN PRISON CONTRABAND
CONTRABAND REDEFINED....PUBLIC 464
UNSWORN FALSIFICATION
ARTICLE W/ FALSE STATEMENT....PUBLIC 274
VOTED BALLOT DISCLOSURE OF ANOTHER
CLASS E CRIME....PUBLIC 342
**CRIMINAL LAW ADVISORY COMMISSION**
RECOMMENDATIONS
CRIMINAL PROCEDURE & CRIMES REVISED....PUBLIC 464
**CRIMINAL PROCEDURE**
CLASS D & E CRIMES
DNA COLLECTION REPEALED FOR CERTAIN....PUBLIC 221
CRIMINAL EXAM AFTER SENTENCING
OUTSIDE CORRECTIONAL FACILITY....PUBLIC 464
DETENTION
CREDIT FOR PARTIAL DAYS....PUBLIC 464
ELDER VICTIM RESTITUTION FUND
ESTABLISHED....PUBLIC 241
FINDING OF INCOMPETENCE
PROVISIONS REVISED....PUBLIC 464
FINES
JAIL TIME CREDIT INCREASED....PUBLIC 334
JUVENILE CODE
COMPETENCY....PUBLIC 282
DEFERRED DISPOSITION....PUBLIC 384
JUVENILE CRIMES
DEFAULT JUDGMENTS....PUBLIC 336
POST-JUDGMENT DNA ANALYSIS
APPEAL PROCESS....PUBLIC 230
SEXUALLY EXPLICIT MATERIAL
CUSTODY & EXAMINATION....PUBLIC 39
**CRIMINAL RECORDS**
SEE ALSO RECORDS
HISTORY INFORMATION
ACCESS BY DHHS....PUBLIC 52
**CRUELTY TO ANIMALS**
RECORDS
CONFIDENTIAL....PUBLIC 210
**CUSHING**
BOUNDARY W/ FRIENDSHIP,
WARREN, THOMASTON & WALDOBORO....P & S 4
**CUSTOM VEHICLES**
SEE MOTOR VEHICLES
**DAIRY INDUSTRY**
MILK HANDLING FEES
CLAIM FOR CREDITS....PUBLIC 125
MILK POOL DISTRIBUTIONS
SUPPLEMENTAL FY11 (PART GG)....PUBLIC 1
**DAMS**
FISHING FROM
TWO ADDED WHERE FISHING PROHIBITED....PUBLIC 253
**DANCING**
DANCE HALLS
SEASONAL ENTERTAINMENT FACILITIES....PUBLIC 349
TEMPORARY LICENSES....PUBLIC 333
**DANGEROUS DOGS**
SEE DOGS

CHAPTER

**DATA, RESEARCH & VITAL STATS OFFICE**
SOLEMNIZING MARRIAGE
TEMPORARY REG CERTIFICATES....PUBLIC 111
VITAL RECORDS
NONCERTIFIED COPIES & RESEARCH....PUBLIC 58
**DAY CARE**
ADULT DAY HEALTH CARE PROGRAM
VETERANS IN LEWISTON, REGULATIONS....PUBLIC 444
**DAY CARE FACILITIES**
CHILDREN
REIMBURSEMENT RULE REVIEW....RESOLVE 98
**DEATH**
BODY TRANSPORT TO MEDICAL EXAMINER
MILEAGE RATE FOR FUNERAL HOMES....PUBLIC 445
CERTIFICATES
BODY EXAM BY MEDICAL EXAMINER....PUBLIC 182
ELECTRONIC REGISTRATION SYSTEM....PUBLIC 371
CREMATED REMAINS OF VETERANS
DISPOSITION AFTER CERTAIN TIME....PUBLIC 318
CREMATORIUMS
OAK GROVE & KELLEY FAMILY CEMETERIES....P & S 10
REMAINS OF DECEASED PERSONS
CUSTODY ORDER OF PRIORITY....PUBLIC 387
**DEBT COLLECTION**
PAID DEBTS
CREDIT REPORTING REVIEW....RESOLVE 34
**DEER**
SEE WILDLIFE
**DEFENSE, VETERANS & EMER MANAGE DEP**
ADJUTANT GENERAL
PROVISIONS REVISED....PUBLIC 112
VETERANS CEMETERIES
SOUTHERN MAINE, PERSONNEL....PUBLIC 440
**DEFIBRILLATORS**
SEE HEALTH CARE SERVICES
**DEMENTIA TRAINING NEEDS WORKING GRP**
MEMBERSHIP
ESTABLISHED....RESOLVE 28
POWERS & DUTIES
ESTABLISHED....RESOLVE 28
**DENTAL CARE**
DENTAL SCHOOL FACULTY
LICENSES, FEES & ELIGIBILITY....PUBLIC 330
DENTISTS IN UNDERSERVED AREAS
INCOME TAX CREDIT EXTENDED....PUBLIC 434
INDEPENDENT DENTAL HYGIENISTS
PILOT PROJECT FOR UNDERSERVED AREAS....RESOLVE 67
REIMBURSED BY MAINECARE....PUBLIC 457
ORAL HEALTH CARE NEEDS
STUDY....RESOLVE 92
PRACTICE W/O LICENSE
STRICT LIABILITY CRIME....PUBLIC 184
RETIRED DENTISTS
LIMITED LICENSE, NONPROFIT CLINIC....PUBLIC 450
**DENTAL EXAMINERS BOARD**
DENTAL HYGIENIST PILOT PROJECT
RADIOGRAPHS IN UNDERSERVED AREAS....RESOLVE 67
LICENSES
DENTAL SCHOOL FACULTY....PUBLIC 330
RETIRED DENTISTS
LIMITED LICENSE, NONPROFIT CLINIC....PUBLIC 450
**DEVELOPMENT FOUNDATION**
DOWNTOWN CENTER
MAIN STREET PROGRAM FUNDS....PUBLIC 459

CHAPTER

**DIG SAFE WORK GROUP**
MEMBERSHIP
ESTABLISHED....PUBLIC 72
POWERS & DUTIES
ESTABLISHED....PUBLIC 72
**DIRIGO HEALTH**
ACCESS PAYMENTS
REDUCED (BBB)....PUBLIC 380
**DISABLED ADULT GUARDIAN WORK GRP**
MEMBERSHIP
ESTABLISHED....RESOLVE 80
POWERS & DUTIES
ESTABLISHED....RESOLVE 80
**DISABLED PERSONS**
ACCESSIBILITY
BUILDING STANDARDS....PUBLIC 322
ADULTS W/ COGNITIVE DISABILITIES
PLAN TO IMPROVE GUARDIANSHIP....RESOLVE 80
ADULTS W/ INTELLECTUAL DISABILITY
SHARED LIVING SERVICES REDESIGN....RESOLVE 30
CHILDREN
ATTORNEYS AT IEP TEAM MEETINGS....PUBLIC 363
AUTISM, PREPARATION FOR TEACHERS....RESOLVE 47
TRANSITIONAL SERVICES COORDINATION....PUBLIC 348
DEPENDENT ADULTS
PROTECTION FROM ABUSE ORDERS....PUBLIC 201
DISABILITY PARKING PERMITS
TEMPORARY CREATED....PUBLIC 117
FISHING
ASSISTANT NEEDS NO LICENSE....PUBLIC 355
COMPLIMENTARY LICENSE PROVISIONS....PUBLIC 355
GUARDIANS
TRANSITIONAL ARRANGEMENTS....PUBLIC 43
INTELLECTUAL DISABILITIES
PROTECTIONS & RIGHTS....PUBLIC 186
LONG-TERM CARE SERVICES
LEAN IMPLEMENTATION PLAN....RESOLVE 71
PERMANENT DISABILITIES
LICENSE PLATES & PLACARDS....PUBLIC 23
PERSONS W/ AUTISM
HOME/COMMUNITY BENEFITS, RULE REVIEW....RESOLVE 78
PERSONS WITH ONE ARM
POSSESSION OF KNIVES....PUBLIC 31
WORK SITE LIMITS
REVISED....RESOLVE 49
**DISEASE CONTROL & PREVENTION CENTER**
SEE ALSO HEALTH & HUMAN SERV DEPT
CHEMICALS OF HIGH CONCERN
NEW LISTING DEVELOPED....PUBLIC 319
REPORT CARD ON HEALTH
ANNUALLY FOR STATE & EACH DISTRICT....PUBLIC 306
TOBACCO USE
RATE REDUCTION, MAINECARE....RESOLVE 24
WELLNESS INITIATIVES
NATIVE AMERICANS INCLUDED....PUBLIC 306
WIND ENERGY TURBINES
HEALTH & NOISE IMPACT REPORT....RESOLVE 93
**DISEASES**
ALZHEIMERS DISEASE
INCREASED POPULATN COST/CARE,STUDY....RESOLVE 58
OCCUPATIONAL
REPORTING & CONFIDENTIALITY....PUBLIC 337
**DISTRICT COURT**
FAMILY LAW MAGISTRATES
ROBES....PUBLIC 3

CHAPTER

**DISTRICT COURT (Cont.)**
JURISDICTION
ADOPTION, PERMANENCY GUARDIANS....PUBLIC 402
**DIVORCE**
CHILD SUPPORT
ENFORCEMENT PROCEDURES REVISED....PUBLIC 34
**DNA COLLECTION**
SEE HEALTH CARE SERVICES
**DOGS**
DANGEROUS DOGS
ENFORCEMENT PROVISIONS....PUBLIC 82
REDEFINED
DISTINGUISH W/ WOLF HYBRIDS....PUBLIC 100
**DOMESTIC & SEXUAL ABUSE COMMISSION**
STRANGULATION
PATTERNS & MANAGEMENT STUDY....RESOLVE 76
**DOMESTIC ABUSE**
PROTECTION FROM ABUSE ORDERS
AWARD OF FEES IF COMPLAINT FRIVOLOUS....PUBLIC 303
**DOROTHEA DIX CENTER PLAN WORK GRP**
MEMBERSHIP
ESTABLISHED (NN)....PUBLIC 380
POWERS & DUTIES
ESTABLISHED (NN)....PUBLIC 380
**DOROTHEA DIX PSYCHIATRIC CENTER**
SEE ALSO HEALTH & HUMAN SERV DEP
FUTURE ROLE
PLAN (NN)....PUBLIC 380
PERSONAL SERVICES TRANSFER
SUPPLEMENTAL FY11 (PART S)....PUBLIC 1
**DRIVER EDUCATION**
TEACHER OR INSTRUCTOR
LICENSE DURATION....PUBLIC 442
**DRIVERS LICENSES**
DESIGNATIONS
MILITARY SERVICE....PUBLIC 390
DIGITAL IMAGES
STORAGE & DISTRIBUTION....PUBLIC 149
ISSUANCE OR RENEWAL
SELECTIVE SERVICE REGISTRATION....PUBLIC 170
MILITARY OR VETERANS STATUS
DESIGNATION....PUBLIC 134
SUSPENSION
STAY AFTER FAILING TO SUBMIT TO TEST....PUBLIC 143
TIMELY CREDITS....PUBLIC 81
**DRUG OFFENSES**
METHADONE USE
DRIVING COMMERCIAL MOTOR VEHICLES....PUBLIC 455
METHAMPHETAMINE OR AMPHETAMINE
TRAFFICK 300 PILLS/100 GR CLASS A CRIME....PUBLIC 436
SALE & USE OF PARAPHERNALIA
CHANGED TO USE OF PARAPHERNALIA....PUBLIC 464
SYNTHETIC HALLUCINOGENIC DRUGS
POSSESSION OR SALE PROHIBITED....PUBLIC 447
UNLAWFUL POSSESS OF SCHEDULED DRUG
AFFIRMATIVE DEFENSE....PUBLIC 464
**DRUGS**
ACADEMIC DETAILING PROGRAM
FEE RESTORED....PUBLIC 461
CONTROLLED MEDICATIONS
CASH PURCHASE STUDY....PUBLIC 380
DRIVING UNDER THE INFLUENCE
ENFORCEMENT STRENGTHENED....PUBLIC 335
MAINE RX PLUS PROGRAM
ADMINISTRATIVE FEE (SS)....PUBLIC 380

CHAPTER

**DRUGS (Cont.)**
MAXIMUM ALLOWABLE COST LIST
MAINECARE PROPOSED CHANGES....PUBLIC 323
OPIOIDS ABUSE
WORK GROUP ESTABLISHED TO REDUCE....RESOLVE 81
PRESCRIPTION DRUGS
DISCLOSURE PROVISIONS REMOVED....PUBLIC 461
HONOR THOSE OF OTHER VETERINARIANS....PUBLIC 30
INTERSTATE MONITORING PROG COMPACT....PUBLIC 217
PRESCRIPTION DRUGS & MAINECARE
DISPENSING FEE COST REVIEW....PUBLIC 458
PRESCRIPTION MONITORING PROGRAM
CONTROLLED SUBSTANCES....RESOLVE 96
CONTROLLED SUBSTANCES (WW)....PUBLIC 380
INFORMATION SHARING W/ OTHER STATES....PUBLIC 218
SYNTHETIC CANNABINOIDS
ADDED TO SCHEDULE Z DRUGS....PUBLIC 428
SYNTHETIC HALLUCINOGENIC DRUGS
POSSESSION OR SALE PROHIBITED....PUBLIC 447
**EASEMENTS**
COMMUNITY COLLEGE SYSTEM
CERTAIN EXTINGUISHED....RESOLVE 33
**EAST MACHIAS**
.999 ACRES
DATES EXTENDED TO SELL PROPERTY....RESOLVE 70
**EAST MILLINOCKET**
DOLBY LANDFILL
ACQUISITION BY STATE....RESOLVE 90
**EASTPORT**
BOAT SCHOOL PROPERTY
TRANSFER OF PROPERTY AUTHORIZED....RESOLVE 12
**EASTPORT PORT AUTHORITY**
POWERS & DUTIES
REVISED TO QUALIFY FOR BONDING....P & S 7
**EATING ESTABLISHMENTS**
SEE RESTAURANTS
**ECONOMIC & COMMUNITY DEVELOP DEPT**
BUSINESS DEVELOPMENT OFFICE
RENAMED: BUSINESS OMBUDSMAN PROG....PUBLIC 304
BUSINESS OMBUDSMAN PROGRAM
POWERS & DUTIES....PUBLIC 304
IMMIGRANT INVESTOR PILOT PROGRAM
APPLICATION AS REGIONAL CENTER....PUBLIC 304
NEW EMPLOYMENT INITIATIVES
REVIEW & PROMOTION....RESOLVE 29
VISUAL & DIGITAL MEDIA LOAN PROGRAM
ESTABLISHED....PUBLIC 372
**ECONOMIC DEVELOPMENT**
DOWNTOWN CENTER
MAIN STREET PROGRAM FUNDS....PUBLIC 459
NEW EMPLOYMENT INITIATIVES
REVIEW & PROMOTION BY DECD....RESOLVE 29
NEW MARKETS CAPITAL INVESTMENT
PROGRAM ESTABLISHED W/IN FAME (Q)....PUBLIC 380
REGIONAL REVOLVING LOAN PROGRAM
DEADLINE EXTENDED....PUBLIC 11
SPECIAL FOOD & BEVERAGE INDUSTRY
TASTE-TASTING EVENT LICENSE....PUBLIC 259
TAX INCREMENT FINANCING
PLANTATIONS SAME AS TOWNS....PUBLIC 101
RECREATIONAL DEVELOPMENT USE....PUBLIC 102
**EDUCATION COMM OF THE STATES**
POWERS & DUTIES
REPEALED....PUBLIC 344

CHAPTER

**EDUCATION DEPT**
ACCOUNTABILITY STANDARDS
RULE REVIEW BY LEGISLATURE....RESOLVE 6
AT-RISK STUDENTS EXCELLENCE CTR
FUNDING (C)....PUBLIC 380
AUTISM SPECTRUM DISORDERS
TEACHERS,PARAPROF PREPARATION....RESOLVE 47
CHARTER SCHOOLS
PROGRAM ESTABLISHED....PUBLIC 414
CHILD DEVELOP SERV FUND TRANSFER
ADD SUPPLEMENTAL FY11 (PART L)....PUBLIC 28
CHILD DEVELOPMENT SERVICES SYSTEM
SUPPLEMENTAL FY11 (PART K)....PUBLIC 1
CLOSING SCHOOLS
VOTES REQUIRED....PUBLIC 171
COLLEGES & UNIVERSITIES
RETENTION & GRADUATION RATES....PUBLIC 232
DIGITAL LITERACY & ONLINE LEARNING
RESOURCES DEVELOPED....PUBLIC 354
DIGITAL LITERACY FUND
ESTABLISHED....PUBLIC 354
EFFICENT DELIVERY OF EDUCATIONAL
SERVICES FUND CREATED....PUBLIC 446
ESSENTIAL PROGRAMS & SERVICES
PROVISIONS REVISED, FUNDING SAME....PUBLIC 419
FARM & FISH TO SCHOOL
PILOT PROGRAM....RESOLVE 91
FOOD STANDARDS
OUTSIDE OF SCHOOL LUNCH PROGRAM....PUBLIC 224
INNOVATIVE PLANS
SCHOOL, DISTRICT, ZONE GRANTS....PUBLIC 446
KINDERGARTEN TO GRADE 12
WAIVER FROM REQUIREMENT....PUBLIC 171
LEARNING TECHNOLOGY INITIATIVE
GRADES 7-12, ANNUAL PROG REVIEW (CC)....PUBLIC 380
LEARNING THRU TECH LAPSED FUNDS
ADD SUPPLEMENTAL FY11 (PART F)....PUBLIC 28
MAINE HISTORY RESOURCE GUIDE
FRANCO-AMERICAN SPECIALISTS ASSIST....RESOLVE 17
MANAGEMENT INFO SYS FUND LAPSE
SUPPLEMENTAL FY11 (PART Z)....PUBLIC 1
OBSERVING STUDENTS
UNREASONABLE RESTRICTIONS PROHIBITED....RESOLVE 42
PERSONAL FINANCE INITIATIVES
REPORT TO SCHOOL BOARDS & LEGIS....PUBLIC 154
PHYSICAL EDUCATION
PILOT PROJECT IN 4 SCHOOLS....PUBLIC 108
PK-20 PROGRAM RENAMED
SUPPLEMENTAL FY11 (PART D)....PUBLIC 1
PLANNING & MANAGE INFO DIRECTOR
NAME CHG: POLICY & PROGRAM DIR (PPP)....PUBLIC 380
SCHOOL FUNDING FORMULA
LOCAL & STATE CONTRIBUTIONS (C)....PUBLIC 380
SUPPLEMENTAL FY11 (PART C)....PUBLIC 1
SCHOOL MISSION STATEMENTS
ADOPTION ENCOURAGED & ASSISTED....RESOLVE 94
SCHOOL NURSE CONSULTANT
ESTABLISHED, DUTIES OUTLINED (DD)....PUBLIC 380
SCHOOL REVOLVING RENOVATION FUND
HAZARDOUS MATERIALS REMOVAL....PUBLIC 153
SCHOOL UNION 93
SURRY AUTHORIZED TO JOIN....P & S 9
SPECIAL EDUCATION BIRTH TO 20
RULE REVIEW BY LEGISLATURE....RESOLVE 39
STANDARDS-BASED EDUCATION
PLAN FOR IMPLEMENTATION....RESOLVE 83

CHAPTER

**EDUCATION DEPT (Cont.)**
STATE AGENCY CLIENT STUDENTS
SUPPLEMENTAL FY11 (PART C) ..... PUBLIC 1
STATE WARDS & AGENCY CLIENTS
AID TO LOCAL SCHOOLS FUNDS (YYY) ..... PUBLIC 380
STUDENT SOCIAL SECURITY NUMBERS
DISCLOSURE PROHIBITED ..... PUBLIC 223
TEACHER & PRINCIPAL EVALUATIONS
MODELS DEVELOPED ..... PUBLIC 36
**EDUCATIONAL LOAN AUTHORITY**
CAPITAL RESERVE FUNDS
OUTSTANDING BOND LIMITS & DEADLINE ..... PUBLIC 401
STATE CEILING CY 2011 & 2012
PRIVATE ACTIVITY ALLOCATIONS ..... P & S 18
**EFFICIENCY MAINE TRUST**
CONSUMER INFORMATION
CONFIDENTIAL RECORDS ..... PUBLIC 343
ENERGY SAVINGS IMPROVEMENT
PACE PROGRAM, HEATING EQUIPT ..... PUBLIC 84
ENERGY USE EVALUATION
STATE HOUSE & CROSS SOB ..... RESOLVE 40
OIL DEPENDENCE REDUCTION PLAN
TARGETS & PRIORITIES ..... PUBLIC 400
RENEWABLE ENERGY TECHNOLOGIES
REBATES AVAILABLE ..... PUBLIC 314
**ELDERLY**
ABUSE & NEGLECT
DEPENDENT ADULT CLARIFIED ..... PUBLIC 291
REPORTING ABUSE ..... PUBLIC 291
VISUAL TRAUMA PHOTOS ..... PUBLIC 291
COGNITIVE IMPAIRMENT
3RD PARTY TO RECEIVE CANCEL NOTICE ..... PUBLIC 123
CROSSBOW HUNTING
EXPANDED PRIVILEGES ..... PUBLIC 61
ELDER VICTIM RESTITUTION FUND
ESTABLISHED ..... PUBLIC 241
INVESTMENTS
VIOLATION PENALTIES ..... PUBLIC 37
LONG-TERM CARE SERVICES
CONSOLIDATED SERVICES & DELIVERY ..... PUBLIC 422
DEMENTIA TRAINING FOR PROVIDERS ..... RESOLVE 28
LEAN IMPLEMENTATION PLAN ..... RESOLVE 71
PROTECTION FROM ABUSE
EXTENDED FAMILY/UNPAID CARE PROVIDER ..... PUBLIC 201
SENIOR LIFETIME LICENSES
REVISED ..... PUBLIC 253
**ELECTIONS**
ABSENTEE BALLOTS
DUPLICATES ..... PUBLIC 40
MUNICIPAL CLERK HANDLING ..... PUBLIC 342
PROCEDURES REVISED ..... PUBLIC 399
BALLOTS
DISPUTED AVAILABLE FOR INSPECTION ..... PUBLIC 258
FEE TO INSPECT ..... PUBLIC 255
PROVISIONAL BALLOTS ..... PUBLIC 399
CAMPAIGN ADVERTISEMENTS
NOT AUTHORIZED BY CANDIDATES ..... PUBLIC 360
CAMPAIGNS
CONTRIBUTION LIMITS ..... PUBLIC 382
FINANCE ..... PUBLIC 389
INFLUENCE DEFINED ..... PUBLIC 389
REPORTS DUE DATES REVISED ..... PUBLIC 367
CANDIDATES
CONSENT FORMS WITH REQUIREMENTS ..... PUBLIC 239

CHAPTER

**ELECTIONS (Cont.)**
CLEAN ELECTIONS
CANDIDATES, REDUCED FUNDING ..... RESOLVE 89
EQUIPMENT REPURCHASE RULES ..... RESOLVE 19
EXPENDITURES & CONTRIBUTIONS ..... PUBLIC 389
STUDY ..... RESOLVE 103
ELECTED OFFICIALS COMMUNICATIONS
CONFIDENTIAL RECORDS CLARIFIED ..... PUBLIC 264
HOUSE OF REPRESENTATIVES VACANCY
MUNICIPAL CAUCUS ..... PUBLIC 409
MUNICIPAL ELECTIONS
TOWN CLERKS ROLE ..... PUBLIC 389
MUNICIPAL OFFICIALS
RECALL PROCESS ..... PUBLIC 324
PETITION SIGNATURES
VERIFICATION PROCESS ..... RESOLVE 75
POLITICAL PARTY STATUS
MUNICIPAL CAUCUSES IN 14 COUNTIES ..... PUBLIC 227
PUSH POLLING
REVIEW OF LAWS ..... RESOLVE 87
RECOUNT
PROCESS & DEPOSITS ..... PUBLIC 255
VOTER REGISTRATION
NEW VOTERS, 2 DAYS PRIOR TO ELECTION ..... PUBLIC 399
NOTICE OF REGISTRAR HOURS ..... PUBLIC 399
VOTING PROCEDURES
HOURS ON ELECTION DAY ..... PUBLIC 342
**ELECTRIC UTILITIES**
COMPETITIVE ELECTRICITY PROVIDERS
INFORMATION TO CONSUMERS ..... PUBLIC 284
LINEWORKERS
EXEMPT FROM ELECTRICIAN LICENSING ..... PUBLIC 290
SMART METERS
CYBER SECURITY & PRIVACY EXAMINED ..... RESOLVE 82
TRANSMISSION LINES
PUBLIC CONVENIENCE/NECESSITY CERT ..... PUBLIC 281
**ELECTRICIANS**
ELECTRICAL COMPANIES
LICENSING REQUIREMENT REPEALED ..... PUBLIC 406
ELECTRICAL INSTALLATIONS
PERMIT INSPECTIONS ..... PUBLIC 286
INCIDENTIAL WORK
EXEMPT FROM LICENSING REQUIREMENTS ..... PUBLIC 272
LICENSES
EXEMPTION FOR LINEWORKERS ..... PUBLIC 290
**ELECTRICIANS EXAMINING BOARD**
LICENSING
LINEWORKERS EXEMPT ..... PUBLIC 290
**ELECTRICITY**
BENEFITS
INFORMATION TO CONSUMERS BY PUC ..... PUBLIC 283
ELECTRIC TRANSMISSION LINES
PUBLIC CONVENIENCE/NECESSITY CERT ..... PUBLIC 281
ENERGY EFFICIENCY RESOURCES
CAPACITY LONG-TERM CONTRACTS ..... PUBLIC 413
NET ENERGY BILLING
TERM LENGTHS FOR CONTRACTS ..... PUBLIC 262
NEW RENEWABLE CAPACITY RESOURCES
PORTFOLIO REQUIREMENTS ANALYSIS ..... PUBLIC 413
TO REFURBISH REDEFINED ..... PUBLIC 413
REGIONAL TRANSMISSION ORGANIZATION
TRANSPARENCY ..... RESOLVE 68
RENEWABLE ENERGY CREDITS
LONG-TERM CONTRACTS ..... PUBLIC 273
RENEWABLE ENERGY TECHNOLOGIES
REBATES AVAILABLE ..... PUBLIC 314

CHAPTER

**ELECTRICITY (Cont.)**
TRANSMISSION & DISTRIBUTION UTILITY
BALANCE SHEET & RETURN ON EQUITY....PUBLIC 71
**ELECTRONICS**
PORTABLE ELECTRONIC DEVICES
INSURANCE STANDARDS....PUBLIC 297
**EMERGENCIES**
EMERGENCY MEDICAL TREATMENT
ADVANCED & BASIC DEFINED....PUBLIC 271
MOBILE COMMAND UNITS
POLICE OFFICERS MAY OPERATE....PUBLIC 165
**EMERGENCY MANAGEMENT AGENCY**
EMERGENCY BROADCAST ALERTS
FUNDING COSTS OF MPBN (KKKK)....PUBLIC 380
**EMERGENCY MEDICAL PERSONNEL**
FIRST RESPONDERS
POST-EMPLOYMENT BENEFITS FUND (Y)....PUBLIC 380
RECORDS
CONFIDENTIAL....PUBLIC 271
**EMERGENCY MEDICAL SERVICES BOARD**
EMERGENCY MEDICAL TREATMENT
BASIC & ADVANCED DEFINED....PUBLIC 271
RECORDS
CONFIDENTIAL....PUBLIC 271
**EMPLOYEE HEALTH & BENEFITS OFFICE**
SEE ALSO ADMIN & FIN SERV DEPT
HEALTH INSURANCE FOR RETIREES
GROWTH CONSTRAINTS PLAN (V)....PUBLIC 380
**EMPLOYERS MUTUAL INSURANCE CO**
BOARD OF DIRECTORS
NUMBER OF TERMS INCREASED....PUBLIC 105
**EMPLOYMENT PRACTICES**
AUTISTIC OR DISABLED WORKERS
WORK SITE LIMITS REVISED....RESOLVE 49
BUSINESS ASSISTANCE
REGULATORY REFORM....PUBLIC 304
EMPLOYER MAY NOT PROHIBIT
CONCEALED FIREARM LOCKED IN VEHICLE....PUBLIC 393
MINORS
HOURS INCREASED....PUBLIC 174
NEW BUSINESSES
UTILITY DEPOSITS, RULES....RESOLVE 32
OCCUPATIONAL DISEASES
REPORTING & CONFIDENTIALITY....PUBLIC 337
PAYROLL PROCESSORS
LICENSE FEES REVISED....PUBLIC 308
SUBSTANCE ABUSE TESTING
FEDERAL PROG, EXEMPT FROM STATE....PUBLIC 196
WORK-SHARING BENEFITS
UNEMPLOYMENT COMPENSATION....PUBLIC 91
**EMPLOYMENT SECURITY**
SEE ALSO UNEMPLOYMENT COMP BUR
EMPLOYMENT
DEFINITION CLARIFIED....PUBLIC 70
PRIVATE INVESTIGATORS
INDEPENDENT CONTRACTOR STATUS....PUBLIC 66
UNEMPLOYMENT COMPENSATION
AMOUNT OF EMPLOYMENT TIME....RESOLVE 85
EXTENDED BENEFIT TRIGGERS....PUBLIC 2
INDEPENDENT CONTRACTORS....PUBLIC 292
UNEMPLOYMENT COMPENSATION FUND
CONTENT & USAGE DATA PUBLISHED....PUBLIC 212
WORK-SHARING BENEFITS
AUTHORIZED....PUBLIC 91

CHAPTER

**ENERGY CONSERVATION**
BUILDING & ENERGY CODE
ADOPTION BY MUNICIPALITIES....PUBLIC 408
ENFORCEMENT....PUBLIC 365
ENERGY USE EVALUATION
STATE HOUSE & CROSS SOB....RESOLVE 40
LONG-TERM CONTRACTING
RULE REVIEW BY LEGISLATURE....RESOLVE 10
NEW RENEWABLE CAPACITY RESOURCES
PORTFOLIO REQUIREMENTS ANALYSIS....PUBLIC 413
OIL DEPENDENCE REDUCTION PLAN
TARGETS & PRIORITIES....PUBLIC 400
RENEWABLE ENERGY CREDITS
LONG-TERM CONTRACTS....PUBLIC 273
RENEWABLE ENERGY TECHNOLOGIES
REBATES AVAILABLE....PUBLIC 314
SCHOOL ENERGY IMPROVEMENTS
AGREEMENTS/PERFORMANCE CRITERIA....PUBLIC 279
WIND ENERGY
DEVELOPMENT GOALS....RESOLVE 93
**ENERGY INDEPENDENCE & SECURITY OFF**
DIRECTOR
DUTIES REVISED....PUBLIC 55
OIL DEPENDENCE REDUCTION PLAN
TARGETS & PRIORITIES....PUBLIC 400
REGIONAL TRANSMISSION ORGANIZATION
TRANSPARENCY....RESOLVE 68
WIND ENERGY DEVELOPMENT GOALS
ANNUAL ASSESSMENT ON PROGRESS....RESOLVE 93
**ENVIRONMENTAL HEALTH DIV**
RADON REGISTRATION ACT
UPDATED....PUBLIC 144
**ENVIRONMENTAL PROTECTION**
NATURAL RESOURCES PROTECTION
COASTAL SAND DUNE SYSTEMS....PUBLIC 64
EXEMPTION FOR ALL EXISTING CROSSINGS....PUBLIC 205
VERNAL POOL HABITAT SIGNIFICANCE....PUBLIC 362
VERNAL POOL HABITATS....PUBLIC 359
WATERFOWL & WADING BIRD HABITAT....PUBLIC 359
PERMITS BY RULE
REPORTING REQUIREMENTS....PUBLIC 120
PRODUCT STEWARDSHIP
IMPACT MANAGEMENT IMPLEMENTATION....PUBLIC 206
RADON REGISTRATION ACT
UPDATED....PUBLIC 144
RADON TESTING
RENTAL HOUSING REQUIREMENT DELAYED....PUBLIC 157
VIOLATIONS
STATUTE OF LIMITATIONS IS 6 YEARS....PUBLIC 350
**ENVIRONMENTAL PROTECTION BOARD**
CONFLICT OF INTEREST
CLARIFIED....PUBLIC 357
HAZARDOUS & SOLID WASTES
BENEFICIAL REUSE, RULEMAKING....PUBLIC 304
LANDFILL RULES
GAS & ODOR MANAGEMENT REVISED....RESOLVE 43
PERMITS BY RULE
REPORTING REQUIREMENTS....PUBLIC 120
STRUCTURE & DUTIES
REVISED....PUBLIC 304
WATER POLLUTION CONTROL
QUALITY STANDARDS REVIEW....PUBLIC 194
**ENVIRONMENTAL PROTECTION DEPT**
AGRICULTURAL LAND RESTRICTIONS
REVIEW & REPORT TO LEGISLATURE....RESOLVE 101

CHAPTER

**ENVIRONMENTAL PROTECTION DEPT (Cont.)**
BISPHENOL A IN CHILD PRODUCTS
RULE REVIEW BY LEGISLATURE....RESOLVE 25
COASTAL DUNE ACTIVITY
RULE REVIEW BY LEGISLATURE....RESOLVE 27
COMMISSIONER
ELIGIBILITY CLARIFIED....PUBLIC 357
COMPOSTING OPERATIONS
MANAGEMENT PLANS W/ AGR DEPT....RESOLVE 60
EMISSIONS STANDARDS
ADOPTION CLARIFIED....PUBLIC 206
ENVIRONMENTAL AUDIT
VOLUNTARY PROGRAM, INCENTIVES....PUBLIC 304
GREENHOUSE GAS INITIATIVE
CONDITIONS FROM WITHDRAWAL....PUBLIC 277
GROUND WATER OIL CLEAN-UP FUND
SUPPLEMENTAL FY11 (PART J)....PUBLIC 1
ISOPROPYL ALCOHOL & WOOD ASH
COMMERCIAL PRODUCT SUBSTITUTES....PUBLIC 304
LAND & WATER QUALITY PROG TRANSFERS
SUPPLEMENTAL FY11 (PART I)....PUBLIC 1
NATURAL RESOURCES PROTECTION
PERMIT VALIDITY REVIEW....RESOLVE 46
NONPOINT SOURCE REDUCTION PROG
REQUIREMENTS REVISED....PUBLIC 206
POLYBROMINATED DIPHENYL ETHERS
PHASEOUT CLARIFIED....PUBLIC 160
PRIORITY CHEMICAL LIST
REVIEW PUBLISHED LIST EVERY 3 YEARS....PUBLIC 319
REGIONS & WATERSHEDS
DEGRADED, ESTABLISH IN RULE....PUBLIC 206
SITE LOCATION OF DEVELOPMENT
PERMIT VALIDITY REVIEW....RESOLVE 46
SNOW DUMPS
RULES EVALUATED & REVISED....RESOLVE 44
SOLID WASTE MANAGEMENT FUND
SUPPLEMENTAL FY11 (PART J)....PUBLIC 1
STORM WATER
PERMIT VALIDITY REVIEW....RESOLVE 46
UNDERGROUND STORAGE TANKS
RETROFITTING RULES....PUBLIC 276
VERNAL POOL HABITATS
BUFFER STRIPS....PUBLIC 359
SIGNIFICANCE....PUBLIC 362
WASTE FACILITY LICENSES
PROJECT REVIEW....PUBLIC 206
WASTE MOTOR OIL REVENUE FUND
DISBURSEMENTS....PUBLIC 211

**ERRORS BILL**
SEE POPULAR NAMES OF LAWS

**ESTATE TAX**
SEE INHERITANCE & ESTATE TAX

**EXCISE TAXES**
COMMERCIAL FORESTRY
SUPPLEMENTAL ASSESSMENTS & COLLECTN....PUBLIC 462
MOTOR FUEL
ANNUAL INDEXING REPEALED (PART C)....PUBLIC 392
MOTOR VEHICLES
LOCAL OPTION EXEMPTION FOR MILITARY....PUBLIC 313
TELECOMMUNICATIONS
ASSESSMENT, COLLECTION, APPEALS....PUBLIC 430

**FAIRFIELD**
BRIDGE OVER KENNEBEC RIVER
BRIAN BUKER/FRANK HASKELL BRIDGE....RESOLVE 3

CHAPTER

**FAMILIES**
CAREGIVERS
WRITTEN CONTRACT FOR LONG-TERM CARE....RESOLVE 95
HOME VISITATION PROGRAMS
COMPREHENSIVE PLAN DEVELOPMENT....RESOLVE 77
PARENTAL RIGHTS
REINSTATEMENT PROCESS....PUBLIC 402
TANF & FOOD ASSISTANCE
NONCITIZENS ELIGIBILITY LIMITED (KK)....PUBLIC 380
TEMPORARY ASSIST FOR NEEDY FAMILIES
60 MONTH LIFETIME LIMIT (PP)....PUBLIC 380
DRUG TESTING (LL)....PUBLIC 380

**FARM & OPEN SPACE TAX**
LAND TRANSFERS FROM
TREE GROWTH TAX....PUBLIC 404
VALUATION METHOD, THRESHOLDS
STUDY....RESOLVE 86

**FARMERS MARKETS**
SEE AGRICULTURAL PRODUCTS

**FINANCE AUTHORITY**
AGRICULTURAL MARKETING LOAN FUND
SUPPLEMENTAL FY11 (PART II)....PUBLIC 1
ENERGY DISTRIBUTION SYS PROJECT
NATURAL GAS TRANSMISSION SYSTEMS....PUBLIC 261
NEW MARKETS CAPITAL INVESTMENT
PROGRAM ESTABLISHED (Q)....PUBLIC 380
PERSONAL FINANCE INITIATIVES
REPORT TO SCHOOL BOARDS & LEGIS....PUBLIC 154
REGIONAL REVOLVING LOAN PROGRAM
DEADLINE EXTENDED....PUBLIC 11
SEED CAPITAL TAX CREDIT
PROVISIONS REVISED....PUBLIC 454
STATE CEILING CY 2011 & 2012
PRIVATE ACTIVITY ALLOCATIONS....P & S 18
STATE GRANT PROGRAM
REVIEW BY STAKEHOLDER GROUP....RESOLVE 14
VISUAL & DIGITAL MEDIA LOAN PROGRAM
ESTABLISHED....PUBLIC 372
WASTE MOTOR OIL REVENUE FUND
DISBURSEMENTS....PUBLIC 211

**FINANCIAL INSTITUTIONS**
CONTAMINATED PROPERTY
INVESTIGATIONS, LIABILITY....PUBLIC 206
LOCATION
USE FOR DOMICILE PROHIBITED....PUBLIC 132
PERSONAL FINANCE INITIATIVES
REPORT TO SCHOOL BOARDS & LEGIS....PUBLIC 154

**FIRE MARSHAL OFFICE**
SEE ALSO PUBLIC SAFETY DEPT
GAS EXPLOSIONS
INVESTIGATE & SECURE EVIDENCE....PUBLIC 27

**FIRE PREVENTION**
FIRE CODE REGULATIONS
NURSING HOMES W/ 3 OR FEWER PATIENTS....PUBLIC 398
SPRINKLER SYSTEMS
SEASONAL ENTERTAINMENT FACILITIES....PUBLIC 349

**FIRE TRAINING & EDUCATION PROGRAM**
SEE SOUTHERN ME COMM COLLEGE

**FIREWORKS**
CONSUMER FIREWORKS
DEFINED....PUBLIC 416
SALES
AUTHORIZED....PUBLIC 416
SIGNAL CANNONS
EXCLUDED IN REGULATIONS....PUBLIC 202

CHAPTER

**FISH & WILDLIFE VIOLATIONS**
SEE CRIMES & OFFENSES
**FISHING**
CRABS
LANDING OF DRAGGED, SUNSET REPEAL....PUBLIC 5
DAMS
TWO ADDED WHERE FISHING PROHIBITED....PUBLIC 253
FISHERIES PERMIT BANKING
PROGRAM ESTABLISHED....PUBLIC 10
GIFT FISH
POSSESSION REQUIREMENTS....PUBLIC 57
ICE
REMOVAL OF ABANDONED....PUBLIC 253
LICENSES
COMPLIMENTARY, PERSONS W/ DISABILITIES....PUBLIC 355
CONFIDENTIAL INFORMATION....PUBLIC 185
INFANT LIFETIME FEE REDUCED....PUBLIC 268
NONE IF ASSISTING DISABLED PERSON....PUBLIC 355
LOBSTER LICENSES
LIMITED ENTRY, INDEPENDENT ANALYSIS....RESOLVE 62
LOBSTERS
TRAP STORAGE ON DOCKS....PUBLIC 12
SALTWATER RECREATIONAL FISHING
REGISTRY REVISIONS....PUBLIC 421
SCALLOPS
HAND FISHING OR DRAGGING LICENSES....PUBLIC 266
SMELT OR BAITFISH DEALERS
RECORDS AVAILABLE FOR DIFW....PUBLIC 253
**FOOD**
BLUEBERRY PIE
STATE DESSERT....PUBLIC 29
LOBSTERS
PROCESSING EXCEPTIONS....PUBLIC 247
MAPLE SUGAR
TASK FORCE TO PROMOTE & EXPAND....RESOLVE 48
MUSHROOMS
HARVESTING CERTIFICATION PROG....PUBLIC 412
NUTRITION STANDARDS
OUTSIDE OF SCHOOL LUNCH PROGRAM....PUBLIC 224
SHELLFISH
LABELING AS PRODUCT OF MAINE....PUBLIC 234
SLAUGHTERHOUSES
EXAMINATION OF LAWS & RULES....RESOLVE 66
SPECIAL FOOD & BEVERAGE INDUSTRY
TASTE-TASTING EVENT LICENSE....PUBLIC 259
SUMMER FOOD SERVICE PROGRAM
SCHOOL PARTICIPATION....PUBLIC 379
WHOOPIE PIE
STATE TREAT....PUBLIC 29
**FOOD ASSISTANCE**
SEE LOW-INCOME PERSONS
**FOOD POLICY COUNCIL**
POWERS & DUTIES
REPEALED....PUBLIC 344
**FORCIBLE ENTRY & DETAINER**
EVICTIONS
PRESUMPTION OF RETALIATION....PUBLIC 405
**FORECLOSURES**
SEE MORTGAGES
**FORENSIC SERVICE**
EXAMINERS
JUVENILE COMPETENCY....PUBLIC 282
**FORESTRY**
COMMERCIAL FORESTRY EXCISE TAX
SUPPLEMENTAL ASSESSMENT/COLLECTION....PUBLIC 462

CHAPTER

**FORESTRY (Cont.)**
EQUIPMENT
DEALERS....PUBLIC 236
PROPERTY
TREE GROWTH TAX REIMBURSEMENTS....PUBLIC 404
**FORESTRY BUREAU**
SEE ALSO CONSERVATION DEPT
SIGNS INDICATING NO ACCESS
PAINT MARKINGS & PLACEMENT, RULES....PUBLIC 432
**FOSTER CARE**
FAMILIES
RESOURCE FAMILY LICENSES....PUBLIC 187
**FRANCHISES**
SEE SALES
**FRANCO-AMERICANS TASK FORCE**
MEMBERSHIP
ESTABLISHED....RESOLVE 102
POWERS & DUTIES
ESTABLISHED....RESOLVE 102
**FRANKLIN COUNTY**
FREEMAN TWP
CONVEY INTEREST OF STATE....RESOLVE 54
SEVEN PONDS TOWNSHIP
TWO DAMS ADDED, FISHING PROHIBITED....PUBLIC 253
**FRENCHVILLE**
PARCEL OF LAND
DATES EXTENDED TO SELL PROPERTY....RESOLVE 70
**FRIENDSHIP**
BOUNDARY W/
CUSHING....P & S 4
**FUEL BOARD**
POWERS & DUTIES
INSTALL BURNING EQUIPMENT, STANDARDS....PUBLIC 225
**FUND INSURANCE REVIEW BOARD**
MEMBERSHIP
REVISED....PUBLIC 243
POWERS & DUTIES
REVISED....PUBLIC 243
TANK WARRANTY EXPIRATION
INCIDENTS OF LEAKS/SPILLS REPORT....PUBLIC 276
**FUNERAL DIRECTORS**
BODY TRANSPORT MILEAGE RATES
REQUEST OF MEDICAL EXAMINER....PUBLIC 445
CREMATED REMAINS OF VETERANS
DISPOSITION AFTER CERTAIN TIME....PUBLIC 318
REMAINS OF DECEASED PERSONS
SHELTERING DURING CUSTODY DISPUTES....PUBLIC 387
**GAMBLING CONTROL BOARD**
SEE ALSO PUBLIC SAFETY DEPT
CASINO LICENSE APPLICATION FEES
SUPPLEMENTAL FY11 (PART T)....PUBLIC 1
CASINO OPERATOR LICENSES
COMMERCIAL TRACKS W/ SLOT MACHINES....PUBLIC 417
DISTANCES
MEASURED ALONG ROADWAYS....PUBLIC 56
**GAMES OF CHANCE**
CASINOS
DISTANCES MEASURED ALONG ROADWAYS....PUBLIC 56
ESTABLISHED IN OXFORD COUNTY (IB2)....PAGE 1213
SLOT MACHINES
REVENUE USE BY AGRICULTURAL FAIRS....PUBLIC 358
TABLE GAMES AT CASINO/TRACK
DISTRIBUTION OF REVENUE....PUBLIC 417
TABLE GAMES AT TRACKS W/ SLOTS
REFERENDUM FOR PENOBSCOT COUNTY....PUBLIC 417

CHAPTER

**GAMES OF CHANCE (Cont.)**
TOURNAMENT GAMES
REGULATIONS & FEES ..... PUBLIC 325
**GASOLINE**
EXCISE TAXES
ANNUAL INDEXING REPEALED (PART C) ..... PUBLIC 392
**GENERAL SERVICES BUREAU**
SEE ALSO ADMIN & FIN SERV DEP
CONTRACTORS
PREQUALIFICATION PROCESS & STANDARDS ... RESOLVE 74
ENERGY USE EVALUATION
STATE HOUSE & CROSS SOB ..... RESOLVE 40
PUBLIC WORKS CONTRACTS
LABOR ORGANIZATION AGREEMENTS ..... PUBLIC 463
SURPLUS PROPERTY SALES
NONPROFIT ANIMAL SHELTERS AUTHORIZED ..... PUBLIC 9
**GIFT CARDS**
SEE RETAIL STORES
**GIFT FISH**
SEE FISHING
**GORDON, GARY**
ROUTE 2 IN LINCOLN & WINN
NAMED MASTER SGT GARY GORDON HWY..... RESOLVE 1
**GOVERNMENTAL ETHICS COMMISSION**
CANDIDATE CAMPAIGNS & PACS
EXPENDITURE DISCLOSURES..... PUBLIC 389
CLEAN ELECTION & EQUIPMENT
REPURCHASE RULES ADOPTION ..... RESOLVE 19
CLEAN ELECTION ACT
CANDIDATES, REDUCED FUNDING ..... RESOLVE 89
EXPENDITURES & CONTRIBUTIONS ..... PUBLIC 389
STUDY ..... RESOLVE 103
LOBBYISTS MONTHLY REPORTS
DISPLAY ON WEBSITE ..... PUBLIC 179
MEETINGS
SCHEDULE REVISED ..... PUBLIC 389
PUSH POLLING
REVIEW OF LAWS ..... RESOLVE 87
**GOVERNOR**
COMMUNICATIONS OFFICE
ESTABLISHED (WWW) ..... PUBLIC 380
EXECUTIVE ORDERS
POSTED ON WEBSITE (III)..... PUBLIC 380
PERSONAL SERVICES TRANSFERS
SUPPLEMENTAL FY11 (PART L) ..... PUBLIC 1
**GOVERNOR (LEPAGE)**
ADDRESSES
BUDGET ADDRESS ..... PAGE 1253
**GOVERNOR WILLIAM KING DAY**
FIRST GOVERNOR OF MAINE
MARCH 16TH EACH YEAR..... PUBLIC 17
**GRADUATION**
SEE SCHOOLS
**GRAVEL**
ABOVEGROUND STORAGE TANKS
CONSTRUCTION PERMITS..... RESOLVE 26
MINING AT CORRECTIONAL FACILITIES
FARM PROGRAM SUPPORT..... PUBLIC 340
QUARRIES & BORROW PITS
EXEMPTIONS, DIG SAFE NOTICE..... PUBLIC 72
**GREAT PONDS**
LAKE & RIVER PROTECTION FUND
NUISANCE SPECIES..... PUBLIC 74
**GREENHOUSE GAS INITIATIVES**
SEE AIR POLLUTION CONTROL

CHAPTER

**GUARANTEE PRICE HEATING OIL WORK GP**
POWERS & DUTIES
ESTABLISHED..... RESOLVE 79
**GUARANTEED ACCESS REINSURANCE ASSN**
MEMBERSHIP
ESTABLISHED..... PUBLIC 90
POWERS & DUTIES
ESTABLISHED..... PUBLIC 90
**GUARDIANS**
ADULTS W/ COGNITIVE DISABILITIES
PLAN TO IMPROVE..... RESOLVE 80
MENTALLY RETARDED PERSONS
RIGHTS & PROTECTIONS..... PUBLIC 186
PERMANENCY GUARDIANSHIP
PETITIONS FOR ADOPTION..... PUBLIC 402
TRANSITIONAL ARRANGEMENTS
MINORS & INCAPACITATED PERSONS..... PUBLIC 43
**HALLOWELL**
PROPERTY
DATES EXTENDED TO SELL 63.5 ACRES..... RESOLVE 70
SALE OR TRANSFER AUTHORIZED..... RESOLVE 99
**HALLOWELL PROPERTY STAKEHOLDERS GRP**
MEMBERSHIP
ESTABLISHED..... RESOLVE 99
POWERS & DUTIES
ESTABLISHED..... RESOLVE 99
**HARBORS**
SEE PORTS
**HARNESS RACING**
SEE HORSES
**HARNESS RACING COMMISSION**
SLOT MACHINES
REVENUE USE REPORT..... PUBLIC 358
**HAYSTACK MOUNTAIN**
SUMMIT TRAILHEAD MARKER
DUSTIN LIBBY'S MEMORY DEDICATION ..... RESOLVE 18
**HAZARDOUS MATERIALS**
PAINT
DISCLOSURE DUPLICATION ELIMINATED ..... PUBLIC 96
WATER POLLUTION CONTROL
DISCHARGE/DEPOSIT PROHIBITED..... PUBLIC 194
**HEAD INJURIES**
ACQUIRED BRAIN INJURIES
NEUROREHABILITATION SERVICE SYSTEM ..... PUBLIC 293
**HEALTH & HUMAN SERVICES DEPT**
SEE ALSO DISEASE CONTRL/PREV CNTR
SEE ALSO DOROTHEA DIX PSYCH CNTR
SEE ALSO MEDICAID - MAINECARE
SEE ALSO SUBSTANCE ABUSE OFFICE
ACQUIRED BRAIN INJURIES
NEUROREHABILITATION SERVICE SYSTEM ..... PUBLIC 293
ADULTS W/ INTELLECTUAL DISABILITY
SHARED LIVING SERVICES REDESIGN..... RESOLVE 30
ALL-PAYOR CLAIMS DATA BASE SYSTEMS
WORK GROUP TO REVIEW/RECOMMEND..... RESOLVE 109
ANY WILLING PROVIDER
MEDICAID REVIEW..... RESOLVE 61
AUTISTIC OR DISABLED WORKERS
WORK SITE LIMITS REVISED ..... RESOLVE 49
BENEFITS FOR PEOPLE W/ AUTISM
RULE REVIEW BY LEGISLATURE..... RESOLVE 78
BOARDING HOME SERVICES
ASSET TRANSFER PENALTIES (MM)..... PUBLIC 380
CARE FACILITIES, MENTALLY RETARDED
RULE REVIEW BY LEGISLATURE..... RESOLVE 97

CHAPTER

**HEALTH & HUMAN SERVICES DEPT (Cont.)**
CERTIFICATE OF NEED
RULES REVISED ..... PUBLIC 424
CERTIFIED NURSING ASSISTANTS
RECERTIFICATION DEMO PROJECT ..... RESOLVE 35
CERTIFIED NURSING ASSISTANTS &
DIRECT CARE WORKERS REGISTRIES ..... PUBLIC 257
CHILD ABUSE OR NEGLECT
EMERGENCY REPORTS VIA FAX OR MAIL ..... PUBLIC 402
CHILD CARE FACILITIES REIMBURSEMENT
RULE REVIEW BY LEGISLATURE ..... RESOLVE 98
CHILD CARE RATES
STATE-PAID ESTABLISHED (UU) ..... PUBLIC 380
CHILD NONMEDICAL SERVICES
ROOM & BOARD RATES RULES (VVV) ..... PUBLIC 380
COMMUNITY AGENCIES
AUDITING PRACTICES ..... PUBLIC 304
FOSTER CARE CHILDREN
RESOURCE FAMILY LICENSES ..... PUBLIC 187
FRAUD DETECTION
STUDY W/ DHHS (OO) ..... PUBLIC 380
HEALTH INSPECTIONS
TERMS FOR MUNICIPAL AUTHORITY ..... PUBLIC 295
HOME HEALTH SERVICES
RULE REVIEW BY LEGISLATURE ..... RESOLVE 100
HOME VISITATION PROGRAMS
COMPREHENSIVE PLAN DEVELOPMENT ..... RESOLVE 77
LICENSING & REGULATORY SERV DIV
CRIMINAL HISTORY RECORDS ACCESS ..... PUBLIC 52
LONG-TERM CARE SERVICES
CONSOLIDATE PERSONNEL/PROGRAMS ..... RESOLVE 71
CONSOLIDATION IMPLEMENTATION REPORT ..... PUBLIC 422
MENTAL HEALTH NEEDS REPORT ..... PUBLIC 422
RELATIVE CAREGIVER, WRITTEN CONTRACT ..... RESOLVE 95
MAINECARE
FUNDS TRANSFER AUTHORITY (VV) ..... PUBLIC 380
MAINECARE BENEFITS MANUAL
NEUROPSYCHOLOGICAL TESTING, RULES ..... RESOLVE 110
MAINECARE PAYMENT REFORM
DEMONSTRATION PROJECTS ..... PUBLIC 270
MEDICAL CARE SERVICES TRANSFER
ADD SUPPLEMENTAL FY11 (PART B) ..... PUBLIC 28
MEDICAL MARIJUANA REGISTRY
INFO EXPUNGED UPON REQUEST ..... PUBLIC 407
MEDICAL SERVICES BUR CARRY FORWARD
ADD SUPPLEMENTAL FY11 (PART C) ..... PUBLIC 28
MENTAL HEALTH SERVICES
PERSONS NOT MAINECARE ELIGIBLE (XX) ..... PUBLIC 380
MENTALLY RETARDED PERSONS
RIGHTS & PROTECTIONS ..... PUBLIC 186
MUNICIPAL LICENSE FEES
CHARGES REVISED ..... PUBLIC 193
MUNICIPAL SERVICE FEES
RULE REVIEW BY LEGISLATURE ..... RESOLVE 21
PARENTAL RIGHTS
REINSTATEMENT PROCESS ..... PUBLIC 402
PHYSICAL EDUCATION
PILOT PROJECT IN 4 SCHOOLS ..... PUBLIC 108
PRESCRIPTION DRUGS & MAINECARE
DISPENSING FEE COST REVIEW ..... PUBLIC 458
PRESCRIPTION MONITORING PROG
RULE REVIEW BY LEGISLATURE ..... RESOLVE 96
PROVIDERS W/ NATL ACCREDITATION
COMPLIANCE W/ STATE REGS ..... PUBLIC 145
RENEWAL LICENSE FEES
HOSPITALS & NURSING HOMES ..... PUBLIC 257

CHAPTER

**HEALTH & HUMAN SERVICES DEPT (Cont.)**
SPECIAL REVENUE FUNDS LAPSES
SUPPLEMENTAL FY11 (PART V) ..... PUBLIC 1
SPECIAL REVENUE FUNDS TRANSFERS
SUPPLEMENTAL FY11 (PART U) ..... PUBLIC 1
TEMPORARY ASSIST FOR NEEDY FAMILIES
60 MONTH LIFETIME LIMIT (PP) ..... PUBLIC 380
DRUG TESTING (LL) ..... PUBLIC 380
QUIT PENALTY, RULES (PP) ..... PUBLIC 380
TRAUMATIC BRAIN INJURY SEED PROG
SUPPLEMENTAL FY11 (PART O) ..... PUBLIC 1
**HEALTH CARE DATA ACCESS WORK GRP**
MEMBERSHIP
ESTABLISHED ..... RESOLVE 109
POWERS & DUTIES
ESTABLISHED ..... RESOLVE 109
**HEALTH CARE FACILITIES**
CERTIFICATE OF NEED
APPLICATION & REVIEW TIME PERIODS ..... PUBLIC 424
CAPITAL INVESTMENT FUND REPEALED ..... PUBLIC 213
THRESHOLDS FOR REVIEW RAISED ..... PUBLIC 424
PERSONS WITH MENTAL RETARDATION
REIMBURSEMENT RULES REVIEW ..... RESOLVE 97
**HEALTH CARE PERSONNEL**
CHILD ABUSE OR NEGLECT
EMERGENCY REPORTS TO DHHS ..... PUBLIC 402
LONG-TERM CARE PROVIDERS
DEMENTIA TRAINING ..... RESOLVE 28
OCCUPATIONAL DISEASES
MANDATED REPORTERS ..... PUBLIC 337
UNLICENSED ASSISTIVE PERSONS
COMPLAINTS ON REGISTRY ..... PUBLIC 257
**HEALTH CARE PROVIDER TAX**
RATE
INCREASE ..... PUBLIC 411
**HEALTH CARE SERVICES**
ADULT DAY HEALTH CARE PROGRAM
VETERANS IN LEWISTON, REGULATIONS ..... PUBLIC 444
ADULTS W/ INTELLECTUAL DISABILITY
SHARED LIVING SERVICES REDESIGN ..... RESOLVE 30
BEHAVIORIAL HEALTH CARE &
SUBSTANCE ABUSE SERV, COST STUDY ..... RESOLVE 107
BLOOD LEAD LEVELS TESTS
AVAILABILITY OF FACILITIES FOR CHILDREN ..... PUBLIC 183
DEFIBRILLATORS
USE IN HEALTH CLUBS & GYMS ..... RESOLVE 50
DNA COLLECTION
CLASS D & E CRIMES, REPEALED ..... PUBLIC 221
HEALTH INFORMATION EXCHANGE
CONFIDENTIALITY PROVISIONS ..... PUBLIC 373
DISCLOSURE & PRIVACY PROTECTION ..... PUBLIC 347
OPT OUT PROVISIONS ..... PUBLIC 373
HEALTHY MAINE FUND
ALLOCATIONS STUDY ..... RESOLVE 112
HIV TESTS
NEWBORNS ..... PUBLIC 229
LONG-TERM CARE
CONSOLIDATED SERVICES & DELIVERY ..... PUBLIC 422
DEMENTIA TRAINING FOR PROVIDERS ..... RESOLVE 28
LEAN IMPLEMENTATION PLAN ..... RESOLVE 71
RELATIVE CAREGIVER, WRITTEN CONTRACT ..... RESOLVE 95
OCCUPATIONAL DISEASES
MANDATED REPORTERS ..... PUBLIC 337
PUBLIC HEALTH SERVICES
TRIBAL HEALTH DEPT & CLINICS ..... PUBLIC 306

CHAPTER

**HEALTH CARE SERVICES (Cont.)**
SCREENING PROTOCOLS
MRSA & C-DIFF DATA ..... PUBLIC 316
**HEALTH CARE SHARING MINISTRY**
SEE RELIGIOUS ORGANIZATIONS
**HEALTH DATA ORGANIZATION**
HEALTH DATA PROCESSING CENTER &
ONPOINT HEALTH DATA, STUDY ..... RESOLVE 109
MRSA & C-DIFF
DATA VALIDATION & REPORTING PROCESS ..... PUBLIC 316
RETAIL PHARMACIES
NO LONGER FUNDING & REPORTING ..... PUBLIC 233
**HEALTH INFORMATION EXCHANGES**
SEE HEALTH CARE SERVICES
**HEALTH INSURANCE**
ADMINISTRATIVE COST ASSESSMENT
EXEMPTION FOR LEGISLATORS REMOVED ..... PUBLIC 452
BLANKET POLICIES
RATES FILED FOR INFO PURPOSE ..... PUBLIC 238
CARRIER AGREEMENTS W/ PROVIDERS
MOST FAVORED NATION CAUSE PROHIBITED .... PUBLIC 451
COMMUNITY RATING
DIFFERENTIALS REVISED ..... PUBLIC 90
CONTINUITY
GUARANTEED RENEWABILITY ..... PUBLIC 238
EXCHANGE PROGRAM
CREATION & OPERATION REVIEW ..... RESOLVE 105
FEDERALLY CREDITABLE COVERAGE
REVISED ..... PUBLIC 238
GROUP POLICIES
CLARIFIED ..... PUBLIC 238
GUARANTEE ISSUANCE
REINSURE COVERAGE AUTHORIZED ..... PUBLIC 90
HEALTH CARE SHARING MINISTRIES
EXEMPT FROM INSURANCE REGS ..... PUBLIC 192
HEALTH MAINTENANCE ORGAN
MAY OFFER ONLY GROUP COVERAGE ..... PUBLIC 90
MANAGED CARE PLANS
PROTECTION FROM BALANCE BILLING ..... PUBLIC 238
MEDICAL LOSS RATIO
FEDERAL DEFINITION ADOPTED ..... PUBLIC 90
PATIENT PROTECTION & AFFORDABLE
CARE ACT IMPLEMENTATION REVISIONS ..... PUBLIC 364
PAYMENT REFORM STRATEGIES
PILOT PROJECTS ..... PUBLIC 270
PLANS FROM CT, RI, MA & NH
AUTHORIZED FOR SALE ..... PUBLIC 90
RETIRED STATE EMPLOYEES & TEACHERS
VESTING, NORMAL RETIREMENT AGE (V) ..... PUBLIC 380
SCHOOL PERSONNEL
COMPETITIVE BIDS EVERY 5 YEARS ..... PUBLIC 249
GROUP SELF-INSURED OPTIONS ..... PUBLIC 395
SHORT-TERM POLICIES
PROVISIONS REVISED ..... PUBLIC 238
RENEWAL ..... PUBLIC 90
STATE EMPLOYEE PREMIUM BENCHMARKS
SUPPLEMENTAL FY11 (PART FF) ..... PUBLIC 1
STATE PLAN
SCHOOLS & ED ADVISORY ORG ELIGIBILE ..... PUBLIC 438
SCIENCE & MATH SCHOOL STAFF ..... PUBLIC 67
**HEALTH INSURANCE EXCHANGE ADV COMM**
MEMBERSHIP
ESTABLISHED ..... RESOLVE 105
POWERS & DUTIES
ESTABLISHED ..... RESOLVE 105

CHAPTER

**HEALTH SYSTEMS DEVELOPMENT ADV CNCL**
POWERS & DUTIES
REPEALED ..... PUBLIC 90
RECOMMENDATIONS
INSURANCE PAYMENT REFORM ..... PUBLIC 270
**HEALTHY MAINE FUND**
SLOT MACHINE REVENUE
TRANSFERS CONTINUED (II) ..... PUBLIC 380
USE REPORT ..... PUBLIC 358
**HEALTHY ME FUND STUDY COMMISSION**
MEMBERSHIP
ESTABLISHED ..... RESOLVE 112
POWERS & DUTIES
ESTABLISHED ..... RESOLVE 112
**HEARING IMPAIRED PERSON**
COMMUNICATIONS EQUIPMENT
TELECOIL TECHNOLOGY ADDED ..... PUBLIC 173
**HEBRON ACADEMY**
DIRECTIONAL SIGNS
TURNPIKE ..... RESOLVE 23
**HIGH SCHOOL GRADUATION**
SEE SCHOOLS - GRADUATION
**HISTORIC PRESERVATION**
HISTORICAL SOCIETIES
EMERGENCY CONSERVATION MEASURES ..... PUBLIC 263
MAIN STREET PROGRAM
FUNDS ..... PUBLIC 459
TAX CREDIT
SUNSET EXTENDED ..... PUBLIC 453
**HISTORIC PRESERVATION COMMISSION**
TAX CREDIT FUNDING & USE
REPORT & RECOMMEND TO LEGISLATURE ..... PUBLIC 453
**HIV ADVISORY COMMITTEE**
HIV & AIDS PREVENTION & CARE
COMPREHENSIVE PLAN ..... RESOLVE 55
**HOME HEALTH CARE**
MAINECARE BENEFITS MANUAL
RULE REVIEW BY LEGISLATURE ..... RESOLVE 100
**HOMELESS PERSONS**
VETERANS
PREVENTION PROGRAM COORDINATION ..... PUBLIC 329
**HORSES**
HARNESS RACING
BETTING AT CLASS A LOUNGES ..... PUBLIC 99
SIMULCASTS AT SLOT MACHINE FACILITIES ..... PUBLIC 142
STANDARDBRED HORSE BREEDING
REGISTRATION ..... PUBLIC 16
**HOSPITALS**
BEHAVIORIAL HEALTH CARE &
SUBSTANCE ABUSE SERV, COST STUDY ..... RESOLVE 107
CERTIFICATE OF NEED
APPLICATION & REVIEW TIME PERIODS ..... PUBLIC 424
CAPITAL INVESTMENT FUND REPEALED ..... PUBLIC 213
THRESHOLDS FOR REVIEW RAISED ..... PUBLIC 424
CHILD ABUSE OR NEGLECT
EMERGENCY REPORTS TO DHHS ..... PUBLIC 402
HEALTH CARE PROVIDER TAX
RESTORED TO 6% ..... PUBLIC 411
LICENSING
RENEWAL FEES CALCULATION ..... PUBLIC 257
MRSA & C-DIFF
DATA SUBMISSION & ACCESS ..... PUBLIC 316
SAFETY & SECURITY PLAN
ANNUAL ADOPTION ..... PUBLIC 254

CHAPTER

**HOTEL MANAGEMENT AT UMS STUDY GRP**
MEMBERSHIP
ESTABLISHED....RESOLVE 53
POWERS & DUTIES
ESTABLISHED....RESOLVE 53
**HOTELS & MOTELS**
HOSPITALITY & HOTEL MANAGEMENT
DEGREE AT UNIVERSITY OF MAINE, STUDY ....RESOLVE 53
LICENSURE
INSPECTION PROVISIONS REVISED ....PUBLIC 375
RESORT HOTELS
BEANO OR BINGO SEASONAL LICENSES....PUBLIC 339
**HOULTON**
SPEED LIMIT ON I-95
INCREASED BTW OLD TOWN & HOULTON ....PUBLIC 415
**HOUSING**
AFFORDABLE
STATUS STUDY....RESOLVE 108
EMERGENCY SHELTER FAMILY HOMES
YOUTH REFERRED BY CORRECTIONS DEPT....PUBLIC 385
MULTIFAMILY STRUCTURES
GEOTHERMAL HEAT PUMPS....PUBLIC 300
**HUMAN REMAINS**
SEE DEATH
**HUMAN RIGHTS**
ACCESSIBILITY
BUILDING STANDARDS....PUBLIC 322
**HUMAN RIGHTS ACT**
SEE POPULAR NAMES OF LAWS
**HUNTING**
BEAR
DOG TRAINING TIMING REVISED....PUBLIC 309
TRAPPING AFTER HAVING KILLED ONE....PUBLIC 309
BEAR, COYOTE, BOBCAT
DOG RESTRICTIONS & RULES....PUBLIC 432
COYOTE
NIGHT HUNTING REVISED....PUBLIC 216
CROSSBOW
EXPANDED, 70 YEARS OR OLDER....PUBLIC 61
DEER
SCENTS & RENDERINGS USED IN FEED, STUDY ...RESOLVE 36
LICENSES
CONFIDENTIAL INFORMATION....PUBLIC 185
INFANT LIFETIME FEE REDUCED....PUBLIC 268
SENIOR LIFETIME REVISED....PUBLIC 253
MOOSE
BAITING MOOSE PROHIBITIONS....PUBLIC 253
LOTTERY PROVISIONS REVISED....PUBLIC 370
PERMITS INCREASED....PUBLIC 253
RESEARCH & MANAGEMENT FUND....PUBLIC 370
NONRESIDENTS
DECLINE STUDIED....RESOLVE 51
PLACEMENT OF BAIT
LANDOWNER PERMISSION....PUBLIC 432
PORTABLE BLINDS
NOT A PORTABLE OBSERVATION STAND....PUBLIC 253
SUPER PACK LICENSES
ANTLERLESS DEER PERMITS....PUBLIC 252
**IDENTIFICATION**
NONDRIVER ID CARDS
MILITARY SERVICE DESIGNATION....PUBLIC 390
STUDENT SOCIAL SECURITY NUMBERS
DISCLOSURE PROHIBITED....PUBLIC 223
**IDENTIFICATION BUREAU**
SEE ALSO PUBLIC SAFETY DEPT

CHAPTER

**IDENTIFICATION BUREAU (Cont.)**
SEX OFFENDER REGISTRY
10-YR OR LIFETIME DESIGNATION POSTED....PUBLIC 307
CONFIDENTIALITY OF RECORDS....PUBLIC 299
**IMMIGRANT INVESTOR PILOT**
SEE ECONOMIC & COMM DEVELOP DEPT
**INCOME TAX**
ADDITION MODIFICATIONS
PROVISIONS REVISED (O)....PUBLIC 380
ALTERNATIVE MINIMUM TAX
ELIMINATED (N)....PUBLIC 380
CREDITS
CAPITAL INVESTMENT (O)....PUBLIC 380
DENTISTS IN UNDERSERVED AREAS....PUBLIC 434
FISHERY INFRASTRUCTURE PROJ (HHHH)....PUBLIC 380
NEW MARKETS CAPITAL INVEST PROG (Q)....PUBLIC 380
SEED CAPITAL PROVISIONS REVISED....PUBLIC 454
WELLNESS PROGRAMS FOR EMPLOYEES....PUBLIC 90
DEDUCTIONS
MORTGAGE INS PREMIUMS....PUBLIC 380
STANDARD CONFORM W/ FEDERAL (N)....PUBLIC 380
DOMICILE
DETERMINATION CRITERIA....PUBLIC 132
EXEMPTIONS
MILITARY SURVIVORS ANNUITIES....PUBLIC 138
NONRESIDENTS, INTERLOCAL AGREEMENT....PUBLIC 130
PERSONAL, CONFORM W/ FEDERAL (N)....PUBLIC 380
FAILURE TO FILE
PENALTIES (K)....PUBLIC 380
FILING AMENDED RETURNS
SUPPLEMENTAL FY11 (PART CC)....PUBLIC 1
NONRESIDENTS
MAXIMUM THRESHOLDS (CCCC)....PUBLIC 380
RATE SCHEDULE
EFFECTIVE 1/1/2013 (N)....PUBLIC 380
REFERENCES UPDATED
SUPPLEMENTAL FY11 (PART P)....PUBLIC 1
REFUND REQUESTS
SUPPLEMENTAL FY11 (PART DD)....PUBLIC 1
RETIREMENT PLANS
LUMP-SUM & EARLY DISTRIBUTION (N)....PUBLIC 380
**INDEPENDENT APPEALS OFFICE**
POWERS & DUTIES
ESTABLISHED....PUBLIC 439
**INDEPENDENT CONTRACTOR STUDY GRP**
MEMBERSHIP
ESTABLISHED....PUBLIC 292
POWERS & DUTIES
ESTABLISHED....PUBLIC 292
**INDIGENT LEGAL SERVICES COMM**
APPEALING DECISIONS
METHOD CLARIFIED....PUBLIC 141
ELIGIBILITY FOR SPECIALIZED CASES
RULE REVIEW BY LEGISLATURE....RESOLVE 22
RECORDS
CONFIDENTIAL INFORMATION....PUBLIC 260
**INDIGENT PERSONS**
LEGAL SERVICES
SPECIALIZED CASES ELIGIBILITY, RULES....RESOLVE 22
**INFORME**
PUBLIC INFORMATION ACCESS ACT
CONFIDENTIAL RECORDS....PUBLIC 321
PORTAL FEE, FEE SERVICE, USER CLARIFIED....PUBLIC 321
TRANSACTIONS CLARIFIED....PUBLIC 321

CHAPTER

**INFORMED GROWTH ACT**
SEE POPULAR NAMES OF LAWS
**INHERITANCE & ESTATE TAXES**
ESTATES OF DECEDENTS
TIMING & EXCLUSIONS CLARIFIED (M).....PUBLIC 380
REFUND REQUESTS
SUPPLEMENTAL FY11 (PART DD).....PUBLIC 1
**INLAND FISHERIES & WILDLIFE DEPT**
1ST AID STATIONS, COPTER LANDING
NECESSITY & FEASIBILITY TASK FORCE.....RESOLVE 15
AIRCRAFT ENGINES
PURCHASE (GG).....PUBLIC 380
COYOTE HUNTING
AGENTS APPOINTED AT NIGHT.....PUBLIC 216
DEER
HUNTING, RENDERINGS USED IN FEED, STUDY...RESOLVE 36
WINTER FEEDING STRATEGY.....RESOLVE 20
EASTERN ROAD IN SCARBOROUGH
EASEMENTS CONVEYED.....RESOLVE 57
ELIGIBLE FISHERY PROJECTS
LIST FOR TAX CREDIT W/ DMR (HHHH).....PUBLIC 380
ENGINEERING DIVISION
ESTABLISHED.....PUBLIC 253
FISCAL STABILITY PROGRAM
APPLICATION MOVED TO 2014-15 (HH).....PUBLIC 380
FISHING LICENSES
COMPLIMENTARY, DISABLED PERSONS.....PUBLIC 355
HUNTING & FISHING LICENSES
CONFIDENTIAL INFORMATION.....PUBLIC 185
HUNTING, FISHING, TRAPPING LICENSES
FREE TO CERTIFIED NATIVE AMERICANS.....PUBLIC 327
HUNTING LICENSE SUSPENSION
COMPLAINTS TO DISTRICT COURT.....PUBLIC 253
INFANT LIFETIME LICENSES
FISCAL IMPACT OF FEE REDUCTION.....PUBLIC 268
INTERSTATE WILDLIFE VIOLATOR COMPACT
AUTHORIZED.....PUBLIC 220
LAKE & RIVER PROTECTION FUND
NUISANCE SPECIES.....PUBLIC 74
LITTER CONTROL VIOLATORS
PUBLIC SERVICE OPPORTUNITIES.....PUBLIC 208
MOOSE PERMITS
PERMITS INCREASED.....PUBLIC 253
MOOSE RESEARCH & MANAGEMENT
FUND CREATED.....PUBLIC 370
NONMARINE INVERTEBRATES
PERMITS FOR SALE & HARVEST.....PUBLIC 253
NONRESIDENT HUNTERS
DECLINE STUDIED.....RESOLVE 51
PREDATOR CONTROL & DEER HABITAT
FUND ESTABLISHED.....PUBLIC 381
REPTILES OR AMPHIBIANS
PERMITS FOR SALE & HARVEST.....PUBLIC 253
SNOWMOBILES
LIMITED RECIPROCITY FOR NONRESIDENTS.....PUBLIC 437
WHITEWATER RAFTING TRIPS
TRANSFERS AUTHORIZED.....PUBLIC 68
WOLF HYBRIDS
IMPORTATION & POSSESSION.....PUBLIC 100
**INSURANCE**
3RD PARTY TO GET CANCEL NOTICE
POLICYHOLDER W/ COGNITIVE IMPAIRMENT....PUBLIC 123
INDEMNIFICATION
ANNUAL NOTICE REPEALED.....PUBLIC 38
INSURERS IN REHAB OR LIQUIDATION
NETTING OF FINANCIAL CONTRACTS.....PUBLIC 107

CHAPTER

**INSURANCE (Cont.)**
PORTABLE ELECTRONIC DEVICES
STANDARDS ESTABLISHED.....PUBLIC 297
PRODUCERS
INDEPENDENT AUTHORITY ELIMINATED.....PUBLIC 238
SURPLUS LINES
DEFINITIONS & CLARIFICATIONS.....PUBLIC 331
**INSURANCE BUREAU**
SEE ALSO PROF & FIN REG DEPT
CAPTIVE INSURANCE
POLICIES & PRACTICES REVISED.....PUBLIC 90
CARRIER AGREEMENTS W/ PROVIDERS
MOST FAVORED NATION CAUSE WAIVERS.....PUBLIC 451
HEALTH INSURANCE
PAYMENT REFORM PILOT PROJECTS.....PUBLIC 270
INSURERS IN REHAB OR LIQUIDATION
NETTING OF FINANCIAL CONTRACTS.....PUBLIC 107
PRODUCERS
INDEPENDENT AUTHORITY ELIMINATED.....PUBLIC 238
REINSURANCE & RISK ADJUST PROG
PROPOSED TRANSITIONAL TO LEGIS.....PUBLIC 364
SERVICE CONTRACTS
REGULATIONS & DEFINITIONS.....PUBLIC 345
SURPLUS LINES
PREMIUM TAXES.....PUBLIC 331
WORKERS COMP SELF-INSURERS
GROUP TRUSTS.....PUBLIC 98
SECURITY DEPOSITS.....PUBLIC 180
**INTELLECTUAL DISABILITIES**
SEE DISABLED PERSONS
**INTERAGENCY TRANSITION WORK GRP**
MEMBERSHIP
ESTABLISHED.....PUBLIC 348
POWERS & DUTIES
ESTABLISHED.....PUBLIC 348
**INVASIVE AQUATIC PLANTS TASK FORCE**
MEMBERSHIP
TERM & VACANCIES REVISED.....PUBLIC 47
**INVASIVE SPECIES**
SEE AQUACULTURE
**INVESTMENTS**
DEFERRED COMP & ANNUITIES
PAYMENTS & INCOME TAX.....PUBLIC 256
VIOLATIONS
ELDERLY INVOLVED, PENALTY ENHANCED.....PUBLIC 37
**JAILS**
FINES
JAIL TIME CREDIT INCREASED.....PUBLIC 334
YORK COUNTY
TAX ASSESSMENT COLLECTED.....PUBLIC 431
**JOB TRAINING**
APPRENTICE TRAPPERS
LICENSES ESTABLISHED.....PUBLIC 51
AUTISM SPECTRUM DISORDERS
TEACHERS, PARAPROF PREPARATION.....RESOLVE 47
VOLUNTARY PROGRAM
ESTABLISHMENT STUDIED.....RESOLVE 84
**JOBS FOR MAINES GRADUATES**
PERSONAL FINANCE INITIATIVES
REPORT TO SCHOOL BOARDS & LEGIS.....PUBLIC 154
**JOINT RESOLUTIONS & MEMORIALS**.....PAGE 1249
**JOINT TENANCY**
SEE REAL ESTATE
**JUDICIAL DEPT**
COST-OF-LIVING ADJUSTMENTS
SUSPENDED FOR JUDGES, JUSTICES (JJ).....PUBLIC 380

CHAPTER

**JUDICIAL DEPT (Cont.)**
COURT SECURITY
MUNICIPAL LAW ENFORCEMENT (TT).....PUBLIC 380
DRUG COURTS
COORDINATION (AAAA).....PUBLIC 380
ELECTRONIC FILING &
AUDIO BROADCAST PLANS (OOOO).....PUBLIC 380
FEE REVENUE
UNDER BUDGET (HHH).....PUBLIC 380
FINES & PENALTIES
COLLECTION ENFORCEMENT.....PUBLIC 131
**JUDICIAL PROCEEDINGS STUDY COMM**
MEMBERSHIP
ESTABLISHED.....RESOLVE 104
POWERS & DUTIES
ESTABLISHED.....RESOLVE 104
**JUNETEENTH INDEPENDENCE DAY**
SEE COMMEMORATIONS
**JUVENILE COURT**
JUVENILE CODE
COMPETENCY.....PUBLIC 282
**JUVENILE OFFENDERS**
DEFERRED DISPOSITION
ELIGIBILITY & PROVISIONS.....PUBLIC 384
DETENTION
DECISION AUTHORITY.....PUBLIC 336
EMERGENCY SHELTER FAMILY HOMES
YOUTH REFERRED BY CORRECTIONS DEPT.....PUBLIC 385
**LABOR DEPT**
SEE ALSO REHABILITATION SERV BUR
GOVERNOR TRAINING INITIATIVE PROG
SUPPLEMENTAL FY11 (PART Y).....PUBLIC 1
INDEPENDENT CONTRACTORS
STAKEHOLDER GROUP TO STUDY.....PUBLIC 292
TRAINING INITIATIVE LAPSED BALANCE
ADD SUPPLEMENTAL FY11 (PART D).....PUBLIC 28
UNEMPLOYMENT COMPENSATION FUND
CONTENT & USAGE DATA PUBLISHED.....PUBLIC 212
WORK-SHARING BENEFITS
UNEMPLOYMENT COMPENSATION.....PUBLIC 91
WORKPLACE SAFETY INSPECTORS
AUXILIARY LIGHTS ON VEHICLES.....PUBLIC 448
**LABOR RELATIONS**
PUBLIC WORKS CONTRACTS
LABOR ORGANIZATION AGREEMENTS.....PUBLIC 463
**LAKES**
SEE GREAT PONDS
**LAND FOR MAINES FUTURE BOARD**
LAND ACQUISITION PROJECTS
DEER PROTECTION PRIORITY.....PUBLIC 381
RAGGED MOUNTAIN PRESERVE
LAND CONVEYANCE IN ROCKPORT.....RESOLVE 9
**LAND SURVEYORS**
SEE SURVEYORS
**LAND USE**
MUNICIPAL PERMITS
RESTRICTION ON NULLIFICATION.....PUBLIC 63
TREE REPLACEMENT
TREES CUT DOWN IN VIOLATION.....PUBLIC 228
UNORGANIZED TERRITORY
REVIEW & RECOMMEND REFORM.....RESOLVE 113
**LAND USE PLANNING IN UNORG TERR COM**
MEMBERSHIP
ESTABLISHED.....RESOLVE 113
POWERS & DUTIES
ESTABLISHED.....RESOLVE 113

CHAPTER

**LANDFILLS**
SEE SOLID WASTES
**LANDLORD & TENANT**
BED BUGS
LANDLORD OBLIGATIONS.....PUBLIC 405
ENERGY EFFICIENCY DISCLOSURE
REQUIREMENTS.....PUBLIC 405
ENERGY USE HISTORY
TENANT RIGHT TO REQUEST.....PUBLIC 405
EVICTION DEFENSE
FAIR HOUSING COMPLAINTS.....PUBLIC 405
RADON TESTING
RENTAL HOUSING REQUIREMENT DELAYED.....PUBLIC 157
REASONABLE ACCOMMODATION
DEFINED.....PUBLIC 405
SMOKING POLICY
DISCLOSURE BY LANDLORDS.....PUBLIC 199
TENANT DEFAULT ON LEASE
TERMINATION PROCESS.....PUBLIC 122
TENANT PROPERTY
DISPOSAL.....PUBLIC 405
**LAW ENFORCEMENT AGENCIES**
ACCIDENT REPORTS DATABASE
IDENTITY INFO NOT DISSEMINATED.....PUBLIC 390
FORENSIC EXAMINATION KITS
CUSTODY W/ EXAMINING AGENCY.....PUBLIC 59
UNCLAIMED, LOST OR STOLEN PROPERTY
DISPOSAL PROCEDURES.....PUBLIC 267
**LAW ENFORCEMENT OFFICERS**
ALL-TERRAIN VEHICLES
STOPPING ON PRIVATE PROPERTY.....PUBLIC 248
ARRESTS
WARRANTLESS FOR BAIL VIOLATIONS.....PUBLIC 341
CHILD ABUSE OR NEGLECT
EMERGENCY REPORTS TO DHHS.....PUBLIC 402
CONCEALED FIREARMS
EXCEPTIONS TO CARRYING PROHIBITIONS.....PUBLIC 394
INFRACTION STANDARD OF PROOF
PREPONDERANCE OF EVIDENCE BY STATE.....PUBLIC 156
MOBILE COMMAND UNITS
OPERATION.....PUBLIC 165
OUT-OF-STATE
CONCEALED FIREARMS ALLOWED.....PUBLIC 396
PROTECTION FROM ABUSE ORDERS
SERVICE AS QUICKLY AS POSSIBLE.....PUBLIC 265
**LEAD**
BLOOD LEAD LEVELS TESTS
AVAILABILITY OF FACILITIES FOR CHILDREN.....PUBLIC 183
**LEASED VEHICLES**
SEE MOTOR VEHICLES
**LEGISLATURE**
ENERGY USE EVALUATION
STATE HOUSE & CROSS SOB.....RESOLVE 40
ENVIRONMENTAL & NATURAL RESOURCES
BOTTLE BILL JURISDICTION.....PUBLIC 429
GOVERNMENT OVERSIGHT COMMITTEE
RECOMMENDATIONS RE TURNPIKE AUTH.....PUBLIC 302
HEALTH INSURANCE COST ASSESSMENT
EXEMPTION REMOVED FOR LEGISLATORS.....PUBLIC 452
HOUSE OF REPRESENTATIVES
VACANCIES, MUNICIPAL CAUCUS.....PUBLIC 409
LEGISLATORS
COLA SUSPENDED & CAPPED (QQQQ).....PUBLIC 380
CONFIDENTIAL COMMUNICATIONS.....PUBLIC 264
REAPPORTIONMENT COMMISSION
FUNDING FY 11-12.....PUBLIC 418

CHAPTER

**LEGISLATURE (Cont.)**
REDISTRICTING
SCHEDULE REVISED ..... CON RES 1
REVIEW OF SUBSTANTIVE RULES
ACCOUNTABILITY STANDARDS, ED DEPT.....RESOLVE 6
BENEFITS FOR PEOPLE W/ AUTISM, DHHS.....RESOLVE 78
BISPHENOL A IN CHILD PRODUCTS, DEP .....RESOLVE 25
CHILD CARE FACILITY REIMBURSE, DHHS.....RESOLVE 98
COASTAL DUNE ACTIVITY, DEP .....RESOLVE 27
ELIGIBILITY FOR SPECIALIZED CASES, ILSC .....RESOLVE 22
FACILITIES, MENTALLY RETARDED, DHHS.....RESOLVE 97
HOME HEALTH SERVICES, DHHS.....RESOLVE 100
LONG TERM CONTRACTING, PUC .....RESOLVE 10
MUNICIPAL SERVICE FEES, DHHS .....RESOLVE 21
NONBANK MORTGAGE LENDING FEES, DPFR.....RESOLVE 4
PRESCRIPTION MONITORING PROG, DHHS .....RESOLVE 96
PROCEDURES CLARIFIED.....PUBLIC 244
SPECIAL EDUCATION BIRTH TO 20, ED DEPT.....RESOLVE 39
UNDERGRND FAC DAMAGE PREVENT, PUC .....RESOLVE 31
VOLUME FEES ADJUSTMENT, DPFR .....RESOLVE 5
VOLUNTARY TOWN FARM SUPPORT, AG DEPT....RESOLVE 7
WELL DRILLERS & PUMP INSTALLERS, WWC .....RESOLVE 13
REVISOR OF STATUTES
REVISORS REPORT 2009, CHAPTER 2 ..... PAGE 1225
TRANSPORTATION COMMITTEE
MONTHLY MEETINGS.....PUBLIC 392

**LEPAGE, PAUL R**
SEE GOVERNOR

**LEWISTON**
ADULT DAY HEALTH CARE PROGRAM
VETERANS .....PUBLIC 444

**LIABILITY**
IMMUNITY
SCHOOL EMPLOYMENT REFERENCES .....PUBLIC 397

**LIENS**
SEWER LIENS
FACSIMILE SIGNATURES.....PUBLIC 104
TAX LIENS
FACSIMILE SIGNATURES.....PUBLIC 104
UNPAID WATER RATES
AUTHORIZED FOR ALL WATER UTILITIES.....PUBLIC 97

**LIFE INSURANCE**
GROUP INSURANCE
TRUSTEE GROUPS REVISED .....PUBLIC 163
VARIABLE ANNUITIES
DEATH BENEFITS REVISED.....PUBLIC 163

**LIMITATION OF ACTIONS**
BREACH OF CONVENANTS
ESTABLISHED.....PUBLIC 124
ENVIRONMENTAL VIOLATIONS
6-YEARS.....PUBLIC 350

**LIMITED LIABILITY COMPANIES**
SEE CORPORATIONS

**LINCOLN**
ROUTE 2
NAMED MASTER SGT GARY GORDON HWY.....RESOLVE 1

**LINCOLN COUNTY**
CORRECTIONAL SERVICES
ASSESSMENT & PAYMENT.....PUBLIC 315

**LINEWORKERS**
SEE ELECTRIC UTILITIES

**LIQUEFIED PETROLEUM GAS**
SAFETY JURISDICTION
PUBLIC UTILITIES COMMISSION.....PUBLIC 197

CHAPTER

**LIQUOR & LOTTERY COMMISSION**
POWERS & DUTIES
CLARIFIED.....PUBLIC 310

**LIQUOR LICENSING & COMPLIANCE DIV**
SEE ALSO PUBLIC SAFETY DEPT
AGENCY LIQUOR STORES
RETURN BY CONSUMERS AUTHORIZED.....RESOLVE 41

**LIVESTOCK**
SEE ANIMALS

**LOBBYISTS**
REPORTING
FAILURE TO FILE REGISTRATION/REPORT.....PUBLIC 179

**LODGING PLACES**
SEE HOTELS & MOTELS

**LONG-TERM CARE INSURANCE**
LONG-TERM CARE PARTNERSHIP POLICIES
NOTICE OF ELIGIBILIITY & REISSUANCE .....PUBLIC 198

**LONG-TERM CARE SERVICES**
SEE HEALTH CARE SERVICES

**LONG-TERM CARE SERVICES TASK FORCE**
RECOMMENDATIONS
LEAN IMPLEMENTATION PLAN.....RESOLVE 71

**LOTTERIES**
AGENT LICENSING
PROCESS CLARIFIED .....PUBLIC 310

**LOW-INCOME PERSONS**
SUBSIDIZED HOUSING
GEOTHERMAL HEAT PUMPS.....PUBLIC 300
TANF & FOOD ASSISTANCE
NONCITIZENS ELIGIBILITY LIMITED (KK).....PUBLIC 380
TEMPORARY ASSIST FOR NEEDY FAMILIES
60 MONTH LIFETIME LIMIT (PP) .....PUBLIC 380
DRUG TESTING (LL) .....PUBLIC 380

**MAIN STREET PROGRAM**
SEE HISTORIC PRESERVATION

**MAINE EDUCATION ASSOCIATION**
BENEFITS TRUST BOARD
ME SCHOOL BRD ASSN REPRESENTATIVE .....PUBLIC 249

**MAINECARE**
SEE MEDICAID

**MANUFACTURED HOUSING**
ABANDONED OR UNCLAIMED
DISPOSAL PROCESS .....PUBLIC 127

**MAPLE SUGAR PROMOTION TASK FORCE**
MEMBERSHIP
ESTABLISHED.....RESOLVE 48
POWERS & DUTIES
ESTABLISHED.....RESOLVE 48

**MAPLETON**
MUNICIPAL DISBURSEMENT WARRANTS
PROCESS REVISED ..... ..P & S 13

**MARIJUANA**
MEDICAL MARIJUANA
EXCESS FORFEITURE .....PUBLIC 383
IDENTIFICATION REQUIREMENTS .....PUBLIC 383
MINORS, PHYSICIAN CERTIFICATION .....PUBLIC 407
QUALIFYING PATIENTS .....PUBLIC 407
REGISTRY INFO PROTECTIONS .....PUBLIC 407

**MARINE PATROL BUREAU**
FISHING BUOYS
COLOR DESIGNS.....PUBLIC 266

**MARINE RESOURCES**
CRABS
LANDING OF DRAGGED, SUNSET REPEAL.....PUBLIC 5
FARM & FISH TO SCHOOL
PILOT PROGRAM.....RESOLVE 91

CHAPTER

**MARINE RESOURCES (Cont.)**
FISH
REDEFINED....PUBLIC 266
FISHERIES PERMIT BANKING
PROGRAM ESTABLISHED....PUBLIC 10
LOBSTER LICENSES
LIMITED ENTRY, INDEPENDENT ANALYSIS....RESOLVE 62
LOBSTERS
PROCESSING EXCEPTIONS....PUBLIC 247
TRAP STORAGE ON DOCKS....PUBLIC 12
MARINE INFRASTRUCTURE & TECH FUND
BOND REAUTHORIZED....RESOLVE 73
SALTWATER RECREATIONAL FISHING
REGISTRY REVISIONS....PUBLIC 421
SCALLOPS
HAND FISHING OR DRAGGING LICENSES....PUBLIC 266
LIMITED ENTRY SYSTEM....PUBLIC 237
SEA URCHIN, SCALLOP, ELVERS
LICENSES TO PENOBSCOT NATION....PUBLIC 137
REPORT ON FISHERIES....PUBLIC 137
SHELLFISH
LABELING AS PRODUCT OF MAINE....PUBLIC 234
SHELLFISH GROWING AREAS
POLLUTION ABATEMENT ACTIVITIES....PUBLIC 175
**MARINE RESOURCES DEPT**
ADMINISTRATIVE SUSPENSION
PROCESS REVISED....PUBLIC 311
COMMERCIAL FISHERIES BUSINESS &
WORKING WATERFRONT DEFINED....PUBLIC 266
COMMISSIONER
POWERS & DUTIES REVISED....PUBLIC 266
ELIGIBLE FISHERY PROJECTS
LIST FOR TAX CREDIT W/ DIFW (HHHH)....PUBLIC 380
FARM & FISH TO SCHOOL
PILOT PROGRAM....RESOLVE 91
LIMITED ENTRY LOBSTER LICENSES
INDEPENDENT ANALYSIS....RESOLVE 62
PERMIT BANKING PROGRAM
ESTABLISHED....PUBLIC 10
SALTWATER RECREATIONAL FISHING
REGISTRY REVISIONS....PUBLIC 421
SCALLOP ADVISORY COUNCIL
REVIEW OF MEMBERSHIP....PUBLIC 237
SHELLFISH GROWING AREAS
POLLUTION ABATEMENT ACTIVITIES....PUBLIC 175
SOFTSHELLED CLAM DEPURATION
HARVESTING IN CLOSED AREAS....PUBLIC 175
WORKING WATERFRONT ACCESS
PROTECTION FUND ESTABLISHED....PUBLIC 266
PROTECTION PROGRAM ESTABLISHED....PUBLIC 266
**MARRIAGE**
CEREMONIES
NONRESIDENT MAY PERFORM....PUBLIC 111
**MARRIAGE & FAMILY THERAPISTS**
SEE COUNSELORS
**MASSAGE THERAPISTS**
LICENSES
RENEWAL PROVISIONS....PUBLIC 286
**MEDICAID**
ANY WILLING PROVIDER
REVIEW OF REGULATIONS....RESOLVE 61
MAINECARE
BENEFITS MANUAL RULE REVIEW....RESOLVE 78
CHILD W/ LIFE THREATENING CONDITION....PUBLIC 35
ELIGIBILITY LIMITED IF NONCITIZEN (KK)....PUBLIC 380
MAXIMUM ALLOWABLE COST LIST....PUBLIC 323

CHAPTER

**MEDICAID-MAINECARE (Cont.)**
PHARMACY COPAYMENT CHARGES....PUBLIC 458
RESIDENTIAL CARE FACILITIES, ENERGY....RESOLVE 106
TOBACCO USE RATE REDUCTION....RESOLVE 24
MAINECARE BENEFITS MANUAL
NEUROPSYCHOLOGICAL TESTING, RULES....RESOLVE 110
MAINECARE REIMBURSMENTS
INDEPENDENT PRACT DENTAL HYGIENISTS....PUBLIC 457
**MEDICAL CARE DEVELOPMENT**
ORAL HEALTH CARE NEEDS
STUDY....RESOLVE 92
**MEDICAL EXAMINERS OFFICE**
BODY TRANSPORT
MILEAGE RATE FOR FUNERAL HOMES....PUBLIC 445
DEATH CERTIFICATION
EXAMINATION OF BODY....PUBLIC 182
DEPUTY CHIEF MEDICAL EXAMINER
SUPPLEMENTAL FY11 (PART JJ)....PUBLIC 1
**MEDICAL SERVICES BUREAU**
DRUG ACADEMIC DETAILING PROG
FEES RESTORED....PUBLIC 461
PRESCRIPTION DRUGS
TRIAL & MARKETING PROG/FEES REDUCED....PUBLIC 461
**MEDWAY**
PATTAGUMPUS STREAM BRIDGE
NAMING DEAUTHORIZED....RESOLVE 2
**MEMORIALS & JOINT RESOLUTIONS**....PAGE 1249
**MENTAL HEALTH FACILITIES**
SEE DOROTHEA DIX PSYCHIATRIC CNTR
**MENTAL HEALTH SERVICES**
LONG-TERM CARE
SERVICES FEASIBILITY REPORT....PUBLIC 422
PROFESSIONALS
MARRIAGE & FAMILY THERAPISTS....PUBLIC 6
**MENTALLY RETARDED PERSONS**
BEHAVIOR MODIFICATION/MANAGEMENT
PRACTICES PROHIBITED....PUBLIC 186
CARE FACILITY REIMBURSEMENT
MAJOR SUBSTANTIVE RULES (XXX)....PUBLIC 380
INTERMEDIATE CARE FACILITIES
REIMBURSEMENT RULES REVIEW....RESOLVE 97
RESIDENTIAL SERVICES
HOUSE RULES & COUNCILS CLARIFIED....PUBLIC 186
RIGHTS & PROTECTIONS
PROVISIONS REVISED....PUBLIC 186
**MERCURY**
BUTTON CELL BATTERIES
BAN EFFECTIVE DATE DELAYED....PUBLIC 206
MERCURY-ADDED LAMPS
CRUSHING DEVICES MANUAL & TRAINING....PUBLIC 275
MOTOR VEHICLES
PAYMENT FOR MERCURY SWITCHES....PUBLIC 206
THERMOSTATS
RECYCLING & FEES....PUBLIC 206
WATER POLLUTION CONTROL
TESTING....PUBLIC 194
**METHAMPHETAMINE**
SEE DRUG OFFENSES
**MILITARY FORCES**
ANNUITY PAYMENTS
INCOME TAX EXEMPTION....PUBLIC 138
DRIVERS LICENSES & ID CARDS
SERVICE DESIGNATIONS....PUBLIC 390
EXCISE TAX ON RESIDENT VEHICLES
LOCAL OPTION EXEMPTION ALLOWED....PUBLIC 313

CHAPTER

**MILITARY FORCES (Cont.)**
GOLD STAR FAMILIES
SPECIAL RECOGNITION LICENSE PLATES....PUBLIC 246
NATIONAL GUARD
YOUTH CHALLENGE PROGRAM....PUBLIC 112
SELECTIVE SERVICE REGISTRATION
DRIVERS LICENSE OR ID ISSUANCE....PUBLIC 170
VIETNAM WAR
VETERANS RECEIVE HIGH SCHOOL DIPLOMAS....PUBLIC 25
VIETNAM WAR REMEMBRANCE DAY
ESTABLISHED....PUBLIC 92
**MILK HANDLING FEE**
SEE DAIRY INDUSTRY
**MILO**
DAM ON SEBEC RIVER
FISHWAY STRUCTURE PROHIBITED....PUBLIC 24
**MINORS**
SEE CHILDREN
**MIXED MARTIAL ARTS AUTHORITY**
RENAMED
COMBAT SPORTS AUTHORITY....PUBLIC 305
**MOBILE HOME PARKS**
MANUFACTURED HOUSING
DISPOSAL OF ABANDONED....PUBLIC 127
**MOOSE**
SEE HUNTING
**MORTGAGES**
CREDIT SALE
DEFINED....PUBLIC 289
FORECLOSURES
JOINT TENANCY REINSTATEMENT....PUBLIC 41
PREVAILING ATTORNEY FEES....PUBLIC 269
LICENSES
REQUIREMENTS....PUBLIC 289
MORTGAGE LOAN ORIGINATORS
DEFINED....PUBLIC 427
NONBANK MORTGAGE LENDING FEES
RULE REVIEW BY LEGISLATURE....RESOLVE 4
RELEASE
TIMING & RECORDING PROVISIONS....PUBLIC 146
RESIDENTIAL LOANS
DEFINITION CLARIFIED....PUBLIC 289
**MOTOR CARRIERS**
AXLE FINES
WAIVER DURING MIDWINTER CONTINUED....PUBLIC 86
OUT OF SERVICE ORDERS
FINES FOR VIOLATIONS....PUBLIC 219
SAFETY REGULATIONS
COMPLIANCE....PUBLIC 164
TRANSPORTATION CONTRACTS
INDEMNITY AGREEMENTS....PUBLIC 85
**MOTOR VEHICLE INSURANCE**
RENTAL VEHICLES
MINIMUM AMOUNT REQUIRED....PUBLIC 78
**MOTOR VEHICLES**
SEE ALSO TRAFFIC REGULATIONS
ABANDONED
REDEFINED, NOTIFICATION....PUBLIC 46
ACCIDENT REPORT DATABASE
IDENTITY INFO NOT DISSEMINATED....PUBLIC 390
AUXILIARY LIGHTS
WORKPLACE SAFETY INSPECTOR VEHICLE....PUBLIC 448
AXLE FINES
WAIVER DURING MIDWINTER CONTINUED....PUBLIC 86
COMMERCIAL
LOBSTER LICENSE PLATES....PUBLIC 356

CHAPTER

**MOTOR VEHICLES-COMMERCIAL (Cont.)**
METHODONE USE PROHIBITED....PUBLIC 455
CUSTOM VEHICLES
REDEFINED & INSPECTION CLARIFIED....PUBLIC 139
DEALERS
MORATORIUM, PLATE REDUCTION....PUBLIC 390
DEALERS LICENSING REQUIREMENTS
WORKING GROUP TO STUDY....RESOLVE 11
DISABILITY PARKING PERMITS
TEMPORARY CREATED....PUBLIC 117
DISABILITY PLATES & PLACARDS
PERSONS WITH PERMANENT DISABILITIES....PUBLIC 23
EXCISE TAXES
LOCAL OPTION EXEMPTION FOR MILITARY....PUBLIC 313
INSPECTIONS
INSPECTORS MECHANICS LICENSE REVOKED....PUBLIC 448
NEW ARE EXEMPT....PUBLIC 191
LOANER VEHICLES
REGISTRATION PLATES....PUBLIC 44
NOISE VIOLATIONS
DEFENSES....PUBLIC 158
NUMBER PLATES
COMMERCIAL LOBSTER PLATES....PUBLIC 390
EMERGENCY SERVICE MEDAL DECALS....PUBLIC 22
GOLD STAR FAMILY RECOGNITION PLATES....PUBLIC 246
HONORARY CONSUL....PUBLIC 390
PROCESS FOR CREATING SPECIALTY....PUBLIC 390
SPECIAL FOR HONORARY CONSUL....PUBLIC 356
PICKUP TRUCK OR VANS
SHORT TERM RENTALS, SALES TAX....PUBLIC 209
PROVISIONAL DRIVERS
PASSENGERS AUTHORIZED REVISED....PUBLIC 13
RENTAL TAX
TRANSFER TO STAR TRANS FUND (G)....PUBLIC 380
RENTAL VEHICLES
MINIMUM AUTO INSURANCE....PUBLIC 78
SALES TAX
AUTOMOBILE REDEFINED....PUBLIC 296
SERVICE CONTRACTS
REGULATIONS & DEFINITIONS....PUBLIC 345
TEXTING WHILE DRIVING
PROHIBITED....PUBLIC 207
TITLES
SALVAGE COMPANIES....PUBLIC 88
**MOTOR VEHICLES BUREAU**
INVESTIGATIVE INFORMATION
CONFIDENTIAL RECORDS....PUBLIC 356
**MOTORCYCLES**
ANTIQUE
EXEMPT FROM INSPECTION....PUBLIC 8
NOISE VIOLATIONS
DEFENSES....PUBLIC 158
REGISTRATION
PROOF OF INSPECTION....PUBLIC 167
**MOUNT DESERT ISLAND**
REGIONAL SCHOOL DISTRICT
ANNUAL MEETING & FISCAL YEAR....P & S 1
**MOVIES**
VISUAL MEDIA PRODUCTION
LOAN PROGRAM ESTABLISHED....PUBLIC 372
REPORT TO TAX ASSESSOR ELIMINATED....PUBLIC 285
**MUNICIPAL BOND BANK**
SCHOOL REVOLVING RENOVATION FUND
HAZARDOUS MATERIALS REMOVAL....PUBLIC 153
STATE CEILING CY 2011 & 2012
PRIVATE ACTIVITY ALLOCATIONS....P & S 18

CHAPTER

**MUNICIPAL PERSONNEL**
MUNICIPAL CLERKS
ELECTION PROCEDURES REVISED....PUBLIC 342
TREASURERS
FACSIMILE SIGNATURES ON TAX LIENS....PUBLIC 104
**MUNICIPALITIES**
APPROVAL OF SUBDIVISION PLAN
90 DAYS TO RECORD....PUBLIC 245
BUILDING & ENERGY CODE
ADOPTION IF OVER 4000 RESIDENTS....PUBLIC 408
ENFORCEMENT....PUBLIC 365
BUILDING CERTIFICATES
BUILDING OFFICIAL DEFINED....PUBLIC 94
CONSTRUCTION & FIRE PERMITS
AUTHORITY....PUBLIC 304
DISBURSEMENT WARRANTS
MAPLETON, CASTLE HILL, CHAPMAN....P & S 13
ECONOMIC IMPACT STUDY
DEVELOPER FEES & STUDY CONSIDERATIONS....PUBLIC 89
ELECTED OFFICIALS
CONFIDENTIAL COMMUNICATIONS....PUBLIC 264
RECALL PROCESS....PUBLIC 324
ELECTIONS
BALLOTING & PROCESSING REVISED....PUBLIC 342
FORESTED PROPERTY
TREE GROWTH REIMBURSEMENT....PUBLIC 404
HEALTH INSPECTIONS
TERMS & CONDITIONS FOR AUTHORITY....PUBLIC 295
INFORMED GROWTH ACT
UNDUE ADVERSE IMPACT REVISED....PUBLIC 89
LAND USE PERMITS
RESTRICTION ON NULLIFICATION....PUBLIC 63
MAIN STREET PROGRAM
FUNDS....PUBLIC 459
MUNICIPAL CLERKS
ELECTION PROCEDURES REVISED....PUBLIC 342
MUNICIPAL HEALTH INSPECTIONS
DEFINITIONS REVISED....PUBLIC 193
REPORTS FURNISHED ELECTRONICALLY....PUBLIC 193
MUNICIPAL LANDFILLS
REMEDIATION & CLOSURE ELIGIBILITY....PUBLIC 435
PUBLICLY OWNED BUS STOPS
OUTDOOR ADVERTISING....PUBLIC 114
REVENUE SHARING
REDUCTIONS (I)....PUBLIC 380
REVENUE-SHARING TRANSFERS
SUPPLEMENTAL FY11 (PART N)....PUBLIC 1
SCHOOL DISTRICT WITHDRAWAL
TIME REDUCED....PUBLIC 328
SHELLFISH GROWING AREAS
POLLUTION ABATEMENT ACTIVITIES....PUBLIC 175
TAX INCREMENT FINANCING
RECREATIONAL DEVELOPMENT USE....PUBLIC 102
TAX INCREMENT FINANCING DISTRICTS
PROJECT COMPLETION EXTENDED....PUBLIC 287
TREASURERS
FACSIMILE SIGNATURES ON TAX LIENS....PUBLIC 104
VITAL RECORDS FEES
RULE REVIEW BY LEGISLATURE....RESOLVE 21
VOLUNTARY TOWN FARM SUPPORT PROG
RULE REVIEW BY LEGISLATURE....RESOLVE 7
VOTER REGISTRATION
NEW VOTERS, 2 DAYS PRIOR TO ELECTION....PUBLIC 399
**MUSEUMS**
PROPERTY
CONSIDERED ABANDONED, REDEFINED....PUBLIC 263

CHAPTER

**MUSEUMS-PROPERTY (Cont.)**
EMERGENCY CONSERVATION MEASURES....PUBLIC 263
**MUSHROOMS**
SEE FOOD
**NAIL TECHNOLOGISTS**
LICENSES
INITIAL LICENSURE PROVISIONS REVISED....PUBLIC 286
**NATIONAL GUARD**
SEE MILITARY FORCES
**NATIONAL GUARD PROTECTION COMM**
POWERS & DUTIES
REPEALED....PUBLIC 344
**NATIVE AMERICANS**
HEALTH DEPT OR CLINICS
PUBLIC HEALTH INFRASTRUCTURE REVISED....PUBLIC 306
HUNTING, TRAPPING, FISHING
FREE LICENSES TO CERTIFIED MEMBERS....PUBLIC 327
PASSAMAQUODDY TRIBE
HIGH-STAKES BEANO IN CALAIS IF APPROVED..PUBLIC 410
PENOBSCOT NATION
SEA URCHIN, SCALLOP, ELVER LICENSES....PUBLIC 137
PENOBSCOT NATION & PASSAMAQUODDY
ELVER, SCALLOPS, SEA URCHIN FISH REPORT....PUBLIC 137
LOBSTER & CRAB LICENSES....PUBLIC 137
TRIBAL LAW ENFORCEMENT
FINES, PASSAMAQUODDY/PENOBSCOT....PUBLIC 426
**NATURAL GAS**
ENERGY DISTRIBUTION SYS PROJECT
PUC ASSISTANCE TO FINANCE AUTHORITY....PUBLIC 261
GAS EXPLOSIONS
INVESTIGATIONS & RESPONSE....PUBLIC 27
PRIVATE PIPELINES
PUBLIC UTILITIES COMM JURISDICTION....PUBLIC 110
**NATURAL RESOURCES AGENCY TASK FRC**
RECOMMENDATIONS
IMPLEMENTATION (ZZZ)....PUBLIC 380
**NATURAL RESOURCES PROTECTION ACT**
SEE POPULAR NAMES OF LAWS
**NEWPORT**
MAIN STREET BRIDGE
NAMED: SGT DONALD SIDNEY SKIDGEL....RESOLVE 52
**NICKERSON LAKE SEWER DISTRICT**
POWERS & DUTIES
ESTABLISHED....P & S 14
**NONADMITTED/REINSURANCE REFORM ACT**
SEE POPULAR NAMES OF LAWS
**NONRESIDENT HUNTERS**
SEE HUNTING
**NONRESIDENT HUNTERS TASK FORCE**
MEMBERSHIP
ESTABLISHED....RESOLVE 51
POWERS & DUTIES
ESTABLISHED....RESOLVE 51
**NOTARY PUBLIC REVIEW BOARD**
POWERS & DUTIES
REPEALED....PUBLIC 344
**NURSES**
CERTIFIED NURSING ASSISTANTS
RECERTIFICATION DEMO PROJECT....RESOLVE 35
CERTIFIED NURSING ASSISTANTS &
DIRECT CARE WORKERS REGISTRY....PUBLIC 257
**NURSING BOARD**
FEDERAL FUND ACCEPTANCE
SUPPLEMENTAL FY11 (PART AA)....PUBLIC 1

CHAPTER

**NURSING HOMES**
3 OR FEWER PATIENTS
FIRE CODE REGULATIONS APPLY....PUBLIC 398
CERTIFICATE OF NEED
THRESHOLD INCREASED....PUBLIC 424
LICENSING
RENEWAL FEES CALCULATION....PUBLIC 257
**OCCUPATIONAL HEALTH**
OCCUPATIONAL DISEASES
REPORTING & CONFIDENTIALITY....PUBLIC 337
**OCCUPATIONAL THERAPISTS**
LICENSES
TEMPORARY MAY BE EXTENDED....PUBLIC 286
**OIL**
ABOVEGROUND STORAGE TANKS
CONSTRUCTION PERMITS....RESOLVE 26
HOME HEATING OIL
GUARANTEED PRICE COMPLIANCE REVIEW....RESOLVE 79
MOTOR OIL
WASTE MOTOR OIL REVENUE FUND....PUBLIC 211
SPILLS
NATURAL GAS NOT INCLUDED....PUBLIC 206
REMEDIATION & CLEAN-UP COSTS....PUBLIC 206
STORAGE FACILITIES
ABANDONMENT & REMOVAL....PUBLIC 206
OPERATOR TRAINING....PUBLIC 317
**OLD TOWN**
SPEED LIMIT ON I-95
INCREASED BTW OLD TOWN & HOULTON....PUBLIC 415
**ON-PREMISES SIGNS**
SEE OUTDOOR ADVERTISING - SIGNS
**OPERATING UNDER INFLUENCE**
DRUGS
ENFORCEMENT PROVISIONS....PUBLIC 335
ENHANCED SENTENCES
PRIOR CRIMINAL CONVICTION....PUBLIC 159
LICENSE SUSPENSION
SECRETARY OF STATE & COURT, CREDITS....PUBLIC 81
**OPIOID ABUSE REDUCTION WORK GROUP**
MEMBERSHIP
ESTABLISHED....RESOLVE 81
POWERS & DUTIES
ESTABLISHED....RESOLVE 81
**ORAL HEALTH PRACTITIONERS**
SEE DENTAL CARE
**ORGAN DONATION ADVISORY COUNCIL**
MEMBERSHIP
ESTABLISHED....PUBLIC 168
POWERS & DUTIES
ESTABLISHED....PUBLIC 168
**OUTDOOR ADVERTISING**
BUS STOPS
PUBLICLY OWNED MAY BE SUBSIDIZED....PUBLIC 114
DIRECTIONAL SIGNS ON TURNPIKE
HEBRON ACADEMY....RESOLVE 23
SIGNS
ON-PREMISES SIGNS WAIVERS....PUBLIC 115
SIGNS INDICATING NO ACCESS
PAINT MARKINGS & PLACEMENT....PUBLIC 432
**OVERBOARD DISCHARGES**
SEE WASTE WATER
**OXFORD COUNTY**
CASINO
AUTHORIZED (IB2).... PAGE 1213
CASINO LICENSE APPLICATION FEES
SUPPLEMENTAL FY11 (PART T)....PUBLIC 1

CHAPTER

**OXFORD COUNTY (Cont.)**
CONVEY EXCHANGE OF INTEREST
LAND PARCELS AUTHORIZED....RESOLVE 72
TABLE GAME OPERATION
ONE YEAR BEFORE FEES....PUBLIC 417
**PAINT**
SEE HAZARDOUS MATERIALS
**PAPERWORK REDUCTION WORKING GRP**
MEMBERSHIP
ESTABLISHED....PUBLIC 304
POWERS & DUTIES
ESTABLISHED....PUBLIC 304
**PARKS & LANDS BUREAU**
SEE ALSO CONSERVATION DEPT
EXCHANGE OF INTEREST IN LAND
OXFORD COUNTY PARCELS AUTHORIZED....RESOLVE 72
HAYSTACK MOUNTAIN SUMMIT
HONOR OF CORPORAL DUSTIN LIBBY....RESOLVE 18
RAGGED MOUNTAIN PRESERVE
LAND CONVEYANCE IN ROCKPORT....RESOLVE 9
RAIL TRAILS
CONVEYANCE OF ACCESS EASEMENTS....PUBLIC 278
**PASSAMAQUODDY TRIBE**
SEE NATIVE AMERICANS
**PAYROLL PROCESSORS**
SEE COMPENSATION (EMPLOYMENT)
**PE4ME PLANNING & OVERSIGHT TEAM**
POWERS & DUTIES
RECONVENED....PUBLIC 108
RECOMMENDATIONS
PILOT PROJECT IN 4 SCHOOLS....PUBLIC 108
**PENOBSCOT COUNTY**
KINGMAN TWP
CONVEY INTEREST OF STATE....RESOLVE 54
T3 INDIAN PURCHASE
CONVEY INTEREST OF STATE....RESOLVE 54
TABLE GAMES AT TRACKS W/ SLOTS
REFERENDUM....PUBLIC 417
**PENOBSCOT NATION**
SEE NATIVE AMERICANS
**PESTICIDES**
AERIAL APPLICATIONS
REQUESTS & NOTIFICATION....PUBLIC 332
APPLICATION
PRIVATE REQUIRE CERTIFICATION....PUBLIC 169
SCHOOL GROUNDS
BEST MANAGEMENT PRACTICES....RESOLVE 59
**PESTICIDES CONTROL BOARD**
AERIAL PESTICIDE APPLICATIONS
REQUESTS & NOTIFICATION....PUBLIC 332
CERTIFICATION REQUIREMENTS
PRIVATE APPLICATORS OF PESTICIDES....PUBLIC 169
MEMBERSHIP
QUALIFICATIONS....PUBLIC 119
PESTICIDES ON SCHOOL GROUNDS
BEST MANAGEMENT PRACTICES....RESOLVE 59
TRANSFERS TO GENERAL FUND
SUPPLEMENTAL FY11 (PART HH)....PUBLIC 1
**PETS**
WOLF HYBRIDS
REGULATIONS & STATUS....PUBLIC 100
**PHARMACIES**
HEALTH DATA ORGANIZATION
NO LONGER FUNDING & REPORTING....PUBLIC 233
MAINECARE MEMBERS
COPAYMENT CHARGES AUTHORIZED....PUBLIC 458

CHAPTER

**PHARMACIES (Cont.)**
PHARMACY BENEFITS MANAGERS
REGISTRATION, DUTIES, AUDITS ..... PUBLIC 443
**PHARMACY BENEFITS MANAGERS**
SEE PHARMACIES
**PHYSICAL ACTIVITY GOVERNORS COUNCIL**
PHYSICAL EDUCATION
PILOT PROJECT IN 4 SCHOOLS ..... PUBLIC 108
**PHYSICIANS**
MEDICAL MARIJUANA
WRITTEN CERTIFICATION, MINORS ..... PUBLIC 407
**PLANTATIONS**
SEE UNORGANIZED TERRITORY
**PODIATRIC MEDICINE LICENSURE BRD**
PODIATRIST HEALTH PROGRAM
ESTABLISHED ..... PUBLIC 190
**PODIATRISTS**
PODIATRIST HEALTH PROGRAM
ESTABLISHED ..... PUBLIC 190
**POLICY REVIEW COUNCIL**
POWERS & DUTIES
REPEALED ..... PUBLIC 344
**POLLUTION PREVENT/SM BUS ADV PANEL**
MEMBERSHIP
APPOINTMENT/TERMS REVISED ..... PUBLIC 206
**POPULAR NAMES OF LAWS**
BOTTLE BILL
CONTAINERS NOT SOLD IN STATE ..... PUBLIC 429
ERRORS BILL
STATUTES CORRECTED ..... PUBLIC 420
HUMAN RIGHTS ACT
ACCESSIBLE BUILDING STANDARDS ..... PUBLIC 322
INFORMED GROWTH ACT
MUNICIPAL OPT-IN PROVISIONS ..... PUBLIC 89
NATURAL RESOURCES PROTECTION ACT
EXEMPTION FOR ALL EXISTING CROSSINGS ..... PUBLIC 205
PERMIT VALIDITY REVIEW ..... RESOLVE 46
REPORTING REQUIREMENTS ..... PUBLIC 120
NONADMITTED & REINSURANCE
REFORM ACT (FEDERAL) ..... PUBLIC 331
SECURE & FAIR ENFORCEMENT FOR
MORTGAGE LICENSING ACT ..... PUBLIC 289
**PORTABLE ELECTRONIC DEVICES**
SEE ELECTRONICS
**PORTS**
HARBOR SAFETY
MAINTENANCE DREDGING PERMITS ..... PUBLIC 65
**POTATO BOARD**
MEETINGS
REVISED ..... PUBLIC 7
MEMBERSHIP
REVISED ..... PUBLIC 7
**POVERTY & ECONOMIC SECURITY CNCL**
POWERS & DUTIES
REPEALED ..... PUBLIC 344
**POWERS OF ATTORNEY**
SEE PROBATE CODE
**PRESCRIPTION DRUGS**
SEE DRUGS
**PRESQUE ISLE**
PARK STREET BRIDGE
GOLD STAR MEMORIAL BRIDGE ..... RESOLVE 37
**PRINCIPAL & INCOME ACT**
SEE UNIFORM LAWS

CHAPTER

**PRISONERS**
DEATH IN CORRECTIONAL FACILITY
MEDICAL EXAMINER DECIDES ON AUTOPSY ..... PUBLIC 60
**PRIVATE INVESTIGATORS**
INDEPENDENT CONTRACTOR STATUS
EMPLOYMENT SECURITY LAWS ..... PUBLIC 66
PROFESSIONAL INVESTIGATORS
BOARD & REGULATIONS ESTABLISHED ..... PUBLIC 366
QUESTIONING
UNPERMITTED CONTACT WITH CHILD ..... PUBLIC 161
**PRIVATE SECONDARY SCHOOL ADV CNCL**
POWERS & DUTIES
REPEALED ..... PUBLIC 344
**PROBATE CODE**
POWERS OF ATTORNEY
MAXIMUM TIME EXTENDED ..... PUBLIC 43
**PROBATE COURT**
PROTECTED PERSON ESTATE
TRANSFER APPROVALS ..... PUBLIC 155
**PROFESSIONAL & FINANCIAL REG DEPT**
SEE ALSO CONSUMER CREDIT PROT BUR
SEE ALSO INSURANCE BUREAU
SEE ALSO SECURITIES OFFICE
ADJUSTMENT OF VOLUME FEES
RULE REVIEW BY LEGISLATURE ..... RESOLVE 5
COMMISSIONER APPOINTMENT PROCESS
SUPPLEMENTAL FY11 (PART AA) ..... PUBLIC 1
GUARANTEED PRICE HOME HEATING OIL
COMPLIANCE ISSUES REVIEW ..... RESOLVE 79
LICENSING & REGISTRATION OFFICE
CHG TO: PROFESSIONAL & OCCUP REG OFF ..... PUBLIC 286
NONBANK MORTGAGE LENDING FEES
RULE REVIEW BY LEGISLATURE ..... RESOLVE 4
**PROFESSIONAL INVESTIGATORS LIC BRD**
MEMBERSHIP
ESTABLISHED ..... PUBLIC 366
POWERS & DUTIES
ESTABLISHED ..... PUBLIC 366
**PROPERTY**
ACCESS LIMITATIONS
SIGN PAINT MARKINGS ..... PUBLIC 432
CONVEY INTERESTS OF STATE
GILFORD BUTLER SCHOOL TO RSU 13 ..... RESOLVE 88
FORECLOSURES
JOINT TENANCY REINSTATEMENT ..... PUBLIC 41
HALLOWELL
SALE OR TRANSFER AUTHORIZED ..... RESOLVE 99
REGULATORY TAKINGS
PROPERTY RIGHTS, LAND USE, STUDY ..... RESOLVE 111
UNCLAIMED, LOST OR STOLEN
DISPOSAL PROCESS ..... PUBLIC 267
**PROPERTY TAX**
RESIDENTS PROGRAM
BENEFIT AT 80% FOR 2011 & 2012 (P) ..... PUBLIC 380
**PROTECTION ORDERS**
PROTECTION FROM ABUSE
AWARD OF FEES IF COMPLAINT FRIVOLOUS ..... PUBLIC 303
ELDERLY & DEPENDENT ADULTS ..... PUBLIC 201
SERVICE ..... PUBLIC 265
VIOLATIONS ..... PUBLIC 178
**PSYCHOLOGISTS**
NEUROPSYCHOLOGICAL TESTING
MAINECARE RULES ..... RESOLVE 110
**PUBLIC ADVOCATE**
NUCLEAR SAFETY ADVISOR &
RAILROAD QUALITY FUND SAVINGS (NNNN) ..... PUBLIC 380

CHAPTER

**PUBLIC ADVOCATE (Cont.)**
POWERS & DUTIES
ADVOCACY FORUMS ..... PUBLIC 79
REGIONAL TRANSMISSION ORGANIZATION
TRANSPARENCY ..... RESOLVE 68
**PUBLIC EMPLOYEES RETIREMENT SYSTEM**
BENEFICIARIES
DESIGNATION ..... PUBLIC 449
COST OF LIVING INCREASES
CAP AT 3% EFFECTIVE 2014, 1ST $20,000 (T) ..... PUBLIC 380
GROUP LIFE INSURANCE
COVERAGE ELECTION, LEAVE OF ABSENCE ..... PUBLIC 449
HEALTH INSURANCE
VESTING, NORMAL RETIREMENT AGE ..... PUBLIC 380
INVESTIMENT-RELATED ACTIVITIES
CONFIDENTIAL INFORMATION ..... PUBLIC 449
NORMAL RETIREMENT AGE
FEWER THAN 5 YEARS, 65 YEARS OF AGE (T) ..... PUBLIC 380
OPTIONAL MEMBERSHIP
CONDITIONS CLARIFIED ..... PUBLIC 449
RETIRED TEACHERS
RETIREMENT, LIFE & HEALTH INS FUNDS (C) ..... PUBLIC 380
RETIREMENT BENEFIT PLAN
WORKING GROUP TO ESTABLISH (U) ..... PUBLIC 380
STAFF RECORDS
CONFIDENTIAL INFORMATION ..... PUBLIC 449
**PUBLIC SAFETY DEPT**
SEE ALSO FIRE MARSHAL OFFICE
SEE ALSO GAMBLING CONTROL BOARD
SEE ALSO IDENTIFICATION BUREAU
SEE ALSO LIQUOR LIC/COMPLIANCE DIV
SEE ALSO STATE POLICE BUREAU
CHIMNEY CONNECTIONS TO
SOLID FUEL BURNING APPLIANCES, RULES ..... PUBLIC 225
CONSTRUCTION & FIRE PERMITS
MUNICIPAL AUTHORITY ..... PUBLIC 304
CONSUMER FIREWORKS
INSPECTIONS & LICENSES ..... PUBLIC 416
FIRE CODE REGULATIONS
NURSING HOMES W/ 3 OR FEWER PATIENTS ..... PUBLIC 398
SEASONAL ENTERTAINMENT FACILITIES
SPRINKLER SYSTEMS ..... PUBLIC 349
**PUBLIC UTILITIES**
BUSINESS DEPOSITS
TIME LIMITS ..... RESOLVE 38
DEPOSITS
NEW BUSINESSES, RULES ..... RESOLVE 32
**PUBLIC UTILITIES COMMISSION**
BENEFITS OF ELECTRICITY
INFORMATION TO CONSUMERS ..... PUBLIC 283
BUSINESS DEPOSITS HELD BY UTILITIES
TIME LIMITS ..... RESOLVE 38
COMPETITIVE ELECTRICITY PROVIDERS
INFORMATION TO CONSUMERS ..... PUBLIC 284
DIG SAFE LAW VIOLATIONS
PENALTY PAYMENT SCHEDULES ..... PUBLIC 72
ELECTRIC TRANSMISSION LINES
PUBLIC CONVENIENCE/NECESSITY CERT ..... PUBLIC 281
ENERGY EFFICIENCY RESOURCES
CAPACITY LONG-TERM CONTRACTS ..... PUBLIC 413
GAS EXPLOSIONS
HEARINGS, REIMBURSEMENTS, RESPONSE ..... PUBLIC 27
JURISDICTION
PRIVATE NATURAL GAS PIPELINES ..... PUBLIC 110
SAFETY OVER CERTAIN GAS UTILITIES ..... PUBLIC 197

CHAPTER

**PUBLIC UTILITIES COMMISSION (Cont.)**
LONG-TERM CONTRACTING
RULE REVIEW BY LEGISLATURE ..... RESOLVE 10
NATURAL GAS TRANSMISSION SYSTEMS
ASSISTANCE TO FINANCE AUTHORITY ..... PUBLIC 261
NET ENERGY BILLING
TERM LENGTHS FOR CONTRACTS ..... PUBLIC 262
NEW RENEWABLE CAPACITY RESOURCES
PORTFOLIO REQUIREMENTS ANALYSIS ..... PUBLIC 413
POWERS & DUTIES
POLICY OBJECTIVES ..... PUBLIC 109
REGIONAL TRANSMISSION ORGANIZATION
TRANSPARENCY ..... RESOLVE 68
SMART METERS
CYBER SECURITY & PRIVACY ..... RESOLVE 82
TELECOMMUNICAT ED ACCESS FUND
GUIDELINES FOR FUNDING REVISED ..... PUBLIC 54
TELECOMMUNICATIONS
REFORM PLAN ..... RESOLVE 69
TRANSMISSION & DISTRIBUTION UTILITY
BALANCE SHEET & RETURN ON EQUITY ..... PUBLIC 71
UNDERGROUND FAC DAMAGE PREVENT
RULE REVIEW BY LEGISLATURE ..... RESOLVE 31
UTILITY DEPOSITS
RULES REQUIREMENTS ..... RESOLVE 32
WATER UTILITIES
AUDITING REQUIREMENTS ..... PUBLIC 77
RATEMAKING FILINGS REVISED ..... PUBLIC 106
**PULL EVENTS COMMISSION**
SECRETARY
DESIGNATION ..... PUBLIC 73
**QUARRIES**
SEE GRAVEL
**RADON TESTING**
SEE AIR POLLUTION CONTROL
**RAIL TRAILS**
SEE RAILROADS
**RAILROAD CROSSING INFO COUNCIL**
POWERS & DUTIES
REPEALED ..... PUBLIC 79
**RAILROADS**
RAIL TRAILS
ACCESS EASEMENT SALE PROCEEDS ..... PUBLIC 278
RIGHTS-OF-WAY
CONVEYANCE OF ACCESS EASEMENTS ..... PUBLIC 278
**REAL ESTATE**
JOINT TENANCY
CREATING OR SEVERING ..... PUBLIC 4
PRIVATE TRANSFER FEE OBLIGATIONS
VOID & UNENFORCEABLE ..... PUBLIC 200
**REAL ESTATE AGENTS**
BROKERAGE AGREEMENTS
AGENCY-CLIENT RELATIONSHIP ..... PUBLIC 286
LICENSES
BRANCH OFFICES CLARIFIED ..... PUBLIC 286
**REAL ESTATE APPRAISERS BOARD**
POWERS & DUTIES
COMPLAINTS REVIEW ..... PUBLIC 286
**REAPPORTIONMENT COMMISSION**
POWERS & DUTIES
FUNDING FY 11-12 ..... PUBLIC 418
**RECORDS**
SEE ALSO CRIMINAL RECORDS
ACCIDENT REPORT DATABASE
IDENTITY INFO NOT DISSEMINATED ..... PUBLIC 390

CHAPTER

**RECORDS (Cont.)**
CONDOMINIUMS
RETENTION....PUBLIC 368
CONFIDENTIAL
ADDRESS DEFINED....PUBLIC 195
ANIMAL CRUELTY RECORDS....PUBLIC 210
COMMUNICATION OF ELECTED OFFICIALS....PUBLIC 264
EFFICIENCY MAINE TRUST....PUBLIC 343
EMERGENCY MEDICAL SERVICES....PUBLIC 271
INDIGENT LEGAL SERVICES COMM....PUBLIC 260
INFORME PUBLIC INFO ACCESS ACT....PUBLIC 321
INVESTMENT ACTIVITY OF PERS....PUBLIC 449
MOTOR VEHICLES INVESTIGATIVE INFO....PUBLIC 356
PUBLIC EMPLOYEE RETIREMENT SYS STAFF....PUBLIC 449
SEX OFFENDER REGISTRY....PUBLIC 299
MEDICAL MARIJUANA REGISTRY
PATIENT INFORMATION PROTECTIONS....PUBLIC 407
PUBLIC PROCEEDINGS
EXCEPTIONS, EXEMPTIONS, ACCESS....PUBLIC 320
MEETING RECORDS TO BE KEPT....PUBLIC 320
**RECYCLING**
COVERED ENTITY
DEFINED....PUBLIC 250
ELECTRONIC DEVICES
MUNICIPAL SITE OR CONSOLIDATOR EVENT....PUBLIC 250
**REFERENDUM**
AMENDMENT TO CONSTITUTION
REDISTRICTING SCHEDULE REVISED....CON RES 1
ANSON & MADISON WATER DISTRICT
CHARTER CREATED....P & S 6
TABLE GAMES AT TRACKS W/ SLOTS
PENOBSCOT COUNTY....PUBLIC 417
**REGISTRAR OF DEEDS**
ABSTRACTS & COPIES
FEES....PUBLIC 378
**REGULATORY FAIRNESS BOARD**
SEE SECRETARY OF STATE DEPT
**REGULATORY TAKINGS REVIEW COMM**
MEMBERSHIP
ESTABLISHED....RESOLVE 111
POWERS & DUTIES
ESTABLISHED....RESOLVE 111
**REHABILITATION SERVICES BUREAU**
SEE ALSO LABOR DEPT
HEARING IMPAIRED SERVICES
TELECOIL TECHNOLOGY ADDED....PUBLIC 173
**RELIGIOUS ORGANIZATIONS**
HEALTH CARE SHARING MINISTRIES
EXEMPT FROM INSURANCE REGS....PUBLIC 192
**RENEWABLE ENERGY TECHNOLOGIES**
SEE ENERGY CONSERVATION
**RESIDENTIAL CARE FACILITIES**
ADULTS W/ INTELLECTUAL DISABILITY
SHARED LIVING SERVICES REDESIGN....RESOLVE 30
ASSET TRANSFERS
PENALTIES (MM)....PUBLIC 380
MAINE-CARE FUNDED
ENERGY EFFICIENCY IMPROVEMENTS....RESOLVE 106
**RESPIRATORY CARE PRACTITIONERS BRD**
LICENSES
TEMPORARY REVISED....PUBLIC 286
**RESTAURANTS**
LICENSURE
INSPECTION PROVISIONS REVISED....PUBLIC 375
SEASONAL ENTERTAINMENT FACILITIES
SPRINKLER SYSTEMS....PUBLIC 349

CHAPTER

**RESTAURANTS (Cont.)**
SMALL THAT SERVE LIQUOR
TOILET FACILITIES....PUBLIC 242
**RESTITUTION**
SEE SENTENCES
**RETAIL SALES**
SALES TAX
STATEMENT ON SALES SLIP CONCERNING....PUBLIC 285
**RETAIL STORES**
GIFT CARDS & STORED VALUE CARDS
PROVISIONS REVISED....PUBLIC 433
PAPERLESS BILLING
PENALTIES FOR OPTING OUT PROHIBITED....PUBLIC 226
**RETIREMENT BENEFIT PLAN WORK GROUP**
MEMBERSHIP
ESTABLISHED (U)....PUBLIC 380
POWERS & DUTIES
ESTABLISHED (U)....PUBLIC 380
**REVENUE SERVICES BUREAU**
SEE ALSO ADMIN & FIN SERV DEPT
AGRICULTURAL PRODUCTION
PRODUCTS POSTED ON WEBSITE....PUBLIC 285
CREDITOR AGENCY HEARINGS
SUPPLEMENTAL FY11 (PART BB)....PUBLIC 1
FARM & OPEN SPACE TAX
STUDY....RESOLVE 86
INCOME TAX CREDITS
NEW MARKETS CAPITAL INVEST PROG (Q)....PUBLIC 380
INTEREST ON OVERPAYMENT REFUNDS
SUPPLEMENTAL FY11 (PART EE)....PUBLIC 1
NONADMITTED INSURANCE TAXES
REPORTING & MULTISTATE AGREEMENTS....PUBLIC 331
SURPLUS LINES INSURANCE
PREMIUM TAXES....PUBLIC 331
TAX DISPUTES
ADVOCATE & APPEALS OFFICE....PUBLIC 439
**REVENUE SHARING**
SEE MUNICIPALITIES
**REVISORS REPORT**
2009, CHAPTER 2....PAGE 1225
**RIGHT TO KNOW ADVISORY COMMITTEE**
ELECTED OFFICIALS EMAILS
BENEFIT OF PUBLIC DISCLOSURE STUDY....PUBLIC 264
RECOMMENDATIONS
DECISIONS MADE IN PUBLIC PROCEEDINGS....PUBLIC 320
MEETING RECORDS....PUBLIC 320
PUBLIC RECORDS ACCESSIBILITY....PUBLIC 320
SOCIAL SEC NO EXEMPT, PUBLIC RECORDS....PUBLIC 320
**RIVERS**
SEE GREAT PONDS
**RIVERVIEW PSYCHIATRIC CENTER**
PERSONAL SERVICES TRANSFER
SUPPLEMENTAL FY11 (PART S)....PUBLIC 1
**ROADS**
GRADING
NOTICE, UNDERGROUND UTILITIES....PUBLIC 72
HIGHWAY FUND
TRANSFERS TO TRANSCAP TRUST FUND (F)....PUBLIC 392
PUBLIC WORKS CONTRACTS
LABOR ORGANIZATION AGREEMENTS....PUBLIC 463
ROUTE 2 IN LINCOLN & WINN
NAMED MASTER SGT GARY GORDON HYWY....RESOLVE 1
SPEED LIMIT ON I-95
INCREASED BTW OLD TOWN & HOULTON....PUBLIC 415
WILLIAM CLARKE DRIVE, WESTBROOK
BREAK IN CONTROL OF ACCESS....P & S 3

CHAPTER

**ROCKPORT**
RAGGED MOUNTAIN PRESERVE
LAND CONVEYANCE ..... RESOLVE 9
**ROCKWOOD**
CONVEY INTERESTS OF STATE
PARCEL OF LAND ..... RESOLVE 70
**RULE REVIEW**
AGRICULTURE DEPT
VOLUNTARY TOWN FARM SUPPORT PROG ..... RESOLVE 7
EDUCATION DEPT
ACCOUNTABILITY STANDARDS ..... RESOLVE 6
SPECIAL EDUCATION BIRTH TO 20 ..... RESOLVE 39
ENVIRONMENTAL PROTECTION DEPT
BISPHENOL A IN CHILD PRODUCTS ..... RESOLVE 25
COASTAL DUNE ACTIVITY ..... RESOLVE 27
HEALTH & HUMAN SERVICES DEPT
BENEFITS FOR PEOPLE W/ AUTISM ..... RESOLVE 78
CARE FACILITIES FOR MENTALLY RETARDED ..... RESOLVE 97
CHILD CARE FACILITIES REIMBURSEMENT ..... RESOLVE 98
HOME HEALTH SERVICES ..... RESOLVE 100
MUNICIPAL SERVICE FEES ..... RESOLVE 21
PRESCRIPTION MONITORING PROGRAM ..... RESOLVE 96
INDIGENT LEGAL SERVICES COMM
ELIGIBILITY FOR SPECIALIZED CASES ..... RESOLVE 22
PROFESSIONAL & FINANCIAL REG DEPT
NONBANK MORTGAGE LENDING FEES ..... RESOLVE 4
VOLUME FEES ADJUSTMENT ..... RESOLVE 5
PUBLIC UTILITIES COMMISSION
LONG-TERM CONTRACTING ..... RESOLVE 10
UNDERGROUND FAC DAMAGE PREVENTN ..... RESOLVE 31
WATER WELL COMMISSION
WELL DRILLERS & PUMP INSTALLERS ..... RESOLVE 13
**SAGADAHOC COUNTY**
CORRECTIONAL SERVICES
ASSESSMENT & PAYMENT ..... PUBLIC 315
**SALES**
DEALER, SINGLE-LINE DEALER &
INVENTORY DEFINED ..... PUBLIC 236
FRANCHISES
POWER EQUIPT, MACHINERY DEALERS ..... PUBLIC 75
GIFT CARDS & STORED VALUE CARDS
PROVISIONS REVISED ..... PUBLIC 433
PAPERLESS BILLING
PENALTIES FOR OPTING OUT PROHIBITED ..... PUBLIC 226
REPURCHASE TERMS
SUPPLIER TO DEALER ..... PUBLIC 236
SERVICE CONTRACTS
REGULATIONS & DEFINITIONS ..... PUBLIC 345
SURPLUS PROPERTY
NONPROFIT ANIMAL SHELTERS AUTHORIZED ..... PUBLIC 9
WARRANTIES
DEALER, WORK & PARTS COMPENSATION ..... PUBLIC 236
**SALES & USE TAXES**
DEFINITIONS
AUTOMOBILE ..... PUBLIC 296
EXEMPTIONS
AIRCRAFT EXPANDED (GGGG) ..... PUBLIC 380
ELECTRICITY TO PINE TREE DEV BUSINESSES ..... PUBLIC 285
MEALS AT RETIREMENT FACILITIES (DDDD) ..... PUBLIC 380
REDEMPTION CENTER PLASTIC BAGS (FFFF) ..... PUBLIC 380
EXEMPTIONS OR REFUNDS
WINDJAMMER PARTS & SUPPLIES ..... PUBLIC 425
PICKUP TRUCKS & VANS
SHORT-TERM RENTAL ..... PUBLIC 209
REFUNDS
COMMERCIAL FISHING VESSEL FUEL (EEEE) ..... PUBLIC 380

CHAPTER

**SAND DUNES**
SEE COASTAL AREAS
**SANFORD SEWERAGE DISTRICT**
CHARTER CHANGES
POWERS, DUTIES, TRUSTEES REVISED ..... P & S 11
**SANITARY DISTRICTS**
SEWER LIENS
FACSIMILE SIGNATURES ..... PUBLIC 104
**SAUFLEY, LEIGH INGALLS**
SEE SUPREME JUDICIAL COURT – CHIEF JUSTICE
**SCALLOP ADVISORY COUNCIL**
MEMBERS
REVIEW BY MARINE RESOURCES DEPT ..... PUBLIC 237
**SCARBOROUGH**
EASTERN ROAD
EASEMENTS CONVEYED ..... RESOLVE 57
**SCHOOL BUILDINGS**
CONSTRUCTION
ALTERNATIVE DELIVERY METHODS ..... P & S 17
CONSTRUCTION & REPAIR
COMPETITIVE BIDDING ..... PUBLIC 352
CONSTRUCTION DEBT SERVICE LIMIT
SUPPLEMENTAL FY11 (PART E) ..... PUBLIC 1
ENERGY CONSERVATION SERVICES
CONTRACTS, BID PROCESS EXEMPT ..... PUBLIC 352
REVOLVING RENOVATION FUND
HAZARDOUS MATERIALS REMOVAL ..... PUBLIC 153
**SCHOOL PERSONNEL**
SEE ALSO TEACHERS
DRIVER EDUCATION INSTRUCTOR
LICENSE DURATION ..... PUBLIC 442
EMPLOYMENT REFERENCES
IMMUNITY ..... PUBLIC 397
EVALUATIONS
TEACHER & PRINCIPAL MODELS ..... PUBLIC 36
HEALTH INSURANCE
COMPETITIVE BIDS EVERY 5 YEARS ..... PUBLIC 249
GROUP SELF-INSURED OPTIONS ..... PUBLIC 395
STATE GROUP HEALTH PLAN ELIGIBILITY ..... PUBLIC 438
SPEECH-LANGUAGE PATHOLOGISTS
DUAL CERTIFICATION ELIMINATED ..... PUBLIC 49
**SCHOOL PSYCHOLOGISTS ADVISORY COM**
POWERS & DUTIES
CERTIFICATION & DISCIPLINARY ACTIONS ..... PUBLIC 386
**SCHOOLS**
ACCOUNTABILITY STANDARDS
RULE REVIEW BY LEGISLATURE ..... RESOLVE 6
ADMINISTRATIVE UNITS
CONSOLIDATION PENALTIES REVISED ..... PUBLIC 251
CHARTER SCHOOLS
PROGRAM ESTABLISHED ..... PUBLIC 414
CLOSING
VOTES REQUIRED ..... PUBLIC 171
COMPETITIVE BIDDING
CONSTRUCTION & REPAIR ..... PUBLIC 352
CONSTRUCTION DEBT SERVICE LIMIT
SUPPLEMENTAL FY11 (PART E) ..... PUBLIC 1
CONSTRUCTION PROJECTS
ALTERNATIVE DELIVERY METHODS ..... P & S 17
CURRICULUM
PERSONAL FINANCE ..... PUBLIC 154
DIGITAL LITERACY & ONLINE LEARNING
RESOURCES DEVELOPED ..... PUBLIC 354
DISPUTE RESOLUTION
ALTERNATIVE WAYS TO PARTICIPATE ..... RESOLVE 63

CHAPTER

**SCHOOLS (Cont.)**
DRIVER EDUCATION
INSTRUCTOR LICENSE DURATION....PUBLIC 442
EMPLOYMENT REFERENCES
IMMUNITY....PUBLIC 397
ENERGY CONSERVATION IMPROVEMENTS
AGREEMENTS/PERFORMANCE CRITERIA....PUBLIC 279
ESSENTIAL PROGRAMS & SERVICES
PROVISIONS REVISED....PUBLIC 419
EVALUATIONS
TEACHER & PRINCIPAL MODELS....PUBLIC 36
EXTRACURRICULAR ACTIVITIES
PRIVATE SCHOOL STUDENT ACCESS....PUBLIC 456
FARM & FISH TO SCHOOL
PILOT PROGRAM....RESOLVE 91
FOOD STANDARDS
OUTSIDE OF SCHOOL LUNCH PROGRAM....PUBLIC 224
FUNDING FORMULA
ECON DISADV STUDENT ADJUSTMENT....PUBLIC 419
LOCAL & STATE CONTRIBUTIONS (C)....PUBLIC 380
REGIONAL ADJUSTMENT....PUBLIC 419
SUPPLEMENTAL FY11 (PART C)....PUBLIC 1
GILFORD BUTLER SCHOOL
CONVEY INTERESTS TO RSU 13....RESOLVE 88
GRADUATION
CIVICS COURSES INCLUDED....PUBLIC 294
STANDARDS-BASED PLAN BY ED DEPT....RESOLVE 83
VIETNAM WAR ERA VETERANS....PUBLIC 25
HEALTH INSURANCE
COMPETITIVE BIDS EVERY 5 YEARS....PUBLIC 249
GROUP SELF-INSURED OPTIONS....PUBLIC 395
STATE GROUP HEALTH PLAN ELIGIBILITY....PUBLIC 438
INDIVIDUALIZED EDUCATION PROG
ALTERNATIVE MEANS TO PARTICIPATE....RESOLVE 63
INNOVATIVE PLANS
SCHOOL, DISTRICT, ZONE GRANTS....PUBLIC 446
LAWNS, PLAYGROUNDS, ATHLETIC FIELDS
PESTICIDES COMPLIANCE ASSESSMENT....RESOLVE 59
LEARNING TECHNOLOGY INITIATIVE
GRADES 7-12, ANNUAL PROG REVIEW (CC)....PUBLIC 380
MARRIAGE & FAMILY THERAPISTS
CONTRACTED SERVICES AUTHORIZED....PUBLIC 19
MEMBER MUNICIPALITY
TIME TO WITHDRAW FROM RSU....PUBLIC 328
MISSION STATEMENTS
ADOPTION ENCOURAGED....RESOLVE 94
MT DESERT ISLAND RSD
ANNUAL MEETING & FISCAL YEAR....P & S 1
OBSERVING STUDENTS
UNREASONABLE RESTRICTIONS PROHIBITED....RESOLVE 42
ONLINE LEARNING PROGRAMS
NONRESIDENT TUITION STUDENTS....PUBLIC 353
PHYSICAL EDUCATION
PILOT PROJECT IN 4 SCHOOLS....PUBLIC 108
PLEDGE OF ALLEGIANCE
OPPORTUNITY TO RECITE....PUBLIC 162
PRIVATE SCHOOLS
ANNUAL AUDIT REQUIREMENT REPEALED....PUBLIC 171
PSYCHOLOGICAL SERVICES
QUALIFICATIONS & SCOPE OF SERVICES....PUBLIC 386
REVOLVING RENOVATION FUND
HAZARDOUS MATERIALS REMOVAL....PUBLIC 153
SCHOOL UNION 93
SURRY AUTHORIZED TO JOIN....P & S 9
SCIENCE, TECHNOLOGY & MATH
COUNCIL ESTABLISHED TO STUDY....PUBLIC 346

CHAPTER

**SCHOOLS (Cont.)**
SPECIAL EDUCATION
ATTORNEYS AT IEP TEAM MEETINGS....PUBLIC 363
TRANSITION SERVICES TO COMMUNITY....PUBLIC 348
SPEECH-LANGUAGE PATHOLOGISTS
DUAL CERTIFICATION ELIMINATED....PUBLIC 49
STUDENT COUNT
PROCESS CLARIFIED....PUBLIC 171
STUDENT SOCIAL SECURITY NUMBERS
DISCLOSURE PROHIBITED....PUBLIC 223
STUDENTS TO STAFF RATIOS
REDUCTION FOR SMALL SCHOOLS....PUBLIC 419
SUMMER FOOD SERVICE PROGRAM
PARTICIPATION....PUBLIC 379
TEACHERS
CONTINUING CONTRACT OFFERS....PUBLIC 172
VOCATIONAL & TECHNICAL REGIONS
SUPPLEMENTAL FY11 (PART D)....PUBLIC 1
**SCIENCE & MATHEMATICS SCHOOL**
STAFF
STATE GROUP HEALTH PLAN OPTION....PUBLIC 67
**SCIENCE, TECH, ENGINEERG, MATH CNL**
MEMBERSHIP
ESTABLISHED....PUBLIC 346
POWERS & DUTIES
ESTABLISHED....PUBLIC 346
**SEARCH & RESCUE**
1ST AID STATIONS, COPTER LANDING
NECESSITY & FEASIBILITY TASK FORCE....RESOLVE 15
**SEBEC LAKE**
DAM
FISHWAY STRUCTURE PROHIBITED....PUBLIC 24
**SEBEC RIVER**
DAM
FISHWAY STRUCTURE PROHIBITED....PUBLIC 24
**SECRETARY OF STATE DEPT**
ADOPTED RULE NOTICES
POSTED ON WEBSITE (NNN)....PUBLIC 380
BALLOT SECURITY MATERIALS
FURNISHED TO TOWNS....PUBLIC 342
BALLOTS & ABSENTEE BALLOTS
FURNISHED TO TOWNS, PROCEDURES....PUBLIC 342
CANDIDATES
CONSENT FORMS WITH REQUIREMENTS....PUBLIC 239
CAR DEALERS LICENSING REQUIREMENTS
WORKING GROUP TO STUDY....RESOLVE 11
DISABILITY PARKING PERMITS
TEMPORARY CREATED....PUBLIC 117
DRIVER LICENSES
DIGITAL IMAGES & SIGNATURES....PUBLIC 149
DRIVERS LICENSE SUSPENSION
STAY AFTER FAILING TO SUBMIT TO TEST....PUBLIC 143
DRIVERS LICENSES & ID CARDS
MILITARY OR VETERANS STATUS....PUBLIC 134
FUEL USE DECAL PROGRAM
RENAMED: INTERNTL FUEL TAX AGREE (K)....PUBLIC 392
MOTOR VEHICLE CONTINGENCY ACCT
RENAME: MOTOR VEH MISC REV PRG (DDD)....PUBLIC 380
NUMBER PLATES
GOLD STAR FAMILY RECOGNITION PLATES....PUBLIC 246
OUI LAWS
STRENGTHENED FOR DRUG INFLUENCE....PUBLIC 335
REGULATORY FAIRNESS BOARD
STRUCTURE & DUTIES REVISED....PUBLIC 304
SIGNATURE VERIFICATION
PROCESS CENTRALIZATION....RESOLVE 75

CHAPTER

**SECRETARY OF STATE DEPT (Cont.)**
SPECIAL ADVOCATE BUREAU
ESTABLISHED TO ASSIST SMALL BUSINESS .....PUBLIC 304
**SECURE & FAIR ENFORCEMENT FOR MORTGAGE LIC ACT**
SEE POPULAR NAMES OF LAWS
**SECURITIES ACT**
SEE UNIFORM LAWS
**SECURITIES OFFICE**
SEE ALSO PROFESSIONAL & FIN REG DP
PERSONAL FINANCE INITIATIVES
REPORT TO SCHOOL BOARDS & LEGIS.....PUBLIC 154
**SELF-INSURANCE GUARANTEE ASSN**
POWERS & DUTIES
STATISTICAL ADVISOR DUTY REPEALED.....PUBLIC 83
**SENIOR CITIZENS**
SEE ELDERLY
**SENTENCES**
OPERATING UNDER INFLUENCE
ENHANCED, PRIOR CRIMINAL CONVICTION .....PUBLIC 159
RESTITUTION
TIME & METHOD OF PAYMENT .....PUBLIC 464
WORK PROGRAM RELEASE RESTITUTION.....PUBLIC 464
SENTENCING ALTERNATIVES
UNCONDITIONAL DISCHARGE .....PUBLIC 464
**SERVICE**
CIVIL PROCESS EXECUTION
SUNDAY RESTRICTION REPEALED.....PUBLIC 32
**SERVICE ANIMALS**
SEE ANIMALS
**SERVICE CONTRACTS**
SEE SALES
**SEWER DISTRICTS**
RATES
COLLECTION OF UNPAID.....PUBLIC 26
**SEX OFFENSES**
FORENSIC EXAMINATION KITS
CUSTODY OF EXAMINING AGENCY .....PUBLIC 59
OFFENDER IS PSYCHIATRIST,
PSYCHOLOGIST OR LSW .....PUBLIC 464
OFFENDER REGISTRY
ASSESSING & REVIEWING INFORMATION.....PUBLIC 299
CONFIDENTIALITY OF RECORDS .....PUBLIC 299
DESIGNATION AS 10-YR OR LIFETIME POSTED.....PUBLIC 307
OFFENSE W/ DEPENDENT OR INCAPACITATED ..PUBLIC 423
POSSESSING SEXUALLY EXPLICIT
MATERIALS REVISED .....PUBLIC 464
SEX EXPLICIT MATERIAL POSSESSION
INVOLVES CHILD UNDER 16, REVISED .....PUBLIC 50
SEXUAL CONDUCT W/ INCAPACITATED &
CAREGIVERS CRIMINALIZED.....PUBLIC 423
SEXUALLY EXPLICIT MATERIAL
CUSTODY & EXAMINATION .....PUBLIC 39
**SHELLFISH**
SEE MARINE RESOURCES
**SHERIFFS**
CHIEF DEPUTY SHERIFFS
EMPLOYMENT, DISMISSAL, DISCIPLINE.....PUBLIC 15
QUALIFICATIONS
CLARIFIED.....PUBLIC 342
SALARIES & DUTIES
PROVISIONS REVISED.....PUBLIC 95
**SHORELAND**
COASTAL SAND DUNE SYSTEMS
FOOTPRINT & IMPERVIOUS AREA DEFINED .....PUBLIC 64

CHAPTER

**SHORELAND (Cont.)**
STRUCTURE HEIGHT MEASUREMENT
CUPOLAS EXCLUDED .....PUBLIC 231
**SINCLAIR**
CONVEY INTERESTS OF STATE
PARCEL OF LAND.....RESOLVE 70
**SITE LOCATION**
DEVELOPMENT
PERMIT VALIDITY REVIEW.....RESOLVE 46
VERNAL POOL HABITAT & BUFFER STRIPS.....PUBLIC 359
**SKIDGEL, DONALD SIDNEY**
MAIN STREET BRIDGE IN NEWPORT
NAMED: SGT DONALD SIDNEY SKIDGEL.....RESOLVE 52
**SLOT MACHINES**
SEE GAMES OF CHANCE
**SMART METERS**
SEE ELECTRIC UTILITIES
**SMOKING**
NICOTINE ADDICTION COUNSELING
COUNSELOR LICENSE NOT REQUIRED .....PUBLIC 222
RENTAL UNITS
POLICY DISCLOSURE BY LANDLORDS.....PUBLIC 199
TOBACCO USE
RATE REDUCTION, MAINECARE.....RESOLVE 24
**SNOW DUMPS**
SEE WASTE DISPOSAL
**SNOWMOBILES**
NONRESIDENTS
LIMITED RECIPROCITY .....PUBLIC 437
REGISTRATION FEES
PART FOR TRAIL EQUIPMENT REPAIR .....PUBLIC 129
TRAIL MANAGEMENT ACTIVITIES
EXEMPT, STORM WATER MANAGEMENT.....PUBLIC 359
**SOLID WASTES**
DISPOSAL FACILITIES
SINGLE ENTITY OWNERSHIP EXCEPTION.....PUBLIC 206
DOLBY LANDFILL
ACQUISITION BY STATE.....RESOLVE 90
LANDFILLS
GAS & ODOR MANAGEMENT.....RESOLVE 43
MUNICIPAL LANDFILLS
REMEDIATION & CLOSURE ELIGIBILITY .....PUBLIC 435
**SOMERSET COUNTY**
LEXINGTON TWP
CONVEY INTEREST OF STATE.....RESOLVE 54
T2 R3 BKP WKR
CONVEY INTEREST OF STATE.....RESOLVE 54
**SOUTHERN ME COMMUNITY COLLEGE**
FIRE TRAINING & EDUCATION PROGRAM
RENAMED FIRE SERVICE INSTITUTE .....RESOLVE 8
RENAMED: FIRE SERVICE INSTITUTE .....PUBLIC 166
**SPECIAL ADVOCATE BUREAU**
SEE SECRETARY OF STATE DEPT
**SPECIAL EDUCATION**
AUTISM SPECTRUM DISORDERS
TEACHERS, PARAPROF PREPARATION.....RESOLVE 47
BIRTH TO AGE 20 REGULATIONS
RULE REVIEW BY LEGISLATURE.....RESOLVE 39
DISPUTE RESOLUTION
ALTERNATIVE WAYS TO PARTICIPATE .....RESOLVE 63
INDIVIDUALIZED EDUCATION PROG
ALTERNATIVE WAYS TO PARTICIPATE .....RESOLVE 63
ATTORNEYS AT TEAM MEETINGS .....PUBLIC 363
OBSERVING STUDENTS
UNREASONABLE RESTRICTIONS PROHIBITED.....RESOLVE 42

CHAPTER

**SPECIAL EDUCATION (Cont.)**
TRANSITIONAL SERVICES
SCHOOL TO COMMUNITY ..... PUBLIC 348
**SPEECH PATHOLOGISTS**
SCHOOLS
DUAL CERTIFICATION ELIMINATED ..... PUBLIC 49
**SPEECH, AUDIOLOGY & HEARING BOARD**
LICENSES
FOREIGN EDUCATED APPLICANTS ..... PUBLIC 286
**SPEECH-LANGUAGE PATHOLOGY BOARD**
NAME CHANGE TO
SPEECH, AUDIOLOGY & HEARING BOARD ..... PUBLIC 286
**SPORTSMEN RELATIONS ADVISORY BRD**
LITTER CONTROL VIOLATORS
PUBLIC SERVICE OPPORTUNITIES ..... PUBLIC 208
**STAR TRANSPORTATION FUND**
SEE TRANSPORTATION
**STATE AGENCIES**
ADMINISTRATIVE ORDERS
RECOVERY OF AMOUNTS DUE ..... PUBLIC 181
FORMS
ACCESS TO PAPER COPIES ..... PUBLIC 33
OVERPAYMENTS
AUDITS TO IDENTIFY & RECOVER ..... PUBLIC 21
PROPOSED OR ADOPTED RULES
POSTED OR LINK TO POSTING ..... PUBLIC 326
PROPOSED RULES
CITATIONS FROM 3 SOURCES ..... PUBLIC 304
COST-BENEFIT ANALYSIS ..... PUBLIC 304
RULES
REVIEW FOR RELEVANCE & CLARITY ..... PUBLIC 304
SOCIAL SECURITY NUMBERS
LIMITED USE ..... RESOLVE 56
**STATE BOARD OF EDUCATION**
SEE BOARD OF EDUCATION
**STATE CONTROLLER OFFICE**
RESERVE FOR RETIREMENT COSTS
ESTABLISHED (X) ..... PUBLIC 380
**STATE COURT LIBRARY COMMITTEE**
MEETINGS & RESOURCES
REVISED ..... PUBLIC 204
**STATE GRANT PROG STAKEHOLDER GROUP**
MEMBERSHIP
ESTABLISHED ..... RESOLVE 14
POWERS & DUTIES
ESTABLISHED ..... RESOLVE 14
**STATE HOUSE & CAPITOL PARK COMM**
ENERGY USE EVALUATION
STATE HOUSE & CROSS SOB ..... RESOLVE 40
**STATE HOUSING AUTHORITY**
STATE CEILING CY 2011 & 2012
PRIVATE ACTIVITY ALLOCATIONS ..... P & S 18
**STATE MUSEUM COMMISSION**
ACCREDITATION OF MUSEUM
STATEMENT OF SUPPORT ..... PUBLIC 152
POWERS & DUTIES
SOLICITATION OF DONATIONS ..... PUBLIC 151
**STATE PERSONNEL**
ATTRITION RATE
INCREASE (PART E) ..... PUBLIC 392
LONGEVITY PAYMENTS
CALCULATION REVISED (E) ..... PUBLIC 380
MERIT INCREASES
FREEZE CONTINUED (PART D) ..... PUBLIC 392
RECLASSIFICATIONS & RATE CHANGES
FY 11-13 HIGHWAY FUND (PART B) ..... PUBLIC 392

CHAPTER

**STATE PERSONNEL-RECLASSIFICATIONS/RATE CHANGES (Cont.)**
SUPPLEMENTAL FY11 (PART B) ..... PUBLIC 1
RETIRED & RETURN TO SERVICE
COMPENSATION LIMITATIONS (MMM) ..... PUBLIC 380
RETIREMENT INCENTIVE
NEW PROGRAM DESIGNED (Z) ..... PUBLIC 380
VACANT POSITION REVIEW & REPORT
SUPPLEMENTAL FY11 (PART R) ..... PUBLIC 1
VOLUNTARY EMPLOYEE INCENTIVES
PROGRAM CONTINUED (D) ..... PUBLIC 380
**STATE PLANNING OFFICE**
DOLBY LANDFILL
ACQUISITION BY STATE ..... RESOLVE 90
**STATE PLANNING OFFICE WORKING GRP**
MEMBERSHIP
ESTABLISHED (FF) ..... PUBLIC 380
POWERS & DUTIES
ESTABLISHED (FF) ..... PUBLIC 380
**STATE POLICE BUREAU**
SEE ALSO PUBLIC SAFETY DEPT
ACCIDENT REPORTS DATABASE
IDENTITY INFO NOT DISSEMINATED ..... PUBLIC 390
BINGO SEASONAL LICENSES
PRIZES, FEES, MINOR & NUMBER ISSUED ..... PUBLIC 339
CUSTOM VEHICLES
INSPECTION EXEMPTIONS ..... PUBLIC 139
TOURNAMENT GAMES
REGULATIONS & FEES ..... PUBLIC 325
**STATUTES**
ERRORS & INCONSISTENCES
CORRECTED ..... PUBLIC 420
MENTAL RETARDATION
RECOMMENDATIONS FOR CHANGES ..... PUBLIC 186
REVISORS REPORT 2009
CHAPTER 2 ..... PAGE 1225
TAXATION
TECHNICAL CHANGES ..... PUBLIC 240
**STORAGE FACILITIES**
SELF-SERVICE STORAGE
ABANDONED LEASED SPACE ..... PUBLIC 376
DEFAULT, PERSONAL PROPERTY ..... PUBLIC 376
**STRANGULATION STAKEHOLDERS GRP**
MEMBERSHIP
ESTABLISHED ..... RESOLVE 76
POWERS & DUTIES
ESTABLISHED ..... RESOLVE 76
**STREAMLINE CORE GOVT SERV TASK FRC**
MEMBERSHIP
ESTABLISHED (KKK) ..... PUBLIC 380
POWERS & DUTIES
ESTABLISHED (KKK) ..... PUBLIC 380
**STUDIES**
1ST AID STATIONS, COPTER LANDING
NECESSITY & FEASIBILITY ..... RESOLVE 15
ADULTS W/ COGNITIVE DISABILITIES
PLAN TO IMPROVE GUARDIANSHIP ..... RESOLVE 80
AFFORDABLE HOUSING
STATUS & RECOMMENDATIONS ..... RESOLVE 108
AGRICULTURAL PRODUCTION
RESTRICTIONS REVIEW ..... RESOLVE 101
ALL-PAYOR CLAIMS DATA BASE SYSTEMS
REVIEW & RECOMMEND ..... RESOLVE 109
ALZHEIMERS DISEASE
INCREASED POPULATION COST & CARE ..... RESOLVE 58
AUTISM SPECTRUM DISORDERS
TEACHERS, PARAPROF PREPARATION ..... RESOLVE 47

CHAPTER

**STUDIES (Cont.)**
BEHAVIORIAL HEALTH CARE &
SUBSTANCE ABUSE SERVICES, COSTS....RESOLVE 107
BOILERS
REVIEW RULES & REPORT....RESOLVE 45
CLEAN ELECTION ACT
MODIFICATIONS....RESOLVE 103
CONTROLLED MEDICATIONS
CASE USED TO PURCHASE (YY)....PUBLIC 380
DEER HUNTING
SCENTS & RENDERINGS USED IN FEED....RESOLVE 36
DOROTHEA DIX PSYCHIATRIC CENTER
PLAN REGARDING FUTURE ROLE (NN)....PUBLIC 380
ELECTED OFFICIALS EMAILS
BENEFIT OF PUBLIC DISCLOSURE....PUBLIC 264
FARM & FISH TO SCHOOL PILOT
IMPACT & BENEFITS....RESOLVE 91
FARM & OPEN SPACE TAX
REVIEW LAND, VALUATION METHOD....RESOLVE 86
FRANCO-AMERICANS
BASIC DATA COLLECTION, PROMOTION....RESOLVE 102
FRAUD DETECTION
ATTORNEY GENERAL W/ DHHS (OO)....PUBLIC 380
HEALTHY MAINE FUND
ALLOCATIONS & RESOURCE ASSESSMENT....RESOLVE 112
HIV & AIDS PREVENTION & CARE
COMPREHENSIVE PLAN....RESOLVE 55
HOSPITALITY & HOTEL MANAGEMENT
DEGREE AT UNIVERSITY OF MAINE....RESOLVE 53
INDEPENDENT CONTRACTOR
DETERMINATION IN LABOR LAW....PUBLIC 292
JUDICIAL PROCEEDINGS
PRIORITIES & TIMING....RESOLVE 104
LAND USE & PLANNING AUTHORITY
UNORGANIZED TERRITORY....RESOLVE 113
LOBSTER LICENSES
LIMITED ENTRY....RESOLVE 62
MAPLE SUGAR
PROMOTE & EXPAND INDUSTRY....RESOLVE 48
MATH, SCIENCE & TECHNOLOGY
INITIATIVES TO PROMOTE IN EDUCATION....PUBLIC 346
MEDICAID
ANY WILLING PROVIDER LAWS....RESOLVE 61
NEW & USED MOTOR VEHICLE DEALERS
LICENSING REQUIREMENTS....RESOLVE 11
NONRESIDENT HUNTERS
DECLINE....RESOLVE 51
OPIOID OVERPRESCRIPTION
WORK GROUP ESTABLISHED TO REDUCE....RESOLVE 81
ORAL HEALTH CARE NEEDS
ACCESS, LIMITATIONS, FINANCING....RESOLVE 92
PRINCIPAL & TEACHER EVALUATIONS
MODEL REVIEW STAKEHOLDER GROUP....PUBLIC 36
PUSH POLLING
REVIEW OF LAWS....RESOLVE 87
REGULATORY TAKINGS
PROPERTY RIGHTS, LAND USE, CLAIMS....RESOLVE 111
SCHOOL PSYCHOLOGICAL SERVICES
CERTIFICATION & DISCIPLINARY ACTIONS....PUBLIC 386
SMART METERS
CYBER SECURITY & PRIVACY....RESOLVE 82
STANDARDS-BASED EDUCATION
PLAN FOR IMPLEMENTATION....RESOLVE 83
STATE GRANT PROGRAM
REVIEW BY STAKEHOLDER GROUP....RESOLVE 14

CHAPTER

**STUDIES (Cont.)**
STRANGULATION MANAGEMENT
BEST PRACTICES REVIEW....RESOLVE 76
STREAMLINE GOVT SERVICES
$25 M SAVINGS REPORT TO LEGIS (KKK)....PUBLIC 380
UNEMPLOYMENT COMPENSATION
EMPLOYMENT TIMING....RESOLVE 85
WIND ENERGY TURBINES
HEALTH & NOISE IMPACT....RESOLVE 93
WORKPLACE TRAINING
VOLUNTARY PROGRAM....RESOLVE 84
**STUDY RESULTS**
CRIMINAL LAW ADVISORY COMMISSION
CRIMINAL PROCEDURE & CRIMES REVISED....PUBLIC 464
RIGHT TO KNOW ADVISORY COMM
PUBLIC PROCEEDINGS & RECORDS....PUBLIC 320
**SUBDIVISIONS**
RECORDING OF PLANS
90 DAYS UPON APPROVAL....PUBLIC 245
RIGHTS-OF-WAY
ABUTTING OTHER LAND....PUBLIC 312
**SUBMERGED LANDS ADVISORY BRD**
POWERS & DUTIES
REPEALED....PUBLIC 344
**SUBSTANCE ABUSE**
FEDERAL MANDATED PROGRAMS
EMPLOYERS EXEMPT FROM STATE....PUBLIC 196
SERVICES
COST STUDY....RESOLVE 107
**SUBSTANCE ABUSE OFFICE**
SEE ALSO HEALTH & HUMAN SERV DEP
PRESCRIPTION MONITORING PROGRAM
INFORMATION SHARING W/ OTHER STATES....PUBLIC 218
UNDERAGE DRINKING PREVENTION
PROGRAM FUNDING....PUBLIC 460
**SUBSTANCE ABUSE SERVICES COMMISSION**
CONTROLLED MEDICATIONS
CASH PURCHASE STUDY....PUBLIC 380
**SUMMER CAMPS**
LICENSURE
INSPECTION PROVISIONS REVISED....PUBLIC 375
**SUNDAYS**
CIVIL PROCESS EXECUTION
RESTRICTION REPEALED....PUBLIC 32
**SUPREME JUDICIAL COURT**
CHIEF JUSTICE (SAUFLEY)
STATE OF THE JUDICIARY ADDRESS.... PAGE 1257
FINES & PENALTIES
COLLECTION ENFORCEMENT....PUBLIC 131
**SURRY**
SCHOOL UNION 93
AUTHORIZED TO JOIN....P & S 9
**SURVEYORS**
LAND SURVEYORS
PLANE COORDINATES SYSTEM RESTORED....PUBLIC 126
**TABLE GAMES**
SEE GAMES OF CHANCE
**TANF BENEFITS**
SEE LOW-INCOME PERSONS
**TAX INCREMENT FINANCING**
SEE TAXATION
**TAXATION**
ASSESSMENTS & NOTICES
RECONSIDERATION TIME LIMIT & MAILING (J)....PUBLIC 380
DISPUTE RESOLUTION
ADVOCATE & APPEALS OFFICE....PUBLIC 439

CHAPTER

**TAXATION (Cont.)**
REGULATIONS
TECHNICAL CHANGES ..... PUBLIC 240
TAX INCREMENT FINANCING
PLANTATIONS SAME AS TOWNS ..... PUBLIC 101
RECREATIONAL DEVELOPMENT USE ..... PUBLIC 102
TAX INCREMENT FINANCING DISTRICTS
PROJECT COMPLETION EXTENDED ..... PUBLIC 287
TAX LIEN DISCHARGES
FACSIMILE SIGNATURES ..... PUBLIC 104
WAIVER OF PENALTIES
REASONABLE CAUSE (L) ..... PUBLIC 380
**TAXIDERMISTS LICENSING ADVISORY BRD**
MEMBERSHIP
REVISED ..... PUBLIC 253
**TEACHER EVALUATION STAKEHOLDER GRP**
MEMBERSHIP
ESTABLISHED ..... PUBLIC 36
POWERS & DUTIES
ESTABLISHED ..... PUBLIC 36
**TEACHERS**
AUTISM SPECTRUM DISORDERS
PREPARATION ..... RESOLVE 47
CONTINUING CONTRACT OFFERS
3 YEARS EXPERIENCE REQUIRED ..... PUBLIC 172
EVALUATIONS
MODEL REVIEW ..... PUBLIC 36
RETIRED
HEALTH INSURANCE (W) ..... PUBLIC 380
POST-EMPLOYMENT BENEFIT FUND (Y) ..... PUBLIC 380
RETIREMENT, LIFE & HEALTH INS FUNDS ..... PUBLIC 380
RETIRED & RETURN TO SERVICE
COMPENSATION LIMITATIONS (MMM) ..... PUBLIC 380
**TECHNICAL BLDG CODES/STANDARDS BRD**
UNIFORM BUILDING & ENERGY CODES
RADON & INTERNAL AIR QUALITY CODES ..... PUBLIC 365
RESIDENTIAL BASEMENT WALL INSULATION ..... PUBLIC 365
UNIFORM BUILDING CODE
ADOPT & MAINTAIN ..... PUBLIC 408
UNIFORM ENERGY CODE
ADOPT & MAINTAIN ..... PUBLIC 408
**TECHNOLOGY INSTITUTE**
MARINE INFRASTRUCTURE & TECH FUND
BOND REAUTHORIZED ..... RESOLVE 73
**TELECOMMUNICATIONS**
EDUCATION ACCESS FUND
GUIDELINES FOR FUNDING REVISED ..... PUBLIC 54
EXCISE TAX
ASSESSMENT, COLLECTION, APPEALS ..... PUBLIC 430
REGULATORY REFORM PLAN
PUC TO DEVELOP ..... RESOLVE 69
**THOMASTON**
BOUNDARY W/
CUSHING ..... P & S 4
STATE POLICE BARRACKS LAND
DATES EXTENDED TO SELL PROPERTY ..... RESOLVE 70
**TIPS**
SEE COMPENSATION (EMPLOYMENT)
**TITLES**
SEE MOTOR VEHICLES
**TOBACCO PRODUCTS**
DELIVERY SALES
DISTRIBUTORS LICENSE & TAXES ..... PUBLIC 285
TOBACCO USE
RATE REDUCTION, MAINECARE ..... RESOLVE 24

CHAPTER

**TOBACCO PRODUCTS (Cont.)**
UNFIT FOR SALE OR USE
RETURN, CREDIT ON TAX PAID ..... PUBLIC 441
**TOURISM**
HOSPITALITY & HOTEL MANAGEMENT
DEGREE AT UNIVERSITY OF MAINE, STUDY ..... RESOLVE 53
SPECIAL FOOD & BEVERAGE INDUSTRY
TASTE-TASTING EVENT LICENSE ..... PUBLIC 259
VISUAL & DIGITAL MEDIA LOAN PROGRAM
ESTABLISHED ..... PUBLIC 372
**TOURNAMENT GAMES**
SEE GAMES OF CHANCE
**TOWNSHIP 3, RANGE 9 NWP**
NAME CHANGE TO
CEDAR LAKE TOWNSHIP ..... P & S 2
**TRAFFIC REGULATIONS**
SEE ALSO CRIMES & OFFENSES
INFRACTION STANDARD OF PROOF
PREPONDERANCE OF EVIDENCE BY STATE ..... PUBLIC 156
MOTORCYCLE & MOTOR VEHICLES
NOISE VIOLATION DEFENSES ..... PUBLIC 158
TEXTING WHILE DRIVING
PROHIBITED ..... PUBLIC 207
**TRANSFER FEES**
SEE REAL ESTATE
**TRANSITION INTERDEPT COMMISSION**
POWERS & DUTIES
REPEALED ..... PUBLIC 344
**TRANSPORTATION**
STAR TRANSPORTATION FUND
TRANSFERS FROM AUTO RENTAL TAX (G) ..... PUBLIC 380
TRUCKERS & COURIERS
WORKERS COMP, INDEPENDT CONTRACTORS .. PUBLIC 176
**TRANSPORTATION DEPT**
CALLAHAN MINE SITE RESTORATION
FUNDS TRANSFER (EEE) ..... PUBLIC 380
CAPITAL IMPROVEMENT GRANT PROG
PROCEDURES ..... PUBLIC 351
CONTRACTORS
PREQUALIFICATION PROCESS & STANDARDS ... RESOLVE 74
FUND TRANFERS
OVERSEEN BY LEGISLATURE (L) ..... PUBLIC 392
FUNDING & COOPERATION W/
TURNPIKE AUTHORITY ..... PUBLIC 302
GARVEE BONDS
AUTHORIZATION ..... PUBLIC 391
MAIN STREET BRIDGE IN NEWPORT
NAMED: SGT DONALD SIDNEY SKIDGEL ..... RESOLVE 52
PARK STREET BRIDGE, PRESQUE ISLE
GOLD STAR MEMORIAL BRIDGE ..... RESOLVE 37
PUBLIC WORKS CONTRACTS
LABOR ORGANIZATION AGREEMENTS ..... PUBLIC 463
TRANSFERS TO HIGHWAY & BRIDGE
CAPITAL ... PROGRAMS (G, H) ..... PUBLIC 392
WILLIAM CLARKE DRIVE, WESTBROOK
BREAK IN CONTROL OF ACCESS ..... P & S 3
**TRAPPING**
APPRENTICE LICENSES
ESTABLISHED ..... PUBLIC 51
BEAR
CAGE TYPE TRAPS ..... PUBLIC 253
LIMIT TO ONE AFTER HAVING KILLED ONE ..... PUBLIC 309
BEAVER
NONRESIDENTS ..... PUBLIC 253

CHAPTER

**TRAVEL INFORMATION ADVISORY CNCL**
POWERS & DUTIES
REPEALED ..... PUBLIC 344
**TREASURER OF STATE**
DELINQUENT TAXES, MAX RATE
TOWNS CAN CHARGE POSTED ON WEB (FFF) ... PUBLIC 380
POWERS & DUTIES
PUBLISH ALL STATE LIABILITIES ..... PUBLIC 188
**TREE GROWTH TAX**
LAND TRANSFERS TO
FARM & OPEN SPACE TAX PROGRAM ..... PUBLIC 404
**TRIBAL LAW ENFORCEMENT**
SEE NATIVE AMERICANS
**TRUST CODE**
SEE UNIFORM LAWS
**TRUSTS**
DISTRIBUTION
OVERDUE & DUTY TO SETTLOR ..... PUBLIC 42
INCOME & PRINCIPAL RECEIPTS
INCOME TAXES ..... PUBLIC 256
**TURNPIKE AUTHORITY**
ALLOCATIONS
CY 2012 ..... ..P & S 16
BOARD OF DIRECTORS
TERM LIMITS & QUALIFICATIONS ..... PUBLIC 302
COLLECTION ARRANGEMENTS
RECIPROCITY WITH AWAY AGENCIES ..... PUBLIC 302
CONTRACTS
GOODS, SERVICES, ENGINEERING ..... PUBLIC 302
DIRECTIONAL SIGNS
HEBRON ACADEMY ..... RESOLVE 23
OPERATING REVENUE TRANSFER
TRANSPORTATION DEPT PROJECT DEFINED ..... PUBLIC 302
PUBLIC WORKS CONTRACTS
LABOR ORGANIZATION AGREEMENTS ..... PUBLIC 463
**UNDERGROUND OIL STORAGE FACILITIES**
OPERATOR TRAINING
PROGRAM CLARIFIED ..... PUBLIC 317
REGISTRATION
W/IN 2 YRS PRECEDING INSTALLATION ..... PUBLIC 206
WARRANTY EXPIRED
TEST TO DETERMINE TANK INTEGRITY ..... PUBLIC 276
**UNDERGROUND UTILITY FACILITIES**
DAMAGE PREVENT REQUIREMENTS
PUC RULE REVIEW BY LEGISLATURE ..... RESOLVE 31
EXCAVATIONS
EMERGENCY & RENOTIFICATIONS ..... PUBLIC 72
**UNEMPLOYMENT COMP STAKEHOLDER GRP**
MEMBERSHIP
ESTABLISHED ..... RESOLVE 85
POWERS & DUTIES
ESTABLISHED ..... RESOLVE 85
**UNEMPLOYMENT COMPENSATION**
SEE EMPLOYMENT SECURITY
**UNEMPLOYMENT COMPENSATION BUREAU**
SEE ALSO EMPLOYMENT SECURITY
WORKPLACE TRAINING
VOLUNTARY PROGRAM STUDIED ..... RESOLVE 84
**UNIFORM LAWS**
ARBITRATION ACT
DISTRICT OR SUPERIOR COURT JURISDICTION ..... PUBLIC 80
BUILDING & ENERGY CODE
ADOPTION BY MUNICIPALITIES ..... PUBLIC 408
ENFORCEMENT & PROVISIONS REVISED ..... PUBLIC 365
PRINCIPAL & INCOME ACT
REVISED ..... PUBLIC 256

CHAPTER

**UNIFORM LAWS (Cont.)**
SECURITIES ACT
VIOLATIONS INVOLVING ELDERLY ..... PUBLIC 37
TRUST CODE
DISTRIBUTION & BENEFICIARIES ..... PUBLIC 42
**UNIVERSITY OF MAINE SYSTEM**
HOSPITALITY & HOTEL MANAGEMENT
DEGREE FEASIBILITY STUDY ..... RESOLVE 53
MARINE INFRASTRUCTURE & TECH FUND
BOND REAUTHORIZED ..... RESOLVE 73
SLOT MACHINE REVENUE
USE REPORT ..... PUBLIC 358
**UNLICENSED ASSISTIVE PERSONS**
SEE HEALTH CARE PERSONNEL
**UNORGANIZED TERRITORY**
CONVEY INTEREST OF STATE
AUTHORIZED FOR 8 PARCELS ..... RESOLVE 54
PROPERTY IN ROCKWOOD & SINCLAIR ..... RESOLVE 70
LAND USE & PLANNING AUTHORITY
STUDY TO REFORM ..... RESOLVE 113
MUNICIPAL COST COMPONENTS
ESTABLISHED FY 11-12 ..... PUBLIC 235
PLANTATIONS
TAX INCREMENT FINANCING ..... PUBLIC 101
TOWNSHIP 3, RANGE 9 NWP RENAMED
CEDAR LAKE TOWNSHIP ..... ..P & S 2
**VERNAL POOLS**
SEE ENVIRONMENTAL PROTECTION
**VETERANS**
ADULT DAY HEALTH CARE PROGRAM
LEWISTON, REGULATIONS ..... PUBLIC 444
CREMATED REMAINS
DISPOSITION AFTER CERTAIN TIME ..... PUBLIC 318
HOMELESS
PREVENTION PROGRAMS ..... PUBLIC 329
VETERANS CEMETERIES
SOUTHERN MAINE, PERSONNEL ..... PUBLIC 440
VIETNAM WAR
HIGH SCHOOL DIPLOMAS ..... PUBLIC 25
**VETERANS SERVICES BUREAU**
HOMELESSNESS FOR VETERANS
PREVENTION PROGRAM COORDINATION ..... PUBLIC 329
WOMEN VETERANS COORDINATOR
POSITION ESTABLISHED (LLLL) ..... PUBLIC 380
**VETERINARIANS**
LICENSURE EXAM REQUIREMENT
WAIVED IN CERTAIN CIRCUMSTANCES ..... PUBLIC 189
PRESCRIPTIONS
HONOR THOSE OF OTHER VETERINARIANS ..... PUBLIC 30
RABIES VACCINATIONS
REPORTING RECIPROCITY, ME & NH ..... RESOLVE 64
VETERINARIANS HEALTH PROGRAM
ESTABLISHED ..... PUBLIC 190
**VETERINARY MEDICINE BOARD**
VETERINARIAN HEALTH PROGRAM
ESTABLISHED ..... PUBLIC 190
**VICTIMS OF CRIMES**
ELDER VICTIMS RESTITUTION FUND
ESTABLISHED ..... PUBLIC 241
**VITAL RECORDS**
INFORMATIONAL COPIES
NONCERTIFIED COPIES ..... PUBLIC 58
RECORD INSPECTION
GENEOLOGICAL RESEARCH ..... PUBLIC 58

CHAPTER

**WALDOBORO**
BOUNDARY W/
CUSHING ..... ..P & S 4
**WARRANTS**
ELECTRONIC
INTEGRATED SYS TO MANAGE & ENFORCE.....PUBLIC 214
MUNICIPAL DISBURSEMENT WARRANTS
CASTLE HILL, MAPLETON, CHAPMAN ..... ..P & S 13
**WARREN**
BOUNDARY W/
CUSHING ..... ..P & S 4
**WASHINGTON COUNTY**
BIG LAKE TWP
CONVEY INTEREST OF STATE.....RESOLVE 54
T9 R4 NBPP
CONVEY INTEREST OF STATE.....RESOLVE 54
**WASHINGTON COUNTY DEVELOP AUTH**
POWERS & DUTIES
BORROW MONEY & ISSUE BONDS .....PUBLIC 136
LOCAL DEVELOPMENT CORP FUNCTION .....PUBLIC 148
**WASTE DISPOSAL**
CATHODE RAY TUBES
CONTROLLED BREAKAGE PROCESS .....PUBLIC 250
ELECTRONIC DEVICES
DELIVERED TO COLLECTION SITES .....PUBLIC 250
LANDFILLS
GAS & ODOR MANAGEMENT.....RESOLVE 43
LITTER DISPOSAL
PENALTIES INCREASED.....PUBLIC 208
MERCURY-ADDED LAMPS
CRUSHING DEVICES MANUAL & TRAINING .....PUBLIC 275
MOTOR OIL
SITE REMEDIATION PROGRAM .....PUBLIC 211
MUNICIPAL LANDFILLS
REMEDIATION & CLOSURE ELIGIBILITY.....PUBLIC 435
SNOW DUMPS
RULES EVALUATED & REVISED .....RESOLVE 44
SOLID WASTE FACILITIES
SINGLE ENTITY OWNERSHIP EXCEPTION.....PUBLIC 206
**WASTE WATER**
OVERBOARD DISCHARGE LICENSES
TRANSFERS & APPLICATIONS.....PUBLIC 121
STORM WATER
PERMIT VALIDITY REVIEW.....RESOLVE 46
**WATER POLLUTION CONTROL**
QUALITY STANDARDS REVIEW
DEPOSITS/DISCHARGES PROHIBITED.....PUBLIC 194
**WATER SYSTEM OPERATORS LIC BOARD**
FEES
REVISED.....PUBLIC 45
POWERS & DUTIES
REVISED.....PUBLIC 45
**WATER UTILITIES**
AUDITING REQUIREMENTS
PROVISIONS REVISED.....PUBLIC 77
LIENS FOR UNPAID WATER RATES
AUTHORIZED FOR ALL.....PUBLIC 97
RATEMAKING
STREAMLINED PROCESS REVISED.....PUBLIC 106
**WATER UTILITY RATEMAKING WORK GRP**
POWERS & DUTIES
ESTABLISHED.....PUBLIC 106
**WATER WELL COMMISSION**
WELL DRILLERS & PUMP INSTALLERS
RULE REVIEW BY LEGISLATURE.....RESOLVE 13

CHAPTER

**WATERCRAFT**
NONCOMMERCIAL FOREIGN VESSELS
LENGTH LIMIT REQUIRING PILOT.....PUBLIC 14
NONRESIDENT PURCHASE
REDUCED SALES TAX CLARIFIED .....PUBLIC 285
WHITEWATER RAFTING
TRIPS TRANSFERS.....PUBLIC 68
WINDJAMMERS
PARTS & SUPPLIES, SALES TAX EXEMPT .....PUBLIC 425
**WE SUPPORT OUR TROOPS ADV BRD**
POWERS & DUTIES
REPEALED .....PUBLIC 344
**WEAPONS**
CONCEALED FIREARMS
EXCEPTIONS TO CARRYING PROHIBITIONS.....PUBLIC 394
HANDGUNS DEFINED.....PUBLIC 298
LOCKED IN VEHICLES .....PUBLIC 393
OUT OF STATE POLICE OFFICERS .....PUBLIC 396
PERMIT REGULATIONS REVISED .....PUBLIC 298
KNIVES
POSSESSION BY PERSONS WITH ONE ARM .....PUBLIC 31
**WELLS (WATER)**
WELL DRILLERS & PUMP INSTALLERS
RULE REVIEW BY LEGISLATURE.....RESOLVE 13
WELLHEAD PROTECTION ZONES
REMOVAL/REPLACEMENT, GRANDFATHERED ...PUBLIC 206
**WESTBROOK**
WILLIAM CLARKE DRIVE
BREAK IN CONTROL OF ACCESS..... ..P & S 3
**WHARVES**
LOBSTER TRAPS
STORAGE ON DOCKS.....PUBLIC 12
**WHITEWATER RAFTING**
SEE WATERCRAFT
**WHOOPIE PIE**
SEE FOOD
**WILD MUSHROOM HARVESTING ADV COMM**
MEMBERSHIP
ESTABLISHED.....PUBLIC 412
POWERS & DUTIES
ESTABLISHED.....PUBLIC 412
**WILDERNESS RESCUE TASK FORCE**
MEMBERSHIP
ESTABLISHED.....RESOLVE 15
POWERS & DUTIES
ESTABLISHED.....RESOLVE 15
**WILDLIFE**
SEE ALSO ANIMALS
DEER
CONSERVE & PROTECT WINTERING AREAS .....PUBLIC 381
WINTER FEEDING STRATEGY.....RESOLVE 20
INTERSTATE VIOLATOR COMPACT
AUTHORIZED.....PUBLIC 220
MANAGEMENT AREAS
13 AREAS ADDED.....PUBLIC 253
**WILDLIFE MANAGEMENT**
DEER POPULATION
5-YEAR BENCHMARK REPORT .....PUBLIC 381
**WIND ENERGY**
SEE ENERGY CONSERVATION
**WINDJAMMERS**
SEE WATERCRAFT
**WINE**
SEE ALCOHOLIC BEVERAGES

CHAPTER

**WINN**
ROUTE 2
NAMED MASTER SGT GARY GORDON HYWY .....RESOLVE 1
**WINTHROP UTILITIES DISTRICT**
CHARTER CHANGES
COLLECTION OF RATES & ASSESSMENTS..... ..P & S 12
**WOMEN**
NEWBORN INFANTS
HIV TESTS AT BIRTH.....PUBLIC 229
**WORKERS COMPENSATION**
GROUP SELF-INSURANCE
GROUP TRUSTS.....PUBLIC 98
INDEPENDENT MEDICAL EXAMINERS
REQUIREMENTS & REGULATIONS.....PUBLIC 215
MEDICAL FEES
SCHEDULE & RULEMAKING.....PUBLIC 338
OVERPAYMENTS
RECOVERY.....PUBLIC 361
PUBLIC CONSTRUCTION PROJECTS
REPORTING REQUIREMENTS.....PUBLIC 403
SELF-INSURERS
SECURITY DEPOSITS.....PUBLIC 180
TRUCKERS & COURIERS
INDEPENDENT CONTRACTOR STATUS.....PUBLIC 176
**WORKERS COMPENSATION BOARD**
EMPLOYMENT REHABILITATION FUND
FUNDS TRANSFER (AAA).....PUBLIC 380
INDEPENDENT MEDICAL EXAMINERS
REPORT TO LEGIS ON SELECTION & NUMBER .....PUBLIC 215
MEDICAL FEES
SCHEDULE & RULEMAKING.....PUBLIC 338
**YARMOUTH WATER DISTRICT**
CHARTER CHANGES
BOARD OF TRUSTEES MEETINGS..... ..P & S 8
WELL PURCHASE & WATER CONDUCTION ..... ..P & S 8
**YORK COUNTY**
CORRECTIONAL SERVICES
ASSESSMENT COLLECTED ANNUALLY.....PUBLIC 431
**ZONING**
SHORELAND ZONES
CUPOLAS EXCLUDED FROM HEIGHT.....PUBLIC 231