

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

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PREFACE

The 2009 edition of the Laws of Maine is the official publication of the Session Laws of the State of Maine enacted by the 124th Legislature and is compiled and published under the authority of the Maine Revised Statutes, Title 3, section 163-A. The Laws of Maine has been in continuous publication since 1820, when the Acts and Resolves adopted by the First Legislature were published by the Secretary of State under the authority of Resolve 1820, chapter 25.

Volumes 1 and 2 contain the public laws, private and special laws, resolves and constitutional resolutions enacted at the First Regular Session of the 124th Legislature, followed by the 2007 Revisor's Report, chapter 2, and a selection of significant addresses, joint resolutions and memorials.

Additional volumes of the 2009 Laws of Maine will contain those measures adopted in the Second Regular Session and any special sessions of the 124th Legislature.

The following conventions are used throughout the series.

1. At the top of each page is a heading that classifies each law by session of passage, year, type and chapter number.
2. A table of contents that locates major divisions and contents by page number is located at the beginning of each volume.
3. An individual subject index of the documents contained in these volumes, arranged alphabetically by subject heading with corresponding chapter numbers, is located at the end of volume 2.
4. Session cross-reference tables are also provided at the end of volume 2 showing how unallocated public laws, laws exempted in previous revisions and titles and sections of the Maine Revised Statutes of 1964 have been affected by the laws included in this publication.
5. Words and phrases deleted from the statutes are shown stricken through. When an entire section or larger segment is repealed, the text that is repealed is not shown stricken, but its repeal is indicated by express language.
6. When new words or sections are added to the statutes, they are underlined.
7. A chaptered law's Legislative Document number is printed beneath its chapter number heading, indicating the source of the chapter.
8. The effective date for Maine laws is provided for in the Constitution of Maine, Article IV, Part Third, Section 16, which specifies that, except for certain emergency legislation, an act or resolve enacted into law takes effect 90 days after the adjournment of the session in which it passed. The general effective date of nonemergency laws passed at the First Regular Session of the 124th Legislature is September 12, 2009. The effective dates of emergency legislation vary and are provided at the ends of the chapters that were enacted as emergencies.

Copies of a specific chaptered law may be obtained by contacting the Engrossing Division of this office. The Laws of Maine are also available online through the website of the Office of the Revisor of Statutes at <http://janus.state.me.us/legis/ros/lom/lomdirectory.htm>.

This edition of the Laws of Maine and its predecessors have been prepared for the convenience of the people of the State of Maine, and any comments or suggestions for improvements in subsequent editions would be appreciated.

Margaret E. Matheson
Revisor of Statutes
September 2009

LEGISLATIVE STATISTICS

FIRST REGULAR SESSION 124th Legislature

Convened	December 3, 2008
Adjourned	June 13, 2009
Days in Session	
Senate	58
House of Representatives	58
Legislative Documents	1496
Carryover Bills and Papers	88
Public Laws	461
Private and Special Laws	26
Resolves	142
Constitutional Resolutions	1
Competing Measure Resolutions	0
Initiated Bills	4
Vetoed	1
Overridden	0
Sustained	1
Emergency Enactments	145
Effective Date	September 12, 2009 (unless otherwise indicated)

**CIVIL GOVERNMENT
OF THE
STATE OF MAINE
FOR THE POLITICAL YEARS 2008 AND 2009**

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John Elias Baldacci

Secretary of State

Matthew Dunlap

Attorney General

Janet T. Mills

Treasurer of State

David G. Lemoine

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Governor

John Elias Baldacci

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

**CHAPTER 1
H.P. 40 - L.D. 45**

**An Act To Make Supplemental
Appropriations and Allocations
for the Expenditures of State
Government and To Change
Certain Provisions of the Law
Necessary to the Proper
Operations of State
Government for the Fiscal
Year Ending June 30, 2009**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Eliminates one Office Assistant II position, one Radio Mechanic position and one Secretary position in the Information Services program; one Public Health Nurse II position in the Workers' Compensation Management Fund Program; and one Secretary position in the Accident - Sickness - Health Insurance program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

	2008-09	2009-10	2010-11
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND			
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000

	\$0	\$0	\$0
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL			

Administration - Human Resources 0038

Initiative: Provides funding to cover unanticipated leased space expenses.

	2008-09	2009-10	2010-11
GENERAL FUND			
All Other	\$55,600	\$0	\$0
GENERAL FUND TOTAL	\$55,600	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

	2008-09	2009-10	2010-11
GENERAL FUND			
All Other	\$2,130,571	\$0	\$0
GENERAL FUND TOTAL	\$2,130,571	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Adjusts funding for anticipated changes in utility costs.

	2008-09	2009-10	2010-11
GENERAL FUND			
All Other	(\$24,131)	\$0	\$0
GENERAL FUND TOTAL	(\$24,131)	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Provides funding to cover current contractual lease agreements for state-leased space.

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2008-09	2009-10	2010-11
All Other	\$653,062	\$0	\$0
TOTAL	\$653,062	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Reduces funding from savings through the management of position vacancies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$114,000)	\$0	\$0
TOTAL	(\$114,000)	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Reduces funding by disencumbering a contract with Honeywell for heating, ventilation and air conditioning maintenance. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$80,000)	\$0	\$0
TOTAL	(\$80,000)	\$0	\$0

Capital Construction/Repairs/Improvements - Administration 0059

Initiative: Reduces funding for repairs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$14,830)	\$0	\$0
TOTAL	(\$14,830)	\$0	\$0

Capital Construction/Repairs/Improvements - Administration 0059

Initiative: Reduces allocation to bring into line with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$229,615)	\$0	\$0
TOTAL	(\$229,615)	\$0	\$0

Central Fleet Management 0703

Initiative: Reorganizes one Auto Mechanic I position to a Fleet Support Specialist position as approved by the Bureau of Human Resources.

CENTRAL MOTOR POOL	2008-09	2009-10	2010-11
Personal Services	\$821	\$0	\$0
TOTAL	\$821	\$0	\$0

Central Services - Purchases 0004

Initiative: Provides funding for equipment rental associated with the consolidation of state postal operations.

POSTAL, PRINTING AND SUPPLY FUND	2008-09	2009-10	2010-11
All Other	\$65,702	\$0	\$0
TOTAL	\$65,702	\$0	\$0

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Provides funding to offset a deappropriation made in Public Law 2007, chapter 539, Part XXX regarding statewide savings for broadcast sponsorships and advertising that will not be achieved.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$30,000	\$0	\$0
TOTAL	\$30,000	\$0	\$0

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Provides funding to partially offset a deappropriation in Public Law 2007, chapter 539, Part YY regarding efficiency savings involving the natural resources agencies that will not be achieved.

GENERAL FUND	2008-09	2009-10	2010-11
Unallocated	\$65,000	\$0	\$0
GENERAL FUND TOTAL	\$65,000	\$0	\$0

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Offsets a portion of the reduction in position count reflected in Public Law 2007, chapter 653, Part C, section 4 and chapter 672, section 5. Thirty-three positions representing a 21.347 position count were eliminated in Financial Order 004142 F9.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	0.000	0.000
POSITIONS - FTE COUNT	(0.347)	0.000	0.000
GENERAL FUND TOTAL	\$0	\$0	\$0

Fund for a Healthy Maine 0921

Initiative: Provides funding to offset a deallocation made in Public Law 2007, chapter 629. A pro rata adjustment to the individual Fund for a Healthy Maine accounts was not required since the balance on June 30, 2008 was sufficient to cover the deallocation.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
All Other	\$5,000,000	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$5,000,000	\$0	\$0

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Reduces funding to an anticipated level for reimbursements for homestead property tax exemptions in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$461,200)	\$0	\$0
GENERAL FUND TOTAL	(\$461,200)	\$0	\$0

Information Services 0155

Initiative: Reduces funding for administrative functions and support of geographic information systems. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$192,285)	\$0	\$0
GENERAL FUND TOTAL	(\$192,285)	\$0	\$0

Information Services 0155

Initiative: Eliminates one Office Assistant II position, one Radio Mechanic position and one Secretary position in the Information Services program; one Public Health Nurse II position in the Workers' Compensation Management Fund Program; and one Secretary position in the Accident - Sickness - Health Insurance program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OFFICE OF INFORMATION SERVICES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	0.000	0.000
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$0	\$0	\$0

Mandate BETE - Reimburse Municipalities Z065

Initiative: Reduces funding from one-time savings for the Mandate BETE - Reimburse Municipalities program.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$15,000)	\$0	\$0
GENERAL FUND TOTAL	(\$15,000)	\$0	\$0

Office of the Commissioner - Administrative and Financial Services 0718

Initiative: Provides funding to pay for the retroactive merit increase for one employee and to cover the separation pay of the former commissioner. Funding for this initiative is offset by a deappropriation of Personal Services savings in the Governor's Office.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$24,000	\$0	\$0
GENERAL FUND	\$24,000	\$0	\$0
TOTAL			

Revenue Services - Bureau of 0002

Initiative: Provides funding to pay contingency-related expenditures resulting from the collection of past due taxes.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$1,365,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,365,000	\$0	\$0
TOTAL			

Revenue Services - Bureau of 0002

Initiative: Reduces funding for professional services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$53,006)	\$0	\$0
GENERAL FUND	(\$53,006)	\$0	\$0
TOTAL			

Revenue Services - Bureau of 0002

Initiative: Reduces funding to reflect savings attributable to increased use of electronic filing, reducing the demand for printed forms. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$34,877)	\$0	\$0
GENERAL FUND	(\$34,877)	\$0	\$0
TOTAL			

Revenue Services - Bureau of 0002

Initiative: Reduces funding from savings through the management of position vacancies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$694,000)	\$0	\$0

GENERAL FUND	2008-09	2009-10	2010-11
GENERAL FUND	(\$694,000)	\$0	\$0
TOTAL			

Snow Grooming Property Tax Exemption Reimbursement Z024

Initiative: Reduces funding from one-time savings for the Snow Grooming Property Tax Exemption Reimbursement program.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,500)	\$0	\$0
GENERAL FUND	(\$4,500)	\$0	\$0
TOTAL			

State Controller - Office of the 0056

Initiative: Reduces funding for Personal Services from savings through the management of position vacancies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$50,000)	\$0	\$0
GENERAL FUND	(\$50,000)	\$0	\$0
TOTAL			

Statewide Radio Network System 0112

Initiative: Reduces funding for debt service in fiscal year 2008-09 due to the delay in the sale of securities for the Statewide Radio Network System. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$970,000)	\$0	\$0
GENERAL FUND	(\$970,000)	\$0	\$0
TOTAL			

Tree Growth Tax Reimbursement 0261

Initiative: Reduces funding from one-time savings for the Tree Growth Tax Reimbursement program.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$40,000)	\$0	\$0
GENERAL FUND	(\$40,000)	\$0	\$0
TOTAL			

Veterans' Organization Tax Reimbursement Z062

Initiative: Reduces funding from one-time savings to the Veterans' Organization Tax Reimbursement program.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,089)	\$0	\$0
GENERAL FUND	(\$8,089)	\$0	\$0
TOTAL			

Workers' Compensation Management Fund Program 0802

Initiative: Eliminates one Office Assistant II position, one Radio Mechanic position and one Secretary position in the Information Services program; one Public Health Nurse II position in the Workers' Compensation Management Fund Program; and one Secretary position in the Accident - Sickness - Health Insurance program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

WORKERS' COMPENSATION MANAGEMENT FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$0	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$450,747)	\$0	\$0
FUND FOR A HEALTHY MAINE	\$5,000,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,135,385	\$0	\$0
POSTAL, PRINTING AND SUPPLY FUND	\$65,702	\$0	\$0
CENTRAL MOTOR POOL	\$821	\$0	\$0

REAL PROPERTY LEASE INTERNAL SERVICE FUND	\$653,062	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$6,404,223	\$0	\$0

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Beverage Container Enforcement Fund 0971

Initiative: Reduces funding for in-state travel and data entry services to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,950)	\$0	\$0
GENERAL FUND TOTAL	(\$7,950)	\$0	\$0

Certified Seed Fund 0787

Initiative: Eliminates 2 intermittent Lab Assistant positions, 2 seasonal Certified Seed Specialist positions, one Certified Seed Specialist position and one intermittent Seed Potato Inspector position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
POSITIONS - FTE COUNT	(1.866)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Division of Animal Health and Industry 0394

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$62	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$62	\$0	\$0
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Division of Animal Health and Industry 0394

Initiative: Reduces funding by freezing one vacant Office Associate II position for 17 weeks. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$18,000)	\$0	\$0
GENERAL FUND TOTAL	(\$18,000)	\$0	\$0

Division of Animal Health and Industry 0394

Initiative: Reduces funding to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$35,000)	\$0	\$0
GENERAL FUND TOTAL	(\$35,000)	\$0	\$0

Division of Market and Production Development 0833

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$476	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$476	\$0	\$0

Division of Market and Production Development 0833

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$408	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$408	\$0	\$0
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Division of Market and Production Development 0833

Initiative: Reduces funding by freezing one Planning and Research Associate II position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$15,000)	\$0	\$0
GENERAL FUND TOTAL	(\$15,000)	\$0	\$0

Division of Market and Production Development 0833

Initiative: Reduces funding for data entry services, trade show sponsorship, travel, promotions and general operations. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$45,150)	\$0	\$0
GENERAL FUND TOTAL	(\$45,150)	\$0	\$0

Division of Plant Industry 0831

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$60	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$60	\$0	\$0

Division of Plant Industry 0831

Initiative: Eliminates one intermittent Office Assistant II position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11

POSITIONS - FTE COUNT	(0.500)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Division of Quality Assurance and Regulation 0393

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$110	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$110	\$0	\$0

Division of Quality Assurance and Regulation 0393

Initiative: Reduces funding by freezing one Consumer Protection Inspector position and charging Personal Services costs to the Federal Expenditures Fund and Other Special Revenue Funds. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$78,000)	\$0	\$0
GENERAL FUND TOTAL	(\$78,000)	\$0	\$0

Division of Quality Assurance and Regulation 0393

Initiative: Reduces funding to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$19,218)	\$0	\$0
GENERAL FUND TOTAL	(\$19,218)	\$0	\$0

Division of Quality Assurance and Regulation 0393

Initiative: Eliminates one intermittent Produce Inspector Aide position, 2 intermittent Produce Inspector I positions, 2 seasonal Produce Inspector I positions, 5 seasonal Produce Inspector II positions, one intermittent Produce Inspector II position, 4 intermittent Egg/Poultry Inspector positions, 2 Egg/Poultry Inspec-

tor positions and one Quality Compliance Inspector position in the Federal Expenditures Fund and one Audio Visual Specialist position in Other Special Revenue Funds. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3,000)	0.000	0.000
POSITIONS - FTE COUNT	(6.788)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Harness Racing Commission 0320

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$259	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$259	\$0	\$0

Harness Racing Commission 0320

Initiative: Reduces funding to bring allocations into line with projected available resources based on the reprojections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$3,593,268)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$3,593,268)	\$0	\$0
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Milk Commission 0188

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$70	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$70	\$0	\$0

Office of the Commissioner 0401

Initiative: Reduces funding by decreasing information technology costs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$38,000)	\$0	\$0
GENERAL FUND TOTAL	(\$38,000)	\$0	\$0

Pesticides Control - Board of 0287

Initiative: Provides funding for increases in vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$27	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$27	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$120	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$120	\$0	\$0

Pesticides Control - Board of 0287

Initiative: Eliminates one intermittent Pesticide Control Technician position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - FTE COUNT	(0.240)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Potato Quality Control - Reducing Inspection Costs 0459

Initiative: Reduces funding to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$130,000)	\$0	\$0
GENERAL FUND TOTAL	(\$130,000)	\$0	\$0

Seed Potato Board 0397

Initiative: Eliminates one Agricultural Worker I position, 2 intermittent Lab Assistant positions, one Lab Technician I position and 3 intermittent Laborer I positions. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

SEED POTATO BOARD FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	0.000	0.000
POSITIONS - FTE COUNT	(1.162)	0.000	0.000
SEED POTATO BOARD FUND TOTAL	\$0	\$0	\$0
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11

GENERAL FUND	(\$386,318)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$259	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$3,591,935)	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$3,977,994)	\$0	\$0

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: Reduces funding for a contract for support of MaineArts.com. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$15,554)	\$0	\$0
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GENERAL FUND TOTAL	(\$15,554)	\$0	\$0

Arts - Administration 0178

Initiative: Reduces funding for publications productions. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$12,825)	\$0	\$0
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GENERAL FUND TOTAL	(\$12,825)	\$0	\$0

Arts - Administration 0178

Initiative: Reduces funding for operating expenses. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,000)	\$0	\$0
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GENERAL FUND TOTAL	(\$2,000)	\$0	\$0

Arts - Administration 0178

Initiative: Reduces funding for Arts Visibility grants. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$10,000)	\$0	\$0

GENERAL FUND TOTAL	(\$10,000)	\$0	\$0
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Arts - Administration 0178

Initiative: Reduces funding by eliminating the funding for the grant to the New England Consortium of Artist-Educator Professionals. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$1,000)	\$0	\$0
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GENERAL FUND TOTAL	(\$1,000)	\$0	\$0

ARTS COMMISSION, MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
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GENERAL FUND	(\$41,379)	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$41,379)	\$0	\$0
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ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Reduces funding by managing vacancies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$180,649)	\$0	\$0
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GENERAL FUND TOTAL	(\$180,649)	\$0	\$0

Administration - Attorney General 0310

Initiative: Eliminates one Secretary Legal position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0
ATTORNEY GENERAL, DEPARTMENT OF THE			
DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$180,649)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$180,649)	\$0	\$0

**AUDIT, DEPARTMENT OF
Audit - Departmental Bureau 0067**

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$74,156)	\$0	\$0
GENERAL FUND TOTAL	(\$74,156)	\$0	\$0

AUDIT, DEPARTMENT OF			
DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$74,156)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$74,156)	\$0	\$0

**CENTERS FOR INNOVATION
Centers for Innovation 0911**

Initiative: Reduces funding for research programs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,319)	\$0	\$0

GENERAL FUND TOTAL	(\$7,319)	\$0	\$0
CENTERS FOR INNOVATION DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$7,319)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$7,319)	\$0	\$0

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding to bring allocations into line with projected available resources based on the projections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$163,330)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$163,330)	\$0	\$0

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding from the system-wide curtailment of spending. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,928,354)	\$0	\$0
GENERAL FUND TOTAL	(\$2,928,354)	\$0	\$0

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$2,928,354)	\$0	\$0

GENERAL FUND	(\$2,928,354)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$163,330)	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	(\$3,091,684)	\$0	\$0
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**CONSERVATION, DEPARTMENT OF
Administrative Services - Conservation 0222**

Initiative: Reduces funding for the forest certification effort for the remainder of fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$65,000)	\$0	\$0
GENERAL FUND TOTAL	(\$65,000)	\$0	\$0

Administrative Services - Conservation 0222

Initiative: Reduces funding by eliminating partial funding for direct-billed services for one Systems Analyst position from the Office of Information Technology. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$75,000)	\$0	\$0
GENERAL FUND TOTAL	(\$75,000)	\$0	\$0

Administrative Services - Conservation 0222

Initiative: Reduces funding by transferring expenditures to Other Special Revenue Funds.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$62,848)	\$0	\$0
GENERAL FUND TOTAL	(\$62,848)	\$0	\$0

Administrative Services - Conservation 0222

Initiative: Eliminates funding for the Office of Information Technology costs related to position eliminations.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$5,425)	\$0	\$0

GENERAL FUND TOTAL	(\$5,425)	\$0	\$0
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Administrative Services - Conservation 0222

Initiative: Reduces funding by transferring the costs of a Secretary Specialist position to Other Special Revenue Funds.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$34,631)	\$0	\$0
GENERAL FUND TOTAL	(\$34,631)	\$0	\$0

Boating Facilities Fund 0226

Initiative: Adjusts funding to bring allocations into line with revenue projections approved by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$134,453)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$134,453)	\$0	\$0

Division of Forest Protection 0232

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$27,349	\$0	\$0
GENERAL FUND TOTAL	\$27,349	\$0	\$0

Division of Forest Protection 0232

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$8,246	\$0	\$0
GENERAL FUND TOTAL	\$8,246	\$0	\$0

Division of Forest Protection 0232

Initiative: Reduces funding by eliminating fire detection contracts. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,000)	\$0	\$0
GENERAL FUND	(\$100,000)	\$0	\$0
TOTAL			

Division of Forest Protection 0232

Initiative: Reduces funding by moving work efforts to federal grants.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$70,000)	\$0	\$0
GENERAL FUND	(\$70,000)	\$0	\$0
TOTAL			

Forest Health and Monitoring 0233

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$432	\$0	\$0
GENERAL FUND	\$432	\$0	\$0
TOTAL			

Forest Health and Monitoring 0233

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$414	\$0	\$0
GENERAL FUND	\$414	\$0	\$0
TOTAL			

Forest Health and Monitoring 0233

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$45,000)	\$0	\$0
GENERAL FUND	(\$45,000)	\$0	\$0
TOTAL			

Forest Health and Monitoring 0233

Initiative: Reallocates Personal Services funding from the General Fund to the Federal Expenditures Fund for

5 weeks in fiscal year 2008-09. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$17,743)	\$0	\$0
GENERAL FUND	(\$17,743)	\$0	\$0
TOTAL			

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$17,743	\$0	\$0
FEDERAL EXPENDITURES FUND	\$17,743	\$0	\$0
FUND TOTAL			

Forest Policy and Management - Division of 0240

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$796	\$0	\$0
GENERAL FUND	\$796	\$0	\$0
TOTAL			

Forest Policy and Management - Division of 0240

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$348	\$0	\$0
GENERAL FUND	\$348	\$0	\$0
TOTAL			

Forest Policy and Management - Division of 0240

Initiative: Reallocates Personal Services funding from the General Fund to the Federal Expenditures Fund for 3 weeks in fiscal year 2008-09. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$45,279)	\$0	\$0
GENERAL FUND	(\$45,279)	\$0	\$0
TOTAL			

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$45,279	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$45,279	\$0	\$0

Forest Recreation Resource Fund 0354

Initiative: Eliminates one seasonal Assistant Park Ranger position in the Forest Recreation Resource Fund program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - FTE COUNT	(0.308)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Geological Survey 0237

Initiative: Reduces funding for field expenses for the remainder of fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,033)	\$0	\$0
GENERAL FUND TOTAL	(\$4,033)	\$0	\$0

Land Use Regulation Commission 0236

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,465	\$0	\$0
GENERAL FUND TOTAL	\$1,465	\$0	\$0

Land Use Regulation Commission 0236

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$260	\$0	\$0

GENERAL FUND TOTAL	2008-09	2009-10	2010-11
	\$260	\$0	\$0

Land Use Regulation Commission 0236

Initiative: Reduces funding for staff travel expenditures. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$14,500)	\$0	\$0
GENERAL FUND TOTAL	(\$14,500)	\$0	\$0

Land Use Regulation Commission 0236

Initiative: Reduces funding for Maine Land Use Regulation Commission operations. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$26,900)	\$0	\$0
GENERAL FUND TOTAL	(\$26,900)	\$0	\$0

Land Use Regulation Commission 0236

Initiative: Eliminates funding for vehicle rental in Mil-linocket from Central Fleet Management.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,500)	\$0	\$0
GENERAL FUND TOTAL	(\$4,500)	\$0	\$0

Land Use Regulation Commission 0236

Initiative: Eliminates funding for a temporary services contract.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$10,000)	\$0	\$0
GENERAL FUND TOTAL	(\$10,000)	\$0	\$0

Natural Areas Program 0821

Initiative: Reduces funding for expenses related to listing federally endangered species in the State.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,000)	\$0	\$0

Off-road Recreational Vehicles Program 0224

Initiative: Adjusts funding to bring allocations into line with revenue projections approved by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$8,131)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$8,131)	\$0	\$0

Parks - General Operations 0221

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$10,220	\$0	\$0
GENERAL FUND TOTAL	\$10,220	\$0	\$0

Parks - General Operations 0221

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$10,882	\$0	\$0
GENERAL FUND TOTAL	\$10,882	\$0	\$0

Parks - General Operations 0221

Initiative: Reduces funding by delaying necessary uniform replacements and deferring programmed maintenance and repairs at state parks until fiscal year 2009-10. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$83,000)	\$0	\$0
GENERAL FUND TOTAL	(\$83,000)	\$0	\$0

Parks - General Operations 0221

Initiative: Reduces funding by managing positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$279,691)	\$0	\$0
GENERAL FUND TOTAL	(\$279,691)	\$0	\$0

Parks - General Operations 0221

Initiative: Reduces funding by managing vacant positions.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$43,116)	\$0	\$0
GENERAL FUND TOTAL	(\$43,116)	\$0	\$0

Parks - General Operations 0221

Initiative: Eliminates one seasonal Laborer II position in the Parks - General Operations program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - FTE COUNT	(0.385)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

CONSERVATION, DEPARTMENT OF DEPARTMENT TOTALS

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$928,254)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$63,022	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$142,584)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$1,007,816)	\$0	\$0

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$56,652	\$0	\$0
GENERAL FUND TOTAL	\$56,652	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$30,670	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,670	\$0	\$0

Administration - Corrections 0141

Initiative: Reduces funding for leadership and other staff training. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$15,594)	\$0	\$0
GENERAL FUND TOTAL	(\$15,594)	\$0	\$0

Administration - Corrections 0141

Initiative: Reduces funding for consultant services to develop a women's case management model. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$71,502)	\$0	\$0
GENERAL FUND TOTAL	(\$71,502)	\$0	\$0

Administration - Corrections 0141

Initiative: Reduces funding for housing assistance. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$40,000)	\$0	\$0

GENERAL FUND TOTAL	(\$40,000)	\$0	\$0
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Administration - Corrections 0141

Initiative: Reduces funding for a contract for personnel services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$1,250)	\$0	\$0
GENERAL FUND TOTAL	(\$1,250)	\$0	\$0

Administration - Corrections 0141

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program; one Correctional Compliance Monitor position and one limited-period Public Service Manager II position in the Administration - Corrections program; 2 Probation Officer positions in the Adult Community Corrections program; and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces related All Other. Also reduces funding for savings to be achieved by managing vacancies in the Juvenile Community Corrections program.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
Personal Services	(\$52,753)	\$0	\$0
All Other	(\$7,107)	\$0	\$0
GENERAL FUND TOTAL	(\$59,860)	\$0	\$0

Adult Community Corrections 0124

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$10,646	\$0	\$0
GENERAL FUND TOTAL	\$10,646	\$0	\$0

Adult Community Corrections 0124

Initiative: Provides funding for vehicles leased from Central Fleet Management for Adult Community Corrections probation officers.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$304,600	\$0	\$0
GENERAL FUND	\$304,600	\$0	\$0
TOTAL			

Adult Community Corrections 0124

Initiative: Reduces funding for leadership and other staff training. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$17,747)	\$0	\$0
GENERAL FUND	(\$17,747)	\$0	\$0
TOTAL			

Adult Community Corrections 0124

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program; one Correctional Compliance Monitor position and one limited-period Public Service Manager II position in the Administration - Corrections program; 2 Probation Officer positions in the Adult Community Corrections program; and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces related All Other. Also reduces funding for savings to be achieved by managing vacancies in the Juvenile Community Corrections program.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0,000	0,000
Personal Services	(\$82,992)	\$0	\$0
All Other	(\$7,107)	\$0	\$0
GENERAL FUND	(\$90,099)	\$0	\$0
TOTAL			

Adult Community Corrections 0124

Initiative: Deappropriates contract funds for case planning.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$6,720)	\$0	\$0

GENERAL FUND	(\$6,720)	\$0	\$0
TOTAL			

Central Maine Pre-Release Center 0392

Initiative: Adjusts funding for food costs at each facility.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$2,114	\$0	\$0
GENERAL FUND	\$2,114	\$0	\$0
TOTAL			

Charleston Correctional Facility 0400

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$59,643	\$0	\$0
GENERAL FUND	\$59,643	\$0	\$0
TOTAL			

Charleston Correctional Facility 0400

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$7,991	\$0	\$0
GENERAL FUND	\$7,991	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$45,441	\$0	\$0
GENERAL FUND	\$45,441	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$109,432	\$0	\$0

GENERAL FUND	\$109,432	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$38,686	\$0	\$0

GENERAL FUND	\$38,686	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Adjusts funding for food costs at each facility.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$178,329	\$0	\$0

GENERAL FUND	\$178,329	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Provides funding for the increased rental cost of vehicles from Central Fleet Management.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,463	\$0	\$0

GENERAL FUND	\$1,463	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Provides funding for increases in wastewater treatment charges.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$189,408	\$0	\$0

GENERAL FUND	\$189,408	\$0	\$0
TOTAL			

Correctional Medical Services Fund 0286

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$9,789	\$0	\$0

GENERAL FUND	\$9,789	\$0	\$0
TOTAL			

Correctional Medical Services Fund 0286

Initiative: Reduces funding for leadership and other staff training. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$81,914)	\$0	\$0

GENERAL FUND	(\$81,914)	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Provides funding for the increased cost for the disposal of sewer treatment sludge due to trucking costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$15,000	\$0	\$0

GENERAL FUND	\$15,000	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$6,430	\$0	\$0

GENERAL FUND	\$6,430	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$136,287	\$0	\$0

GENERAL FUND	\$136,287	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,884	\$0	\$0
GENERAL FUND	\$1,884	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Adjusts funding for food costs at each facility.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$41,693	\$0	\$0
GENERAL FUND	\$41,693	\$0	\$0
TOTAL			

Justice - Planning, Projects and Statistics 0502

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program; one Correctional Compliance Monitor position and one limited-period Public Service Manager II position in the Administration - Corrections program; 2 Probation Officer positions in the Adult Community Corrections program; and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces related All Other. Also reduces funding for savings to be achieved by managing vacancies in the Juvenile Community Corrections program.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$5,710)	\$0	\$0
All Other	(\$1,777)	\$0	\$0
GENERAL FUND	(\$7,487)	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$7,529	\$0	\$0
GENERAL FUND	\$7,529	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,512	\$0	\$0
GENERAL FUND	\$1,512	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Reduces funding for leadership and other staff training. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$45,435)	\$0	\$0
GENERAL FUND	(\$45,435)	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Reduces funding for housing assistance. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$5,000)	\$0	\$0
GENERAL FUND	(\$5,000)	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Reduces funding for assistance payments for juvenile offenders. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$50,000)	\$0	\$0
GENERAL FUND	(\$50,000)	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program; one Correctional Compliance Monitor position and one limited-period Public Service Manager II position in the Administration - Corrections program; 2 Probation Officer positions in the Adult Community Corrections program; and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and

reduces related All Other. Also reduces funding for savings to be achieved by managing vacancies in the Juvenile Community Corrections program.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
Personal Services	(\$53,432)	\$0	\$0
All Other	(\$8,883)	\$0	\$0
GENERAL FUND TOTAL	(\$62,315)	\$0	\$0

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from evidence-based community projects.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$5,518)	\$0	\$0
GENERAL FUND TOTAL	(\$5,518)	\$0	\$0

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from savings in miscellaneous equipment, drug testing and office supplies.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Long Creek Youth Development Center 0163

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$28,463	\$0	\$0
GENERAL FUND TOTAL	\$28,463	\$0	\$0

Long Creek Youth Development Center 0163

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$95,437	\$0	\$0

GENERAL FUND TOTAL	\$95,437	\$0	\$0
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Long Creek Youth Development Center 0163

Initiative: Adjusts funding for food costs at each facility.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$16,164	\$0	\$0

GENERAL FUND TOTAL	\$16,164	\$0	\$0
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Long Creek Youth Development Center 0163

Initiative: Reduces funding for behavioral health services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$112,055)	\$0	\$0

GENERAL FUND TOTAL	(\$112,055)	\$0	\$0
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Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from heating, ventilating and air conditioning contracts.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$10,000)	\$0	\$0

GENERAL FUND TOTAL	(\$10,000)	\$0	\$0
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Mountain View Youth Development Center 0857

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$28,070	\$0	\$0

GENERAL FUND TOTAL	\$28,070	\$0	\$0
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Mountain View Youth Development Center 0857

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$321,902	\$0	\$0
GENERAL FUND	\$321,902	\$0	\$0
TOTAL			

Mountain View Youth Development Center 0857

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$47,729	\$0	\$0
GENERAL FUND	\$47,729	\$0	\$0
TOTAL			

Mountain View Youth Development Center 0857

Initiative: Adjusts funding for food costs at each facility.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$24,104	\$0	\$0
GENERAL FUND	\$24,104	\$0	\$0
TOTAL			

Mountain View Youth Development Center 0857

Initiative: Reduces funding for behavioral health services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$90,000)	\$0	\$0
GENERAL FUND	(\$90,000)	\$0	\$0
TOTAL			

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from heating, ventilating and air conditioning contracts.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$20,000)	\$0	\$0
GENERAL FUND	(\$20,000)	\$0	\$0
TOTAL			

Office of Advocacy 0684

Initiative: Reduces funding for inmate assistance for civil legal matters. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,999)	\$0	\$0
GENERAL FUND	(\$4,999)	\$0	\$0
TOTAL			

Office of Advocacy 0684

Initiative: Eliminates one Chief Advocate position and one Advocate position and related All Other costs.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
Personal Services	(\$52,080)	\$0	\$0
All Other	(\$7,107)	\$0	\$0
GENERAL FUND	(\$59,187)	\$0	\$0
TOTAL			

Office of Victim Services 0046

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$5,622	\$0	\$0
GENERAL FUND	\$5,622	\$0	\$0
TOTAL			

State Board of Corrections Investment Fund Z075

Initiative: Provides funding to the Board of Corrections operating reserve account as outlined in Public Law 2007, chapter 653, Part A, section 37.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,500,000	\$0	\$0
GENERAL FUND	\$1,500,000	\$0	\$0
TOTAL			

State Board of Corrections Investment Fund Z075

Initiative: Provides funding to board inmates at county jails.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$22,600	\$0	\$0

GENERAL FUND	\$22,600	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Adjusts funding for the same level of financial and human resources support services at the fiscal year 2007-08 level for the Corrections Service Center for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$54,533	\$0	\$0
GENERAL FUND	\$54,533	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$981,314	\$0	\$0
GENERAL FUND	\$981,314	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$29,778)	\$0	\$0
GENERAL FUND	(\$29,778)	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Adjusts funding for food costs at each facility.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$258,425	\$0	\$0
GENERAL FUND	\$258,425	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Provides funding for the increased rental cost of vehicles from Central Fleet Management.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$18,503	\$0	\$0
GENERAL FUND	\$18,503	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Deappropriates funds from heating, ventilating and air conditioning contracts.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$20,000)	\$0	\$0
GENERAL FUND	(\$20,000)	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Deappropriates funds from delaying accreditation costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,000)	\$0	\$0
GENERAL FUND	(\$8,000)	\$0	\$0
TOTAL			

CORRECTIONS, DEPARTMENT OF			
DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$3,662,935	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$30,670	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,693,605	\$0	\$0

CULTURAL AFFAIRS COUNCIL, MAINE STATE

New Century Program Fund 0904

Initiative: Reduces funding for grants distributed under the New Century Program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,840)	\$0	\$0
GENERAL FUND	(\$3,840)	\$0	\$0
TOTAL			

CULTURAL
AFFAIRS COUNCIL,
MAINE STATE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$3,840)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$3,840)	\$0	\$0

**DEFENSE, VETERANS AND EMERGENCY
MANAGEMENT, DEPARTMENT OF**
**Administration - Maine Emergency Management
Agency 0214**

Initiative: Adjusts funding to meet the current rates published by the Office of Information Technology.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$2,000	\$0	\$0
GENERAL FUND TOTAL	\$2,000	\$0	\$0

**Administration - Maine Emergency Management
Agency 0214**

Initiative: Eliminates funding for disaster assistance resulting from a redistribution of the projected decrease in revenue from the rental of facilities at the Maine Military Authority in Limestone.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$543,263)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$543,263)	\$0	\$0

Disaster Assistance 0841

Initiative: Provides funding for the State's share of disaster assistance for previously declared floods including the May 2008, Patriot's Day, Oxford County and St. Patrick's Day floods.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,260,532	\$0	\$0
GENERAL FUND TOTAL	\$1,260,532	\$0	\$0

Military Educational Benefits 0922

Initiative: Provides funding for tuition assistance resulting from a redistribution of the projected decrease in revenue from the rental of facilities at the Maine Military Authority in Limestone.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$160,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$160,000	\$0	\$0

Military Training and Operations 0108

Initiative: Provides funding for additional revenue received from the Master Cooperative Agreement for the Maine National Guard.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$3,500,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$3,500,000	\$0	\$0

Military Training and Operations 0108

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$105,232	\$0	\$0
GENERAL FUND TOTAL	\$105,232	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$135,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$135,000	\$0	\$0

Military Training and Operations 0108

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$115,000	\$0	\$0

	2008-09	2009-10	2010-11
GENERAL FUND TOTAL	\$115,000	\$0	\$0
FEDERAL EXPENDITURES FUND			
All Other	\$115,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$115,000	\$0	\$0

Military Training and Operations 0108

Initiative: Reorganizes 12 Security Guard positions to 12 Military Security Police Officer positions.

	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND			
Personal Services	\$13,793	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$13,793	\$0	\$0

Military Training and Operations 0108

Initiative: Reorganizes one Superintendent of Buildings position to a confidential position and transfers All Other to Personal Services to fund the General Fund portion of the reorganization.

	2008-09	2009-10	2010-11
GENERAL FUND			
Personal Services	\$322	\$0	\$0
All Other	(\$322)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND			
Personal Services	\$1,289	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,289	\$0	\$0

Military Training and Operations 0108

Initiative: Reduces funding through managing vacancies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$68,287)	\$0	\$0
GENERAL FUND TOTAL	(\$68,287)	\$0	\$0

Military Training and Operations 0108

Initiative: Eliminates one Chief Volunteer Services position, one part-time Education Technician II position and one Groundskeeper II position in the Federal Expenditures Fund and one Office Associate II position in Other Special Revenue Funds. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.500)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Military Training and Operations 0108

Initiative: Reduces funding for repairs at state armories resulting from a redistribution of the projected decrease in revenue from the rental of facilities at the Maine Military Authority in Limestone.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$328,918)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$328,918)	\$0	\$0

Stream Gaging Cooperative Program 0858

Initiative: Reduces funding by transferring expenditures to the Federal Expenditures Fund.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,000)	\$0	\$0
GENERAL FUND TOTAL	(\$100,000)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$100,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$100,000	\$0	\$0

Veterans Services 0110

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$3,975	\$0	\$0
GENERAL FUND TOTAL	\$3,975	\$0	\$0

Veterans Services 0110

Initiative: Reduces funding by limiting travel for veteran outreach services.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,000)	\$0	\$0
GENERAL FUND TOTAL	(\$3,000)	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
GENERAL FUND	\$1,315,452	\$0	\$0
FEDERAL EXPENDITURES FUND	\$3,865,082	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$712,181)	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	2008-09	2009-10	2010-11
	\$4,468,353	\$0	\$0

DIRIGO HEALTH

Dirigo Health Fund 0988

Initiative: Reduces funding that was to be generated from the increased excise tax on malt beverages and wine.

DIRIGO HEALTH FUND	2008-09	2009-10	2010-11
All Other	(\$7,499,937)	\$0	\$0
DIRIGO HEALTH FUND TOTAL	(\$7,499,937)	\$0	\$0

Dirigo Health Fund 0988

Initiative: Reduces funding that was to be generated from the new tax on soft drinks.

DIRIGO HEALTH FUND	2008-09	2009-10	2010-11
All Other	(\$9,200,000)	\$0	\$0
DIRIGO HEALTH FUND TOTAL	(\$9,200,000)	\$0	\$0

Dirigo Health Fund 0988

Initiative: Provides funding for the Dirigo Health costs that are funded by the savings offset payment.

DIRIGO HEALTH FUND	2008-09	2009-10	2010-11
All Other	\$32,900,000	\$0	\$0
DIRIGO HEALTH FUND TOTAL	\$32,900,000	\$0	\$0

Dirigo Health Fund 0988

Initiative: Reduces funding that was to be generated from a health access surcharge of 1.8% on all paid claims.

DIRIGO HEALTH FUND	2008-09	2009-10	2010-11
All Other	(\$33,000,000)	\$0	\$0
DIRIGO HEALTH FUND TOTAL	(\$33,000,000)	\$0	\$0

Dirigo Health Fund 0988

Initiative: Eliminates one Dirigo Health Program Coordinator position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

DIRIGO HEALTH FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
DIRIGO HEALTH FUND TOTAL	\$0	\$0	\$0

DIRIGO HEALTH DEPARTMENT TOTALS	2008-09	2009-10	2010-11
DIRIGO HEALTH FUND	(\$16,799,937)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$16,799,937)	\$0	\$0

DISABILITY RIGHTS CENTER

Disability Rights Center 0523

Initiative: Reduces funding for direct advocacy representation and support for parents of children with learning or other severe disabilities. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,035)	\$0	\$0
GENERAL FUND TOTAL	(\$7,035)	\$0	\$0

DISABILITY RIGHTS CENTER DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$7,035)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$7,035)	\$0	\$0

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: Reduces funding for contractual services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$35,849)	\$0	\$0
GENERAL FUND TOTAL	(\$35,849)	\$0	\$0

Applied Technology Development Center System 0929

Initiative: Reduces funding for the Maine Aquaculture Innovation Center and Target Technology Center contracts. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$5,300)	\$0	\$0
GENERAL FUND TOTAL	(\$5,300)	\$0	\$0

Applied Technology Development Center System 0929

Initiative: Reduces funding for the Maine Center for Entrepreneurial Development contract. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,611)	\$0	\$0
GENERAL FUND TOTAL	(\$4,611)	\$0	\$0

Business Development 0585

Initiative: Reduces funding for contractual services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$77,192)	\$0	\$0
GENERAL FUND TOTAL	(\$77,192)	\$0	\$0

Community Development Block Grant Program 0587

Initiative: Reduces funding by charging the federal Housing and Urban Development grant for administra-

tive costs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$55,082)	\$0	\$0
<hr/>			
GENERAL FUND	(\$55,082)	\$0	\$0
TOTAL			

Community Development Block Grant Program 0587

Initiative: Reduces funding for in-state travel. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,793)	\$0	\$0
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GENERAL FUND	(\$2,793)	\$0	\$0
TOTAL			

Community Development Block Grant Program 0587

Initiative: Eliminates one Development Program Manager position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL BLOCK GRANT FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
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FEDERAL BLOCK GRANT FUND	\$0	\$0	\$0
TOTAL			

International Commerce 0674

Initiative: Reduces funding for a grant to the Maine International Trade Center. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$30,731)	\$0	\$0
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GENERAL FUND	(\$30,731)	\$0	\$0
TOTAL			

Maine Small Business and Entrepreneurship Commission 0675

Initiative: Reduces funding for the University of Southern Maine and the Small Business Development

Corporation cooperative agreement. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$40,649)	\$0	\$0
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GENERAL FUND	(\$40,649)	\$0	\$0
TOTAL			

Maine State Film Office 0590

Initiative: Reduces funding by charging Other Special Revenue Funds for Personal Services staff allocation costs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$55,000)	\$0	\$0
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GENERAL FUND	(\$55,000)	\$0	\$0
TOTAL			

Maine State Film Office 0590

Initiative: Reduces funding for contractual services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,000)	\$0	\$0
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GENERAL FUND	(\$2,000)	\$0	\$0
TOTAL			

Office of Innovation 0995

Initiative: Reduces funding for out-of-state travel. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,109)	\$0	\$0
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GENERAL FUND	(\$2,109)	\$0	\$0
TOTAL			

Office of Innovation 0995

Initiative: Reduces funding of Maine Technology Institute research and development bond administration and general administrative costs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$454,079)	\$0	\$0

GENERAL FUND TOTAL	(\$454,079)	\$0	\$0
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
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GENERAL FUND	(\$765,395)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$765,395)	\$0	\$0

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Reduces funding for local program state subsidy. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$83,493)	\$0	\$0
GENERAL FUND TOTAL	(\$83,493)	\$0	\$0

Adult Education 0364

Initiative: Reduces funding for college transition program sites and administrative costs of the contract for technical assistance to college transition sites and reduces support for literacy volunteers. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$14,507)	\$0	\$0
GENERAL FUND TOTAL	(\$14,507)	\$0	\$0

After-school Program Fund Z023

Initiative: Reduces funding in the After-school Program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$1,302)	\$0	\$0

GENERAL FUND TOTAL	(\$1,302)	\$0	\$0
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Education in Unorganized Territory 0220

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$64,087	\$0	\$0

GENERAL FUND TOTAL	\$64,087	\$0	\$0
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Education in Unorganized Territory 0220

Initiative: Transfers funding from the Personal Services line category to the All Other and Capital Expenditures line categories for anticipated increases in vehicle fuel costs, replacement of school transportation equipment costs and unpaid tuition bills that were carried forward from fiscal year 2007-08 and to cover the projected increase in tuition costs for students from unorganized territories who are attending school in receiving school administrative units.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$650,000)	\$0	\$0
All Other	\$450,463	\$0	\$0
Capital Expenditures	\$135,450	\$0	\$0

GENERAL FUND TOTAL	(\$64,087)	\$0	\$0
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FHM - School Breakfast Program Z068

Initiative: Provides funding for the Office of Information Technology fees related to data software upgrades associated with the increased number of school breakfasts.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
All Other	\$11,000	\$0	\$0

FUND FOR A HEALTHY MAINE TOTAL	\$11,000	\$0	\$0
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FHM - School Nurse Consultant 0949

Initiative: Provides funding for Personal Services shortfalls.

FUND FOR A	2008-09	2009-10	2010-11
HEALTHY MAINE			
Personal Services	\$2,409	\$0	\$0
FUND FOR A	\$2,409	\$0	\$0
HEALTHY MAINE			
TOTAL			

General Purpose Aid for Local Schools 0308

Initiative: Reduces funding for fiscal year 2008-09 baseline funding. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$27,046,649)	\$0	\$0
GENERAL FUND	(\$27,046,649)	\$0	\$0
TOTAL			

Leadership 0836

Initiative: Provides funding for grants and private contributions received from various sources other than the Federal Government.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$825,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$825,000	\$0	\$0
TOTAL			

Leadership 0836

Initiative: Reduces funding for general operating costs of the Commissioner of Education's leadership team. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,942)	\$0	\$0
GENERAL FUND	(\$3,942)	\$0	\$0
TOTAL			

Learning Systems 0839

Initiative: Reduces funding for photocopying, general operations and office supplies and eliminates support for the Maine Principals' Academy. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,914)	\$0	\$0

GENERAL FUND	2008-09	2009-10	2010-11
TOTAL	(\$4,914)	\$0	\$0

Learning Systems 0839

Initiative: Reduces funding for contractual services for special education due process complaint investigations and for the assessment contract by eliminating the writing assessment for one year. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$426,424)	\$0	\$0
GENERAL FUND	(\$426,424)	\$0	\$0
TOTAL			

Learning Through Technology Z029

Initiative: Provides funding to correct a negative appropriation balance in the Learning Through Technology program.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$3,446	\$0	\$0
GENERAL FUND	\$3,446	\$0	\$0
TOTAL			

Management Information Systems 0838

Initiative: Reduces funding to local regional planning committees forming regional school units. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$128,589)	\$0	\$0
GENERAL FUND	(\$128,589)	\$0	\$0
TOTAL			

Preschool Handicapped 0449

Initiative: Eliminates one Secretary position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(1.000)	0.000	0.000

	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES	\$0	\$0	\$0
FUND TOTAL			

Regional Services 0840

Initiative: Reduces funding that supports a Coordinator position for the National Assessment of Educational Process. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,400)	\$0	\$0
GENERAL FUND TOTAL	(\$7,400)	\$0	\$0

Regional Services 0840

Initiative: Reduces funding from salary savings of one Regional Representative position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$30,000)	\$0	\$0
GENERAL FUND TOTAL	(\$30,000)	\$0	\$0

Regional Services 0840

Initiative: Reduces funding for travel, general operating costs, photocopying and office supplies that support the Regional Representative positions. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$10,200)	\$0	\$0
GENERAL FUND TOTAL	(\$10,200)	\$0	\$0

Teacher Retirement 0170

Initiative: Adjusts funding to partially offset a deappropriation to Teacher Retirement in Public Law 2007, chapter 240, Part T. The State Controller, after consultation with the Treasurer of State, determined that there was not sufficient cash flow to pay the entire amount due to the Maine Public Employees Retirement System in fiscal year 2008-09 on or before July 15, 2008.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$5,032,325	\$0	\$0
GENERAL FUND TOTAL	\$5,032,325	\$0	\$0

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$22,721,649)	\$0	\$0
FUND FOR A HEALTHY MAINE	\$13,409	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$825,000	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$21,883,240)	\$0	\$0

EDUCATION, STATE BOARD OF State Board of Education 0614

Initiative: Reduces funding for consulting services contracts, general operating costs, rents and technology. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,769)	\$0	\$0
GENERAL FUND TOTAL	(\$7,769)	\$0	\$0

EDUCATION, STATE BOARD OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$7,769)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$7,769)	\$0	\$0

ENERGY CONSERVATION BOARD, MAINE Maine Energy Conservation Board Z076

Initiative: Provides funding for the Maine Energy Conservation Board.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$263,400	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$263,400	\$0	\$0
ENERGY CONSERVATION BOARD, MAINE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$263,400	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$263,400	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,683	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,683	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,745	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,745	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation

and Waste Management program to the Administration - Environmental Protection program.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	0.000	0.000
Personal Services	\$160,643	\$0	\$0
All Other	\$5,923	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$166,566	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Aligns funding of current property lease agreements with program areas using the space.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$182,190)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$182,190)	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$213	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$213	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Reorganizes 2 Resource Administrator positions to 2 Public Service Coordinator I positions.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$550	\$0	\$0
All Other	(\$550)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11

Personal Services	\$648	\$0	\$0
All Other	\$95	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$743	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Reduces funding by recognizing one-time savings from the management of vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$229,583)	\$0	\$0
GENERAL FUND TOTAL	(\$229,583)	\$0	\$0

Administration - Environmental Protection 0251

Initiative: Eliminates one Toxicologist position in the Remediation and Waste Management program Federal Expenditures Fund; 2 Environmental Specialist II positions and one Environmental Specialist III position in the Maine Environmental Protection Fund program; and one Office Associate II position in the Administration - Environmental Protection program Other Special Revenue Funds. The savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Air Quality 0250

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,382	\$0	\$0
GENERAL FUND TOTAL	\$1,382	\$0	\$0

Air Quality 0250

Initiative: Reduces funding by recognizing one-time savings from the management of vacant positions in

fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$108,927)	\$0	\$0
GENERAL FUND TOTAL	(\$108,927)	\$0	\$0

Land and Water Quality 0248

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$88	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$88	\$0	\$0

Land and Water Quality 0248

Initiative: Reorganizes one Environmental Engineer Specialist position to one Environmental Specialist III position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$16,188)	\$0	\$0
GENERAL FUND TOTAL	(\$16,188)	\$0	\$0

Maine Environmental Protection Fund 0421

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$681	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$681	\$0	\$0

Maine Environmental Protection Fund 0421

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$51,200)	\$0	\$0
All Other	(\$1,888)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$53,088)	\$0	\$0

Maine Environmental Protection Fund 0421

Initiative: Aligns funding of current property lease agreements with program areas using the space.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$53,046	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$53,046	\$0	\$0

Maine Environmental Protection Fund 0421

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,351	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,351	\$0	\$0

Maine Environmental Protection Fund 0421

Initiative: Eliminates one Toxicologist position in the Remediation and Waste Management program Federal Expenditures Fund; 2 Environmental Specialist II positions and one Environmental Specialist III position in the Maine Environmental Protection Fund program; and one Office Associate II position in the Administration - Environmental Protection program Other Special Revenue Funds. The savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3,000)	0.000	0.000

OTHER SPECIAL REVENUE FUNDS TOTAL	2008-09	2009-10	2010-11
	\$0	\$0	\$0

Performance Partnership Grant 0851

Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,382	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,382	\$0	\$0

Performance Partnership Grant 0851

Initiative: Aligns funding of current property lease agreements with program areas using the space.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$14,723	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$14,723	\$0	\$0

Performance Partnership Grant 0851

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$645	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$645	\$0	\$0

Remediation and Waste Management 0247

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$5,706	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,706	\$0	\$0
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Remediation and Waste Management 0247

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
Personal Services	(\$109,443)	\$0	\$0
All Other	(\$4,035)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$113,478)	\$0	\$0

Remediation and Waste Management 0247

Initiative: Aligns funding of current property lease agreements with program areas using the space.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$114,421	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$114,421	\$0	\$0

Remediation and Waste Management 0247

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$186	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$186	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$4,750	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,750	\$0	\$0
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Remediation and Waste Management 0247

Initiative: Reorganizes one Resource Administrator position to one Public Service Coordinator I position.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$552	\$0	\$0
All Other	\$81	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$633	\$0	\$0

Remediation and Waste Management 0247

Initiative: Eliminates one Toxicologist position in the Remediation and Waste Management program Federal Expenditures Fund; 2 Environmental Specialist II positions and one Environmental Specialist III position in the Maine Environmental Protection Fund program; and one Office Associate II position in the Administration - Environmental Protection program Other Special Revenue Funds. The savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$353,316)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$17,569	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$5,237	\$0	\$0

DEPARTMENT	(\$330,510)	\$0	\$0
TOTAL - ALL FUNDS			

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Reduces funding to stay within available resources.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$1,489,476)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,489,476)	\$0	\$0

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Reallocates the cost of one Secretary Specialist position from 74% General Fund and 26% Other Special Revenue Funds to 60% General Fund and 40% Other Special Revenue Funds within the same program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$8,277)	\$0	\$0
GENERAL FUND TOTAL	(\$8,277)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$8,277	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,277	\$0	\$0

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$8,277)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	(\$1,481,199)	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$1,489,476)	\$0	\$0
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EXECUTIVE DEPARTMENT

Administration - Executive - Governor's Office 0165

Initiative: Reduces funding as a result of savings achieved by managing vacancies. This request is offset by an appropriation in Personal Services in the Office of the Commissioner - Department of Administrative and Financial Services program.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$24,000)	\$0	\$0
GENERAL FUND TOTAL	(\$24,000)	\$0	\$0

Administration - Executive - Governor's Office 0165

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$169,869)	\$0	\$0
GENERAL FUND TOTAL	(\$169,869)	\$0	\$0

Blaine House 0072

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$24,069)	\$0	\$0
GENERAL FUND TOTAL	(\$24,069)	\$0	\$0

Planning Office 0082

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$64,000)	\$0	\$0
GENERAL FUND TOTAL	(\$64,000)	\$0	\$0

Planning Office 0082

Initiative: Eliminates one Planner II position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

EXECUTIVE DEPARTMENT

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$281,938)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$281,938)	\$0	\$0

FINANCE AUTHORITY OF MAINE

Student Financial Assistance Programs 0653

Initiative: Reduces funding for Maine State Grant Program awards. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$686,565)	\$0	\$0
GENERAL FUND TOTAL	(\$686,565)	\$0	\$0

FINANCE AUTHORITY OF MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$686,565)	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	2008-09	2009-10	2010-11
	(\$686,565)	\$0	\$0

FOUNDATION FOR BLOOD RESEARCH

Scienceworks for ME 0908

Initiative: Reduces funding for the Scienceworks for ME program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,236)	\$0	\$0
GENERAL FUND TOTAL	(\$3,236)	\$0	\$0

FOUNDATION FOR BLOOD RESEARCH

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$3,236)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$3,236)	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Brain Injury Z041

Initiative: Provides funding for a new grant award for the Traumatic Brain Injury Implementation Partnership.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$150,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$0	\$0

Brain Injury Z041

Initiative: Provides funding for the receivership of the Essex Street brain injury private nonmedical institution.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$37,455	\$0	\$0

	2008-09	2009-10	2010-11
GENERAL FUND	\$37,455	\$0	\$0
TOTAL			

Consumer-directed Services Z043

Initiative: Reduces funding of administration costs in the self-directed personal care assistance program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

	2008-09	2009-10	2010-11
GENERAL FUND			
All Other	(\$100,000)	\$0	\$0
GENERAL FUND	(\$100,000)	\$0	\$0
TOTAL			

Departmentwide 0019

Initiative: Reduces funding for room and board due to a Social Security income cost-of-living increase. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings that result from this initiative that apply against each appropriate General Fund account and shall transfer the amounts by financial order upon approval of the Governor.

	2008-09	2009-10	2010-11
GENERAL FUND			
All Other	(\$2,000,000)	\$0	\$0
GENERAL FUND	(\$2,000,000)	\$0	\$0
TOTAL			

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Eliminates one Public Service Manager II position, one Licensed Practical Nurse position, one Office Assistant II position, one Institutional Clothing Supervisor position, one Clinical Dietician position, one Diet Coordinator position, one Food Service Worker position, one part-time Cook I position and one part-time Food Service Worker position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

	2008-09	2009-10	2010-11
GENERAL FUND			
Personal Services	(\$183,524)	\$0	\$0
GENERAL FUND	(\$183,524)	\$0	\$0
TOTAL			

Dorothea Dix Psychiatric Center 0120

Initiative: Eliminates funding in the Dorothea Dix Psychiatric Center for an account no longer in use.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$1,975)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$1,975)	\$0	\$0

Dorothea Dix Psychiatric Center 0120

Initiative: Reduces funding for operations that will be replaced with funds from the center's reimbursement account. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,000)	\$0	\$0
GENERAL FUND TOTAL	(\$100,000)	\$0	\$0

Dorothea Dix Psychiatric Center 0120

Initiative: Eliminates one Public Service Manager II position, one Licensed Practical Nurse position, one Office Assistant II position, one Institutional Clothing Supervisor position, one Clinical Dietician position, one Diet Coordinator position, one Food Service Worker position, one part-time Cook I position and one part-time Food Service Worker position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(8,000)	0.000	0.000
Personal Services	(\$220,034)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$220,034)	\$0	\$0

Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$13,874)	\$0	\$0
GENERAL FUND TOTAL	(\$13,874)	\$0	\$0

Elizabeth Levinson Center 0119

Initiative: Provides funding to cover remaining salary and benefit costs of the Elizabeth Levinson Center, including estimated separation costs, to be offset with reductions from salary savings in several department programs. Notwithstanding any provision of law, if additional funding for separation costs is necessary, the department is authorized to transfer additional Personal Services savings from its various accounts to the Elizabeth Levinson Center by financial order upon the approval of the State Budget Officer and the Governor.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$325,000	\$0	\$0
GENERAL FUND TOTAL	\$325,000	\$0	\$0

Medicaid Services - Mental Retardation 0705

Initiative: Provides funding needed as a result of delaying the privatization of the Elizabeth Levinson Center.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$863,000	\$0	\$0
GENERAL FUND TOTAL	\$863,000	\$0	\$0

Medicaid Services - Mental Retardation 0705

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$886,694)	\$0	\$0
GENERAL FUND TOTAL	(\$886,694)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$1,019,442	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	2008-09	2009-10	2010-11
	\$1,019,442	\$0	\$0

Mental Health Services - Children 0136

Initiative: Provides funding for the retroactive portion of the cost of a range change for 12 Mental Retardation Resource Coordinator positions from range 22 to range 23.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$66,259	\$0	\$0
GENERAL FUND TOTAL	\$66,259	\$0	\$0

Mental Health Services - Children 0136

Initiative: Eliminates funding in accounts formerly funded by the cost allocation plan of the former Department of Behavioral and Developmental Services.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$645,022)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$645,022)	\$0	\$0

Mental Health Services - Children 0136

Initiative: Reduces funding for one-time or short-duration services that are not covered by MaineCare. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$200,000)	\$0	\$0
GENERAL FUND TOTAL	(\$200,000)	\$0	\$0

Mental Health Services - Children 0136

Initiative: Eliminates funding for mediation services at 2 provider agencies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Mental Health Services - Community 0121

Initiative: Provides funding for grants for rental assistance.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$5,400,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$5,400,000	\$0	\$0

Mental Health Services - Community 0121

Initiative: Reduces funding in the Federal Block Grant Fund for the Mental Health Services - Community program and the Mental Retardation Services - Community program, as funds are no longer available.

FEDERAL BLOCK GRANT FUND	2008-09	2009-10	2010-11
All Other	(\$71,765)	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	(\$71,765)	\$0	\$0

Mental Health Services - Community 0121

Initiative: Provides funding to increase staffing of the Maine Warmline on the 1:30 a.m. to 8:00 a.m. shift.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$50,669	\$0	\$0
GENERAL FUND TOTAL	\$50,669	\$0	\$0

Mental Health Services - Community 0121

Initiative: Eliminates funding in accounts formerly funded by the cost allocation plan of the former Department of Behavioral and Developmental Services.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$4,701,930)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,701,930)	\$0	\$0

Mental Health Services - Community 0121

Initiative: Reduces funding for community integration and daily living supports for individuals who are not

eligible for MaineCare. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$350,297)	\$0	\$0
GENERAL FUND TOTAL	(\$350,297)	\$0	\$0

Mental Health Services - Community 0121

Initiative: Reduces funding for contracts with Maine Medical Center (\$49,511), the Maine Center on Deafness (\$2,484) and the University of Southern Maine, Muskie School (\$10,034). This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$62,029)	\$0	\$0
GENERAL FUND TOTAL	(\$62,029)	\$0	\$0

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$211,423	\$0	\$0
GENERAL FUND TOTAL	\$211,423	\$0	\$0

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$211,423)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$211,423)	\$0	\$0

Mental Retardation Services - Community 0122

Initiative: Reduces funding in the Federal Block Grant Fund for the Mental Health Services - Community program and the Mental Retardation Services - Community program, as funds are no longer available.

FEDERAL BLOCK GRANT FUND	2008-09	2009-10	2010-11
All Other	(\$37,500)	\$0	\$0

FEDERAL BLOCK GRANT FUND TOTAL	(\$37,500)	\$0	\$0
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Mental Retardation Services - Community 0122

Initiative: Provides funding for the retroactive portion of the cost of a range change for 12 Mental Retardation Resource Coordinator positions from range 22 to range 23.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$259,115	\$0	\$0
GENERAL FUND TOTAL	\$259,115	\$0	\$0

Mental Retardation Services - Community 0122

Initiative: Reduces funding for room and board contracts to adjust for the increase in Social Security income contributions in agency-operated homes. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$220,000)	\$0	\$0
GENERAL FUND TOTAL	(\$220,000)	\$0	\$0

Mental Retardation Services - Community 0122

Initiative: Reduces funding for certain contracts by 10%. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$56,194)	\$0	\$0
GENERAL FUND TOTAL	(\$56,194)	\$0	\$0

Mental Retardation Services - Community 0122

Initiative: Provides funding for contracted services.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$400,000	\$0	\$0
GENERAL FUND TOTAL	\$400,000	\$0	\$0

Office of Substance Abuse 0679

Initiative: Reduces funding for a contract with Day One by 10%. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$26,276)	\$0	\$0
GENERAL FUND TOTAL	(\$26,276)	\$0	\$0

Office of Substance Abuse 0679

Initiative: Reduces funding on a one-time basis for a contract with The Maine Association of Substance Abuse Programs Inc. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$29,839)	\$0	\$0
GENERAL FUND TOTAL	(\$29,839)	\$0	\$0

Office of Substance Abuse 0679

Initiative: Reduces funding for printing and binding brochures. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$10,000)	\$0	\$0
GENERAL FUND TOTAL	(\$10,000)	\$0	\$0

Office of Substance Abuse 0679

Initiative: Reduces funding on a one-time basis for a contract with AdCare Educational Institute of Maine, Inc. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$40,000)	\$0	\$0
GENERAL FUND TOTAL	(\$40,000)	\$0	\$0

Office of Substance Abuse 0679

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Provides funding to continue services at private nonmedical institutions. The corresponding federal funding increase is in the Medical Care - Payments to Providers program.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$256,000	\$0	\$0
GENERAL FUND TOTAL	\$256,000	\$0	\$0

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$2,559	\$0	\$0
GENERAL FUND TOTAL	\$2,559	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$2,559)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,559)	\$0	\$0

Residential Treatment Facilities Assessment 0978

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee rejections.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$132,748)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$132,748)	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$14,131	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,131	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Reduces funding for operations that will be replaced with funds from the center's reimbursement account. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,000)	\$0	\$0
GENERAL FUND TOTAL	(\$100,000)	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS) DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$2,007,247)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$5,548,025	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$4,880,143)	\$0	\$0
FEDERAL BLOCK GRANT FUND	(\$109,265)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$1,448,630)	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Bureau of Child and Family Services - Central 0307

Initiative: Reduces funding from salary savings to off-set an appropriation to the Elizabeth Levinson Center.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$75,000)	\$0	\$0
GENERAL FUND TOTAL	(\$75,000)	\$0	\$0

Bureau of Child and Family Services - Regional 0452

Initiative: Reduces funding for stand-by pay for supervision. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$30,000)	\$0	\$0
GENERAL FUND TOTAL	(\$30,000)	\$0	\$0

Bureau of Family Independence - Regional 0453

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor. Any such adjustments made are to be considered adjustments to appropriation.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$300,000)	\$0	\$0
GENERAL FUND TOTAL	(\$300,000)	\$0	\$0

Bureau of Medical Services 0129

Initiative: Adjusts funding for the fiscal agent project.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$684,000	\$0	\$0
GENERAL FUND TOTAL	\$684,000	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$684,000)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$684,000)	\$0	\$0

Bureau of Medical Services 0129

Initiative: Transfers positions and reallocates position costs to provide for the operational needs of the Division of Licensing and Regulatory Services. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	(\$2,359)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$2,359)	\$0	\$0

Bureau of Medical Services 0129

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$61,435	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$61,435	\$0	\$0

Bureau of Medical Services 0129

Initiative: Reallocates funding for 2 Office Associate II positions, one Paralegal position and one Nursing Education Consultant position from 50% Other Special Revenue Funds and 50% General Fund in the Division of Licensing and Regulatory Services program to 50% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program and 25% General Fund and 25% Federal Expenditures Fund in the Bureau of Medical Services program. Also transfers one Office Associate II position from the General Fund to the Federal Expenditures Fund within the Division of Licensing and Regulatory Services program and allocates 50% of its costs to that program and fund, 25% to the Bureau of Medical Services program, General Fund and 25% to the Bureau of Medical Services program, Federal Expenditures Fund.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$73,056	\$0	\$0
All Other	\$30,200	\$0	\$0
GENERAL FUND TOTAL	\$103,256	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$50,463	\$0	\$0
All Other	\$32,209	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$82,672	\$0	\$0

Bureau of Medical Services 0129

Initiative: Reduces funding as a result of available funding in the Bureau of Medical Services Federal Block Grant Fund account. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,000,000)	\$0	\$0
GENERAL FUND TOTAL	(\$7,000,000)	\$0	\$0

Bureau of Medical Services 0129

Initiative: Eliminates one Health Services Consultant position and one Social Services Program Specialist I position that are currently vacant and one Office Associate II position, one Community Care Worker position and one Social Services Program Specialist I position effective April 8, 2009.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	(\$55,478)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$55,478)	\$0	\$0

Bureau of Medical Services 0129

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor. Any such adjustments made are to be considered adjustments to appropriation.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$800,000)	\$0	\$0

GENERAL FUND TOTAL	2008-09	2009-10	2010-11
	(\$800,000)	\$0	\$0

Cerebral Palsy Centers - Grants to 0107

Initiative: Reduces funding by eliminating contracts.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$18,900)	\$0	\$0
GENERAL FUND TOTAL	(\$18,900)	\$0	\$0

Child Support 0100

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor. Any such adjustments made are to be considered adjustments to appropriation.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$100,000)	\$0	\$0
GENERAL FUND TOTAL	(\$100,000)	\$0	\$0

Cystic Fibrosis - Treatment of 0167

Initiative: Reduces funding by eliminating contracts.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$5,323)	\$0	\$0
GENERAL FUND TOTAL	(\$5,323)	\$0	\$0

Disability Determination - Division of 0208

Initiative: Provides funding for increased case processing and medical consultation costs.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$500,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$500,000	\$0	\$0

Disability Determination - Division of 0208

Initiative: Eliminates one part-time Disability Claims Adjudicator position, one Medical Support Specialist Translator position and one Office Assistant II position in the Disability Determination - Division of program and one Office Assistant II position in the OMB Division of Regional Business Operations program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,500)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Division of Administrative Hearings Z038

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$9,351	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,351	\$0	\$0

Division of Licensing and Regulatory Services Z036

Initiative: Transfers positions and reallocates position costs to provide for the operational needs of the Division of Licensing and Regulatory Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	0.000	0.000
Personal Services	\$184,795	\$0	\$0
GENERAL FUND TOTAL	\$184,795	\$0	\$0
FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
Personal Services	(\$221,257)	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	(\$221,257)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$44,716	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$44,716	\$0	\$0
FEDERAL BLOCK GRANT FUND	2008-09	2009-10	2010-11
Personal Services	(\$5,895)	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	(\$5,895)	\$0	\$0

Division of Licensing and Regulatory Services Z036

Initiative: Reallocates funding for 2 Office Associate II positions, one Paralegal position and one Nursing Education Consultant position from 50% Other Special Revenue Funds and 50% General Fund in the Division of Licensing and Regulatory Services program to 50% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program and 25% General Fund and 25% Federal Expenditures Fund in the Bureau of Medical Services program. Also transfers one Office Associate II position from the General Fund to the Federal Expenditures Fund within the Division of Licensing and Regulatory Services program and allocates 50% of its costs to that program and fund, 25% to the Bureau of Medical Services program, General Fund and 25% to the Bureau of Medical Services program, Federal Expenditures Fund.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$146,089)	\$0	\$0
All Other	(\$72,400)	\$0	\$0
GENERAL FUND TOTAL	(\$218,489)	\$0	\$0
FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$22,570	\$0	\$0
All Other	\$12,861	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$35,431	\$0	\$0

Division of Licensing and Regulatory Services Z036

Initiative: Eliminates one Health Services Consultant position and one Social Services Program Specialist I position that are currently vacant and one Office Associate II position, one Community Care Worker position and one Social Services Program Specialist I position effective April 8, 2009.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5.000)	0.000	0.000
Personal Services	(\$84,420)	\$0	\$0
GENERAL FUND TOTAL	(\$84,420)	\$0	\$0
FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	(\$6,963)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$6,963)	\$0	\$0

Division of Licensing and Regulatory Services Z036

Initiative: Reduces funding from salary savings to offset an appropriation to the Elizabeth Levinson Center.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$125,000)	\$0	\$0
GENERAL FUND TOTAL	(\$125,000)	\$0	\$0

Division of Purchased Services Z035

Initiative: Reduces funding from salary savings to offset an appropriation to the Elizabeth Levinson Center.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$50,000)	\$0	\$0

GENERAL FUND TOTAL	(\$50,000)	\$0	\$0
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FHM - Bureau of Health 0953

Initiative: Reallocates funding for one Public Service Manager I position and 3 Public Service Coordinator II positions from 100% Federal Expenditures Fund in the Bureau of Health program to 33.3% Federal Expenditures Fund in the Bureau of Health program, 33.3% Other Special Revenue Funds in the FHM - Bureau of Health program and 33.4% General Fund in the Maternal and Child Health Block Grant Match program. Personal Services costs in the FHM - Bureau of Health program are offset by a reduction in the All Other line category.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$122,436	\$0	\$0
All Other	(\$122,436)	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0	\$0

FHM - Bureau of Health 0953

Initiative: Provides funding for Personal Services shortfalls.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$10,411	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$10,411	\$0	\$0

FHM - Bureau of Medical Services 0955

Initiative: Provides funding for Personal Services shortfalls.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$13,797	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$13,797	\$0	\$0

FHM - Service Center 0957

Initiative: Provides funding for Personal Services shortfalls.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$16,156	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$16,156	\$0	\$0

Food Stamps Administration Z019

Initiative: Provides funding to automate and streamline the direct certification process.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$50,004	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$50,004	\$0	\$0

Food Stamps Administration Z019

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,729	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,729	\$0	\$0

Health - Bureau of 0143

Initiative: Provides funding for grants as a result of additional revenue available from the Robert Wood Johnson Foundation for the "Common Ground" initiative.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$100,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$0	\$0

Health - Bureau of 0143

Initiative: Reallocates funding for one Public Service Manager I position and 3 Public Service Coordinator II positions from 100% Federal Expenditures Fund in the Bureau of Health program to 33.3% Federal Ex-

penditures Fund in the Bureau of Health program, 33.3% Other Special Revenue Funds in the FHM - Bureau of Health program and 33.4% General Fund in the Maternal and Child Health Block Grant Match program. Personal Services costs in the FHM - Bureau of Health program are offset by a reduction in the All Other line category.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	(\$244,990)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$244,990)	\$0	\$0

Health - Bureau of 0143

Initiative: Provides funding to cover increased costs of information technology and staff operating costs.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$25,700	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,700	\$0	\$0

Health - Bureau of 0143

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor. Any such adjustments made are to be considered adjustments to appropriation.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$200,000)	\$0	\$0
GENERAL FUND TOTAL	(\$200,000)	\$0	\$0

Health - Bureau of 0143

Initiative: Reduces funding for a contract for HIV prevention. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$19,600)	\$0	\$0

GENERAL FUND	(\$19,600)	\$0	\$0
TOTAL			

Independent Housing with Services 0211

Initiative: Provides funding to ensure financially sustainable assisted living facilities beginning July 1, 2008.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,541,667	\$0	\$0

GENERAL FUND	\$1,541,667	\$0	\$0
TOTAL			

Independent Housing with Services 0211

Initiative: Reduces funding due to anticipated savings based on the rate of expenditures during the first half of fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$44,000)	\$0	\$0

GENERAL FUND	(\$44,000)	\$0	\$0
TOTAL			

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides funding for community intervention services to increase baseline funding as a result of additional earned revenue available in this program.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$1,700,000	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	\$1,700,000	\$0	\$0
TOTAL			

IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding by eliminating reimbursement for private attorneys for foster care adoptions. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$54,375)	\$0	\$0

GENERAL FUND	(\$54,375)	\$0	\$0
TOTAL			

IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding by eliminating reimbursement for fingerprinting and criminal background checks for prospective foster and adoptive parents. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$30,000)	\$0	\$0

GENERAL FUND	(\$30,000)	\$0	\$0
TOTAL			

Long Term Care - Human Services 0420

Initiative: Reduces funding for assessing and providing care management to people receiving state-funded home care services and slows the rate of taking people off the waiting list for services effective January 1, 2009. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$409,000)	\$0	\$0

GENERAL FUND	(\$409,000)	\$0	\$0
TOTAL			

Maternal and Child Health Block Grant Match 2008

Initiative: Reallocates funding for one Public Service Manager I position and 3 Public Service Coordinator II positions from 100% Federal Expenditures Fund in the Bureau of Health program to 33.3% Federal Expenditures Fund in the Bureau of Health program, 33.3% Other Special Revenue Funds in the FHM - Bureau of Health program and 33.4% General Fund in the Maternal and Child Health Block Grant Match program. Personal Services costs in the FHM - Bureau of Health program are offset by a reduction in the All Other line category.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$122,554	\$0	\$0

GENERAL FUND	\$122,554	\$0	\$0
TOTAL			

Medical Care - Payments to Providers 0147

Initiative: Provides funding to continue services at private nonmedical institutions. The corresponding state funding increase is in the Office of Substance Abuse - Medicaid Seed program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
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All Other	\$457,788	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$457,788	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to account for rebates for durable medical equipment.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$428,000)	\$0	\$0
GENERAL FUND TOTAL	(\$428,000)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$428,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$428,000	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for care management for people receiving MaineCare-funded home care services effective January 1, 2009. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$62,600)	\$0	\$0
GENERAL FUND TOTAL	(\$62,600)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$175,892)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$175,892)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding based on increased 3rd-party liability collections for pharmacy expenditures. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$70,000)	\$0	\$0
GENERAL FUND TOTAL	(\$70,000)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for the proper accounting of Medicare Part B premium payments for the qualified individual population. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,339,789)	\$0	\$0
GENERAL FUND TOTAL	(\$4,339,789)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$4,339,789	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$4,339,789	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by paying residential care facility reimbursement under the MaineCare program during the first week of July 2009 for 3 weekly payments that would otherwise have been paid in June 2009. Beginning July 1, 2009, residential care facilities will be paid on the facilities' regular payment cycles. Beginning when the Maine Integrated Health Management Solution computer system is operational in 2010 or March 1, 2010, whichever is sooner, residential care facilities will be paid on a monthly basis.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,975,700)	\$0	\$0
GENERAL FUND TOTAL	(\$2,975,700)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$5,565,357)	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	(\$5,565,357)	\$0	\$0
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Medical Care - Payments to Providers 0147

Initiative: Adjusts funding by amending the Home and Community Based Benefits for the Physically Disabled Waiver to receive federal match on personal care assistance services.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$210,060)	\$0	\$0
GENERAL FUND TOTAL	(\$210,060)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$680,325	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$680,325	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$880,059)	\$0	\$0
GENERAL FUND TOTAL	(\$880,059)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$880,059	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$880,059	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Deappropriates and deallocates funds to reduce MaineCare reimbursement for hospital-based physicians to approximately 70% of Medicare rates for the professional fee component effective February 1, 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$1,947,490)	\$0	\$0
GENERAL FUND TOTAL	(\$1,947,490)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$3,482,353)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$3,482,353)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Deappropriates and deallocates funds to reflect the delay of one hospital MaineCare prospective interim payment cycle from fiscal year 2008-09 until the first week of fiscal year 2009-10.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,600,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,600,000)	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$4,649,122)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$4,649,122)	\$0	\$0

Medical Care - Payments To Providers - Non Match 0997

Initiative: Reduces funding provided in Public Law 2007, chapter 539 for community programs that were to be impacted by federal changes to targeted case management. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$6,648,675)	\$0	\$0
GENERAL FUND TOTAL	(\$6,648,675)	\$0	\$0

Nursing Facilities 0148

Initiative: Reduces funding by paying nursing facility reimbursement under the MaineCare program during the first week of July 2009 for 3 weekly payments that would otherwise have been paid in June 2009. Beginning July 1, 2009, nursing facilities will be paid on the facilities' regular payment cycles. Beginning when the Maine Integrated Health Management Solution computer system is operational in 2010 or March 1, 2010, whichever is sooner, nursing facilities will be paid on a monthly basis.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,024,300)	\$0	\$0
GENERAL FUND TOTAL	(\$4,024,300)	\$0	\$0
FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	(\$7,283,090)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$7,283,090)	\$0	\$0

Nursing Facilities 0148

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee reprojections.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$566,642	\$0	\$0
GENERAL FUND TOTAL	\$566,642	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$566,642)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$566,642)	\$0	\$0

Nursing Facilities 0148

Initiative: Notwithstanding the Maine Revised Statutes, Title 22, section 333-A, reduces funding on a one-time basis in the nursing facility MaineCare funding pool.

GENERAL FUND	2008-09	2009-10	2010-11

All Other	(\$300,000)	\$0	\$0
GENERAL FUND TOTAL	(\$300,000)	\$0	\$0

Office of Integrated Access and Support - Central Office Z020

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$831	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$831	\$0	\$0

Office of Management and Budget 0142

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$15,326	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,326	\$0	\$0

Office of Management and Budget 0142

Initiative: Reduces funding from salary savings to offset an appropriation to the Elizabeth Levinson Center.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$75,000)	\$0	\$0
GENERAL FUND TOTAL	(\$75,000)	\$0	\$0

OMB Division of Regional Business Operations 0196

Initiative: Provides funding for facility needs at Department of Health and Human Services sites.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$133,038	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$133,038	\$0	\$0

OMB Division of Regional Business Operations 0196

Initiative: Reduces funding from savings achieved by managing vacancies. Notwithstanding any other provision of law, if necessary, the department is authorized to adjust the amount of savings related to this initiative among its accounts in the Personal Services line category by financial order upon the approval of the State Budget Officer and the Governor. Any such adjustments made are to be considered adjustments to appropriation.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$250,000)	\$0	\$0
GENERAL FUND TOTAL	(\$250,000)	\$0	\$0

OMB Division of Regional Business Operations 0196

Initiative: Eliminates one part-time Disability Claims Adjudicator position, one Medical Support Specialist Translator position and one Office Assistant II position in the Disability Determination - Division of program and one Office Assistant II position in the OMB Division of Regional Business Operations program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Purchased Social Services 0228

Initiative: Provides funding to restore an allocation that was reduced in error.

FEDERAL BLOCK GRANT FUND	2008-09	2009-10	2010-11
All Other	\$1,000,000	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$1,000,000	\$0	\$0

Purchased Social Services 0228

Initiative: Transfers one Social Services Program Specialist I position and related All Other from the Fed-

eral Block Grant Fund to the General Fund and transfers one Social Services Program Specialist I position from the General Fund to the Federal Block Grant Fund within the Purchased Social Services program.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$394)	\$0	\$0
GENERAL FUND TOTAL	(\$394)	\$0	\$0

FEDERAL BLOCK GRANT FUND	2008-09	2009-10	2010-11
Personal Services	\$394	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$394	\$0	\$0

Purchased Social Services 0228

Initiative: Reduces funding for parent education and youth employment contracts. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,000)	\$0	\$0
GENERAL FUND TOTAL	(\$100,000)	\$0	\$0

Purchased Social Services 0228

Initiative: Reduces funding provided for Florence House due to a delay in the program's opening.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$419,000)	\$0	\$0
GENERAL FUND TOTAL	(\$419,000)	\$0	\$0

State Supplement to Federal Supplemental Security Income 0131

Initiative: Reduces funding no longer necessary to meet fiscal year 2008-09 expenditure requirements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$715,968)	\$0	\$0
GENERAL FUND TOTAL	(\$715,968)	\$0	\$0

State-Funded Foster Care/Adoption Assistance 0139

Initiative: Reduces funding due to projected savings in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,900,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,900,000)	\$0	\$0

State-Funded Foster Care/Adoption Assistance 0139

Initiative: Eliminates funding for contracted home studies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$150,000)	\$0	\$0
GENERAL FUND TOTAL	(\$150,000)	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$35,458,228)	\$0	\$0
FEDERAL EXPENDITURES FUND	(\$16,161,688)	\$0	\$0
FUND FOR A HEALTHY MAINE	\$40,364	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$2,770,379	\$0	\$0
FEDERAL BLOCK GRANT FUND	\$994,499	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$47,814,674)	\$0	\$0

HISTORIC PRESERVATION COMMISSION, MAINE

Historic Preservation Commission 0036

Initiative: Reduces funding from savings through the management of position vacancies. This initiative re-

lates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$7,201)	\$0	\$0
GENERAL FUND TOTAL	(\$7,201)	\$0	\$0

Historic Preservation Commission 0036

Initiative: Reduces funding for operating expenses and office supplies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,298)	\$0	\$0
GENERAL FUND TOTAL	(\$8,298)	\$0	\$0

Historic Preservation Commission 0036

Initiative: Eliminates 4 seasonal Museum Technician I positions. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - FTE COUNT	(2,000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

HISTORIC PRESERVATION COMMISSION, MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$15,499)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$15,499)	\$0	\$0

HISTORICAL SOCIETY, MAINE

Historical Society 0037

Initiative: Reduces funding for grant expenditures. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,782)	\$0	\$0
GENERAL FUND TOTAL	(\$2,782)	\$0	\$0

HISTORICAL SOCIETY, MAINE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$2,782)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$2,782)	\$0	\$0

HOSPICE COUNCIL, MAINE

Maine Hospice Council 0663

Initiative: Reduces funding for general operations and volunteer programs. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,545)	\$0	\$0
GENERAL FUND TOTAL	(\$3,545)	\$0	\$0

HOSPICE COUNCIL, MAINE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$3,545)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$3,545)	\$0	\$0

HOUSING AUTHORITY, MAINE STATE

Housing Authority - State 0442

Initiative: Reduces funding to stay within available resources.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$8,776,035)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	2008-09	2009-10	2010-11
	(\$8,776,035)	\$0	\$0

Shelter Operating Subsidy 0661

Initiative: Reduces funding for homeless shelters. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$23,542)	\$0	\$0
GENERAL FUND TOTAL	(\$23,542)	\$0	\$0

HOUSING AUTHORITY, MAINE STATE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$23,542)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$8,776,035)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$8,799,577)	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: Reduces funding for professional services, travel, rents, repairs, insurance, general operations, technology and office and other supplies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$32,280)	\$0	\$0
GENERAL FUND TOTAL	(\$32,280)	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$32,280)	\$0	\$0

DEPARTMENT	(\$32,280)	\$0	\$0
TOTAL - ALL FUNDS			

HUMANITIES COUNCIL, MAINE

Humanities Council 0942

Initiative: Reduces funding for matching grants to community organizations to provide public programs in community history, literature and literacy and other humanities areas. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,309)	\$0	\$0

GENERAL FUND TOTAL	(\$3,309)	\$0	\$0
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HUMANITIES COUNCIL, MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
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GENERAL FUND	(\$3,309)	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$3,309)	\$0	\$0
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$6,702	\$0	\$0

GENERAL FUND TOTAL	\$6,702	\$0	\$0
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Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$7,786	\$0	\$0

GENERAL FUND TOTAL	\$7,786	\$0	\$0
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Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Provides funding to fully restore the department's cost for support services from the Natural Resources Service Center for fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$25,671	\$0	\$0

GENERAL FUND TOTAL	\$25,671	\$0	\$0
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Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding for a variety of operations-related activities. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$145,042)	\$0	\$0

GENERAL FUND TOTAL	(\$145,042)	\$0	\$0
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ATV Safety and Educational Program 0559

Initiative: Reduces funding for out-of-state travel and clothing expenditures. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$400)	\$0	\$0

GENERAL FUND TOTAL	(\$400)	\$0	\$0
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Endangered Nongame Operations 0536

Initiative: Reallocates one Biologist I position and one Programmer Analyst position from 100% Endangered Nongame Operations program, Other Special Revenue Funds to 30% Endangered Nongame Operations program, Other Special Revenue Funds and 70% Resource Management Services - Inland Fisheries and Wildlife, Federal Expenditures Fund.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	(\$105,177)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$105,177)	\$0	\$0
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Endangered Nongame Operations 0536

Initiative: Reallocates one Biologist III position from 99% Other Special Revenue Funds and 1% Federal Expenditures Fund in the Endangered Nongame Operations program to 30% Other Special Revenue Funds in the Endangered Nongame Operations program and 70% Federal Expenditures Fund in the Resources Management Services - Inland Fisheries and Wildlife program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	(\$983)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$983)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	(\$67,915)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$67,915)	\$0	\$0

Endangered Nongame Operations 0536

Initiative: Reallocates 4 Biologist I positions from 100% Other Special Revenue Funds to 50% Other Special Revenue Funds and 50% Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$145,401	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$145,401	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	(\$145,401)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$145,401)	\$0	\$0
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Endangered Nongame Operations 0536

Initiative: Reallocates one Biologist II position and one Biologist III position from 49% Endangered Nongame Operations program, Other Special Revenue Funds and 51% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund to 30% Endangered Nongame Operations program, Other Special Revenue Funds and 70% Resource Management Services program, Federal Expenditures Fund.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	(\$34,887)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$34,887)	\$0	\$0

Endangered Nongame Operations 0536

Initiative: Reallocates one Cartographer position and 2 Biologist II positions from 25% Other Special Revenue Funds and 75% Federal Expenditures Fund to 50% Other Special Revenue Funds and 50% Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	(\$56,111)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$56,111)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$56,111	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,111	\$0	\$0

Endangered Nongame Operations 0536

Initiative: Reallocates one Biologist III position from 30% General Fund and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program to 30% General Fund and 45% Federal Expenditures Fund in the Resource

Management Services - Inland Fisheries and Wildlife program and 13% Federal Expenditures Fund and 12% Other Special Revenue Funds in the Endangered Nongame Operations program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$12,100	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$12,100	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$11,167	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,167	\$0	\$0

Endangered Nongame Operations 0536

Initiative: Provides funding to adjust for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and ATVs based on the rate projected by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,458	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,458	\$0	\$0

Endangered Nongame Operations 0536

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$95	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$95	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11

All Other	\$355	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$355	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Reorganizes one Secretary position to one Secretary Associate position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$960	\$0	\$0
All Other	(\$960)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$3,610	\$0	\$0
GENERAL FUND TOTAL	\$3,610	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$979	\$0	\$0
GENERAL FUND TOTAL	\$979	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding to adjust for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and ATVs based on the rate projected by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$2,507	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$2,507	\$0	\$0
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Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$230,750)	\$0	\$0
GENERAL FUND TOTAL	(\$230,750)	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Eliminates funding for out-of-state travel. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,000)	\$0	\$0
GENERAL FUND TOTAL	(\$4,000)	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Reduces funding for the purchase of clothing. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$25,000)	\$0	\$0
GENERAL FUND TOTAL	(\$25,000)	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$13,749	\$0	\$0
GENERAL FUND TOTAL	\$13,749	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$8,892	\$0	\$0
GENERAL FUND TOTAL	\$8,892	\$0	\$0
FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,901	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,901	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding to adjust for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and ATVs based on the rate projected by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,402	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,402	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$181	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$181	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11

Personal Services	(\$6,500)	\$0	\$0
GENERAL FUND	(\$6,500)	\$0	\$0
TOTAL			

Fisheries and Hatcheries Operations 0535

Initiative: Reduces funding by charging the Federal Expenditures Fund for a portion of Personal Services associated with one Director Veterinarian Service position and one Microbiologist II position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$66,661)	\$0	\$0
GENERAL FUND	(\$66,661)	\$0	\$0
TOTAL			

Fisheries and Hatcheries Operations 0535

Initiative: Reduces funding for a variety of operations-related activities. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$132,839)	\$0	\$0
GENERAL FUND	(\$132,839)	\$0	\$0
TOTAL			

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Reduces funding for out-of-state travel. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$500)	\$0	\$0
GENERAL FUND	(\$500)	\$0	\$0
TOTAL			

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Reduces funding to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,500)	\$0	\$0
GENERAL FUND	(\$2,500)	\$0	\$0
TOTAL			

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Eliminates funding for the printing of the Maine Revised Statutes, Title 12, Part 13 and the printing and distribution of boating and ATV law books. This funding will be replaced by a one-time transfer from the carrying account. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$51,545)	\$0	\$0
GENERAL FUND	(\$51,545)	\$0	\$0
TOTAL			

Public Information and Education, Division of 0729

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$309	\$0	\$0
GENERAL FUND	\$309	\$0	\$0
TOTAL			

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$1,929	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,929	\$0	\$0
TOTAL			

Public Information and Education, Division of 0729

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$690	\$0	\$0
GENERAL FUND	\$690	\$0	\$0
TOTAL			

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,852	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$2,852	\$0	\$0
TOTAL			

Public Information and Education, Division of 0729

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$159	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$159	\$0	\$0

Public Information and Education, Division of 0729

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$48,750)	\$0	\$0
GENERAL FUND TOTAL	(\$48,750)	\$0	\$0

Public Information and Education, Division of 0729

Initiative: Reduces funding for a variety of operational activities. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$91,781)	\$0	\$0
GENERAL FUND TOTAL	(\$91,781)	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist I position and one Programmer Analyst position from 100% Endangered Nongame Operations program, Other Special Revenue Funds to 30% Endangered Nongame Operations program, Other Special Revenue Funds and 70% Resource Management Services - Inland Fisheries and Wildlife, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$105,177	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$105,177	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist III position from 99% Other Special Revenue Funds and 1% Federal Expenditures Fund in the Endangered Nongame Operations program to 30% Other Special Revenue Funds in the Endangered Nongame Operations program and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$68,898	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$68,898	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist II position and one Biologist III position from 49% Endangered Nongame Operations program, Other Special Revenue Funds and 51% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund to 30% Endangered Nongame Operations program, Other Special Revenue Funds and 70% Resource Management Services program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$34,887	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$34,887	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist III position from 30% General Fund and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program to 30% General Fund and 45% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program and 13% Federal Expenditures Fund and 12% Other Special Revenue Funds in the Endangered Nongame Operations program.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$105,177	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$105,177	\$0	\$0

Personal Services	(\$23,267)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$23,267)	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$79	\$0	\$0
GENERAL FUND TOTAL	\$79	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$235	\$0	\$0
GENERAL FUND TOTAL	\$235	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding to adjust for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and ATVs based on the rate projected by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,029	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,029	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$406	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$406	\$0	\$0
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reduces funding for a variety of positions. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$192,197)	\$0	\$0
GENERAL FUND TOTAL	(\$192,197)	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$39,000)	\$0	\$0
GENERAL FUND TOTAL	(\$39,000)	\$0	\$0

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reduces funding for a variety of operations-related activities. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$18,043)	\$0	\$0
GENERAL FUND TOTAL	(\$18,043)	\$0	\$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
GENERAL FUND	(\$986,806)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$294,675	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	(\$280,401)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$972,532)	\$0	\$0

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Establishes one part-time limited-period Project Coordinator position. The position will end June 18, 2011.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$18,932	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$18,932	\$0	\$0

FHM - Judicial Department 0963

Initiative: Provides funding to cover the projected shortfall in Personal Services in fiscal year 2008-09 due to collective bargaining.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$7,935	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$7,935	\$0	\$0

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$18,932	\$0	\$0
FUND FOR A HEALTHY MAINE	\$7,935	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$26,867	\$0	\$0

LABOR, DEPARTMENT OF

Administration - Labor 0030

Initiative: Eliminates one Customer Representative Associate I Employment position, one Public Service Manager II position, one Education Specialist III position, one Employment and Training Specialist III position and one Program Manager Employment and Training position in the Employment Services Activity program; one Inventory and Property Assistant position and one Management Analyst II position in the Administration - Labor program; and one Office Associate I position and one part-time Unemployment Compensation Regional Manager position in the Employment Security Services program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Blind and Visually Impaired - Division for the 0126

Initiative: Reduces funding for vocational rehabilitation services to people who are blind or visually impaired. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$40,850)	\$0	\$0
GENERAL FUND TOTAL	(\$40,850)	\$0	\$0

Blind and Visually Impaired - Division for the 0126

Initiative: Reduces funding for the program for older blind adults. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$79,906)	\$0	\$0
GENERAL FUND TOTAL	(\$79,906)	\$0	\$0

Employment Security Services 0245

Initiative: Eliminates one Customer Representative Associate I Employment position, one Public Service Manager II position, one Education Specialist III posi-

tion, one Employment and Training Specialist III position and one Program Manager Employment and Training position in the Employment Services Activity program; one Inventory and Property Assistant position and one Management Analyst II position in the Administration - Labor program; and one Office Associate I position and one part-time Unemployment Compensation Regional Manager position in the Employment Security Services program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,500)	0,000	0,000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Employment Services Activity 0852

Initiative: Adjusts funding in the Governor's Training Initiative program and in the Employment Services Activities program in order to charge expenditures to the appropriate fund. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$70,280	\$0	\$0
All Other	(\$70,280)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Employment Services Activity 0852

Initiative: Reduces funding due to the realization of savings resulting from the transfer of contract costs to a federal grant. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$76,000)	\$0	\$0
GENERAL FUND TOTAL	(\$76,000)	\$0	\$0

Employment Services Activity 0852

Initiative: Eliminates one Customer Representative Associate I Employment position, one Public Service

Manager II position, one Education Specialist III position, one Employment and Training Specialist III position and one Program Manager Employment and Training position in the Employment Services Activity program; one Inventory and Property Assistant position and one Management Analyst II position in the Administration - Labor program; and one Office Associate I position and one part-time Unemployment Compensation Regional Manager position in the Employment Security Services program. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5,000)	0,000	0,000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Governor's Training Initiative Program 0842

Initiative: Adjusts funding in the Governor's Training Initiative program and in the Employment Services Activities program in order to charge expenditures to the appropriate fund. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$70,280)	\$0	\$0
GENERAL FUND TOTAL	(\$70,280)	\$0	\$0

Governor's Training Initiative Program 0842

Initiative: Reduces funding due to the realization of savings resulting from the transfer of contract costs to a federal grant. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$61,691)	\$0	\$0
GENERAL FUND TOTAL	(\$61,691)	\$0	\$0

Governor's Training Initiative Program 0842

Initiative: Reduces funding available from fiscal year 2007-08 Personal Services balance. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$24,000)	\$0	\$0
GENERAL FUND TOTAL	(\$24,000)	\$0	\$0

Governor's Training Initiative Program 0842

Initiative: Reduces funding for the Governor's Training Initiative program.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$143,381)	\$0	\$0
GENERAL FUND TOTAL	(\$143,381)	\$0	\$0

Labor Relations Board 0160

Initiative: Reduces funding from savings through the management of position vacancies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$24,000)	\$0	\$0
GENERAL FUND TOTAL	(\$24,000)	\$0	\$0

Maine Centers for Women, Work and Community 0132

Initiative: Reduces funding for the Maine Centers for Women, Work and Community program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$24,928)	\$0	\$0
GENERAL FUND TOTAL	(\$24,928)	\$0	\$0

Rehabilitation Services 0799

Initiative: Reduces funding for vocational rehabilitation services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$77,603)	\$0	\$0
GENERAL FUND TOTAL	(\$77,603)	\$0	\$0

Rehabilitation Services 0799

Initiative: Reduces funding for 3 months' costs for one Rehabilitation Services Manager position that is serving temporarily in a federal position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$17,000)	\$0	\$0
GENERAL FUND TOTAL	(\$17,000)	\$0	\$0

LABOR, DEPARTMENT OF DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
GENERAL FUND	(\$639,639)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$639,639)	\$0	\$0

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: Eliminates one Customer Representative Assistant II position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
Personal Services	(\$36,260)	\$0	\$0

GENERAL FUND TOTAL	(\$36,260)	\$0	\$0
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Maine State Library 0217

Initiative: Eliminates one Librarian Section Supervisor position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
Personal Services	(\$67,733)	\$0	\$0

GENERAL FUND	(\$67,733)	\$0	\$0
TOTAL			

Maine State Library 0217

Initiative: Eliminates one Statistician I position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$55,474)	\$0	\$0
GENERAL FUND TOTAL	(\$55,474)	\$0	\$0

Maine State Library 0217

Initiative: Reduces funding for book collection expenditures. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,424)	\$0	\$0
GENERAL FUND TOTAL	(\$8,424)	\$0	\$0

Statewide Library Information System 0185

Initiative: Reduces funding for online databases. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$25,000)	\$0	\$0
GENERAL FUND TOTAL	(\$25,000)	\$0	\$0

LIBRARY, MAINE STATE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$192,891)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$192,891)	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management 0027

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$39,071	\$0	\$0
GENERAL FUND TOTAL	\$39,071	\$0	\$0

Bureau of Resource Management 0027

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$23,281	\$0	\$0
GENERAL FUND TOTAL	\$23,281	\$0	\$0

Bureau of Resource Management 0027

Initiative: Reduces funding for a variety of operational activities of this program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$111,880)	\$0	\$0
GENERAL FUND TOTAL	(\$111,880)	\$0	\$0

Bureau of Resource Management 0027

Initiative: Eliminates funding for a research contract with the University of Maine. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$14,000)	\$0	\$0
GENERAL FUND TOTAL	(\$14,000)	\$0	\$0

Division of Administrative Services 0258

Initiative: Provides funding for subscription services provided by the Office of Information Technology for the Bureau of Sea Run Fisheries computer replacement needs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$3,960	\$0	\$0

GENERAL FUND	\$3,960	\$0	\$0
TOTAL			

Division of Administrative Services 0258

Initiative: Reorganizes one Resource Administrator position to one Public Service Coordinator I position within the same program.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$722	\$0	\$0
All Other	(\$722)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Division of Administrative Services 0258

Initiative: Reduces funding for subscription rates for marine patrol laptops. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$6,440)	\$0	\$0
GENERAL FUND TOTAL	(\$6,440)	\$0	\$0

Division of Community Resource Development 0043

Initiative: Reduces funding for 4 positions within this program. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$166,263)	\$0	\$0
GENERAL FUND TOTAL	(\$166,263)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding for truck leases by eliminating 3 of the 4 spare marine patrol trucks. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$3,336)	\$0	\$0
GENERAL FUND TOTAL	(\$3,336)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding for 50% of all marine patrol pagers, and by delaying the routine purchase of uniforms. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$1,208)	\$0	\$0
GENERAL FUND TOTAL	(\$1,208)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding by decreasing the number of annual firearm qualification events from 3 to 2, and by delaying the routine purchase of uniforms. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,500)	\$0	\$0
GENERAL FUND TOTAL	(\$2,500)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding for insurance obligations. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$6,850)	\$0	\$0
GENERAL FUND TOTAL	(\$6,850)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding for miles driven by all marine patrol officers in their respective patrol areas. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$30,000)	\$0	\$0
GENERAL FUND TOTAL	(\$30,000)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$69,667)	\$0	\$0
GENERAL FUND TOTAL	(\$69,667)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding for one Public Service Manager II position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$49,337)	\$0	\$0
GENERAL FUND TOTAL	(\$49,337)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding for one Marine Mechanic Specialist position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$15,813)	\$0	\$0
GENERAL FUND TOTAL	(\$15,813)	\$0	\$0

Sea Run Fisheries and Habitat Z049

Initiative: Eliminates funding for one pool vehicle, reducing the Central Fleet Management monthly lease fees. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,120)	\$0	\$0
GENERAL FUND TOTAL	(\$4,120)	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$415,102)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	2008-09	2009-10	2010-11
	(\$415,102)	\$0	\$0

MARITIME ACADEMY, MAINE

Maritime Academy - Operations 0035

Initiative: Reduces funding from an institution-wide curtailment of spending. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$476,374)	\$0	\$0
GENERAL FUND TOTAL	(\$476,374)	\$0	\$0

MARITIME ACADEMY, MAINE DEPARTMENT TOTALS

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$476,374)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$476,374)	\$0	\$0

MUNICIPAL BOND BANK, MAINE

Maine Municipal Bond Bank - Maine Rural Water Association 0699

Initiative: Reduces funding for support of the Maine Rural Water Association. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$4,300)	\$0	\$0
GENERAL FUND TOTAL	(\$4,300)	\$0	\$0

MUNICIPAL BOND BANK, MAINE DEPARTMENT TOTALS

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$4,300)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$4,300)	\$0	\$0

MUSEUM, MAINE STATE

Maine State Museum 0180

Initiative: Eliminates 2 part-time Museum Technician I positions. These positions will end on March 7, 2009. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$9,934)	\$0	\$0
GENERAL FUND TOTAL	(\$9,934)	\$0	\$0

Maine State Museum 0180

Initiative: Reduces funding for operating expenses as a result of reducing personnel and decreasing funds available for the purchase of exhibit maintenance, construction and office supplies. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$26,599)	\$0	\$0
GENERAL FUND TOTAL	(\$26,599)	\$0	\$0

Maine State Museum 0180

Initiative: Eliminates one part-time Office Associate II position. This position will end on March 7, 2009.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	0.000	0.000
Personal Services	(\$6,778)	\$0	\$0
GENERAL FUND TOTAL	(\$6,778)	\$0	\$0

Maine State Museum 0180

Initiative: Eliminates one part-time Museum Technician I position. This position will end on March 7, 2009.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	0.000	0.000
Personal Services	(\$6,417)	\$0	\$0

GENERAL FUND TOTAL	2008-09	2009-10	2010-11	
	(\$6,417)	\$0	\$0	
MUSEUM, MAINE STATE DEPARTMENT TOTALS	GENERAL FUND	(\$49,728)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$49,728)	\$0	\$0	

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

Maine Joint Environmental Training Coordinating Committee 0980

Initiative: Reduces funding to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$493)	\$0	\$0
GENERAL FUND TOTAL	(\$493)	\$0	\$0

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$493)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$493)	\$0	\$0

PROPERTY TAX REVIEW, STATE BOARD OF Property Tax Review - State Board of 0357

Initiative: Reduces funding from savings in per diem from a reduction in hearings. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$4,999)	\$0	\$0
GENERAL FUND TOTAL	(\$4,999)	\$0	\$0
PROPERTY TAX REVIEW, STATE BOARD OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$4,999)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$4,999)	\$0	\$0

PUBLIC BROADCASTING CORPORATION, MAINE

Maine Public Broadcasting Corporation 0033

Initiative: Reduces funding through a further reduction in the workforce. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$116,823)	\$0	\$0
GENERAL FUND TOTAL	(\$116,823)	\$0	\$0

PUBLIC BROADCASTING CORPORATION, MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$116,823)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$116,823)	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety 0088

Initiative: Reduces funding from savings in health insurance and rent. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$2,100)	\$0	\$0

	2008-09	2009-10	2010-11
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$7,100)	\$0	\$0

Background Checks - Certified Nursing Assistants 0992

Initiative: Reduces funding from savings in general operations in the State Bureau of Identification's background checks for certified nursing assistants. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,000)	\$0	\$0
GENERAL FUND TOTAL	(\$8,000)	\$0	\$0

Capitol Security - Bureau of 0101

Initiative: Provides funding to maintain the computer-aided dispatch system and new radios for the Bureau of Capitol Security.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$23,971	\$0	\$0
GENERAL FUND TOTAL	\$23,971	\$0	\$0

Criminal Justice Academy 0290

Initiative: Provides funding for the increased cost of gasoline.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$7,929	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,929	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$2,100	\$0	\$0
GENERAL FUND TOTAL	\$2,100	\$0	\$0

Emergency Medical Services 0485

Initiative: Reduces funding by transferring expenditures to the Federal Expenditures Fund and Other Special Revenue Funds. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,515)	\$0	\$0
GENERAL FUND TOTAL	(\$100,515)	\$0	\$0

FHM - Drug Enforcement Agency Pilot Project N054

Initiative: Provides funding from the Fund for a Healthy Maine to the Maine Drug Enforcement Agency for the pilot program for the return of unused prescription drugs.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
All Other	\$150,000	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$150,000	\$0	\$0

FHM - Fire Marshal 0964

Initiative: Provides funding for Personal Services shortfalls.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$10,039	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$10,039	\$0	\$0

Fire Marshal - Office of 0327

Initiative: Provides funding for the increased cost of gasoline.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$106,058	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,058	\$0	\$0

Gambling Control Board Z002

Initiative: Reduces funding to bring the allocation into line with projected available resources based on the rejections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$163,330)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$163,330)	\$0	\$0

Gambling Control Board Z002

Initiative: Reduces funding from salary savings of one Clerk IV position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$48,210)	\$0	\$0
GENERAL FUND TOTAL	(\$48,210)	\$0	\$0

Gambling Control Board Z002

Initiative: Reduces funding for gambling addiction services. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$35,000)	\$0	\$0
GENERAL FUND TOTAL	(\$35,000)	\$0	\$0

Licensing and Enforcement - Public Safety 0712

Initiative: Eliminates one Office Assistant II position and one Public Safety Inspector I position associated with tournament gaming.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(2,000)	0.000	0.000
Personal Services	(\$88,172)	\$0	\$0
All Other	(\$8,600)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$96,772)	\$0	\$0

Liquor Enforcement 0293

Initiative: Reduces funding for an automated licensing system. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$21,000)	\$0	\$0
GENERAL FUND	(\$21,000)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$9,117	\$0	\$0
GENERAL FUND	\$9,117	\$0	\$0
TOTAL			

State Police 0291

Initiative: Adjusts funding for anticipated changes in utility costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$5,291	\$0	\$0
GENERAL FUND	\$5,291	\$0	\$0
TOTAL			

State Police 0291

Initiative: Provides funding for the increased cost of gasoline.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$129,876	\$0	\$0
GENERAL FUND	\$129,876	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding for overtime associated with training. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$13,200)	\$0	\$0
GENERAL FUND	(\$13,200)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding for out-of-state travel except for emergency investigative purposes. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$15,000)	\$0	\$0
GENERAL FUND	(\$15,000)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding for overtime in the State Bureau of Identification. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$23,100)	\$0	\$0
GENERAL FUND	(\$23,100)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding from savings in insurance premiums. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$10,000)	\$0	\$0
GENERAL FUND	(\$10,000)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$62,115)	\$0	\$0
GENERAL FUND	(\$62,115)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Eliminates one Communications Technician position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Turnpike Enforcement 0547

Initiative: Provides funding for the increased cost of gasoline.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$66,233	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,233	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$172,885)	\$0	\$0
FUND FOR A HEALTHY MAINE	\$160,039	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$79,882)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$92,728)	\$0	\$0

PUBLIC UTILITIES COMMISSION

Conservation Administration Fund 0966

Initiative: Eliminates one Environmental Engineer position in the Conservation Administration Fund program, Federal Expenditures Fund; one part-time Information Associate position, one part-time Laborer I position, one part-time Information System Support Specialist position, one Librarian II position and one Secretary Associate Legal position in the Public Utilities - Administrative Division program, Other Special Revenue Funds; and one Office Associate II position in the Emergency Services Communication Bureau program, Other Special Revenue Funds. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Conservation Program Fund 0967

Initiative: Transfers funding to the Maine Energy Conservation Board.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$140,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$140,000)	\$0	\$0

Emergency Services Communication Bureau 0994

Initiative: Eliminates one Environmental Engineer position in the Conservation Administration Fund program, Federal Expenditures Fund; one part-time Information Associate position, one part-time Laborer I position, one part-time Information System Support Specialist position, one Librarian II position and one Secretary Associate Legal position in the Public Utilities - Administrative Division program, Other Special Revenue Funds; and one Office Associate II position in the Emergency Services Communication Bureau program, Other Special Revenue Funds. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Public Utilities - Administrative Division 0184

Initiative: Eliminates one Environmental Engineer position in the Conservation Administration Fund program, Federal Expenditures Fund; one part-time Information Associate position, one part-time Laborer I position, one part-time Information System Support

Specialist position, one Librarian II position and one Secretary Associate Legal position in the Public Utilities - Administrative Division program, Other Special Revenue Funds; and one Office Associate II position in the Emergency Services Communication Bureau program, Other Special Revenue Funds. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.500)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

PUBLIC UTILITIES COMMISSION DEPARTMENT TOTALS	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	(\$140,000)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$140,000)	\$0	\$0

SACO RIVER CORRIDOR COMMISSION

Saco River Corridor Commission 0322

Initiative: Reduces funding for the water quality monitoring system. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,912)	\$0	\$0
GENERAL FUND TOTAL	(\$2,912)	\$0	\$0

SACO RIVER CORRIDOR COMMISSION DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$2,912)	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	2008-09	2009-10	2010-11
	(\$2,912)	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF Administration - Archives 0050

Initiative: Eliminates one Director, Division of State Archives position effective January 1, 2009. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
Personal Services	(\$33,902)	\$0	\$0

GENERAL FUND TOTAL	(\$33,902)	\$0	\$0
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Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for the federal Help America Vote Act of 2002. These funds will be transferred from the unappropriated surplus of the General Fund.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$30,263	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,263	\$0	\$0
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Bureau of Administrative Services and Corporations 0692

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$104,004)	\$0	\$0

GENERAL FUND TOTAL	(\$104,004)	\$0	\$0
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Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding to cover All Other short-falls related to general and referendum election postage and printing costs.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$72,945	\$0	\$0
GENERAL FUND TOTAL	\$72,945	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$64,961)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$30,263	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$34,698)	\$0	\$0

TREASURER OF STATE, OFFICE OF Administration - Treasury 0022

Initiative: Eliminates one Accounting Technician position. Savings will be used to offset collective bargaining costs in fiscal year 2008-09.

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Administration - Treasury 0022

Initiative: Provides funding for banking services formerly paid through compensating balances held by the financial institution. A shift in the level of funds invested with the financial institution for investment through the cash pool will result in a projected increase in investment earnings to General Fund undedicated revenue of \$338,393 in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$260,000	\$0	\$0
GENERAL FUND TOTAL	\$260,000	\$0	\$0

Debt Service - Treasury 0021

Initiative: Reduces funding to bring the appropriation level in line with projected debt service requirements for fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$1,000,000)	\$0	\$0
GENERAL FUND TOTAL	(\$1,000,000)	\$0	\$0

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding to bring the allocation into line with revenue projections approved by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$8,271,991)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$8,271,991)	\$0	\$0

TREASURER OF STATE, OFFICE OF DEPARTMENT TOTALS

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$740,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$8,271,991)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$9,011,991)	\$0	\$0

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - UMS 0031

Initiative: Reduces funding from a system-wide curtailment of spending. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,372,135)	\$0	\$0
GENERAL FUND TOTAL	(\$8,372,135)	\$0	\$0

University of Maine Scholarship Fund Z011

Initiative: Reduces funding to bring the allocation into line with projected available resources based on the rejections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$326,661)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$326,661)	\$0	\$0

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$8,372,135)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$326,661)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$8,698,796)	\$0	\$0

SECTION TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$74,644,289)	\$0	\$0
FEDERAL EXPENDITURES FUND	(\$6,354,124)	\$0	\$0
FUND FOR A HEALTHY MAINE	\$5,221,747	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$23,786,008)	\$0	\$0
FEDERAL BLOCK GRANT FUND	\$885,234	\$0	\$0
POSTAL, PRINTING AND SUPPLY FUND	\$65,702	\$0	\$0
CENTRAL MOTOR POOL	\$821	\$0	\$0
REAL PROPERTY LEASE	\$653,062	\$0	\$0
INTERNAL SERVICE FUND			
DIRIGO HEALTH FUND	(\$16,799,937)	\$0	\$0

SECTION TOTAL - ALL FUNDS	2008-09	2009-10	2010-11
	(\$114,757,792)	\$0	\$0

PART B

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: RECLASSIFICATIONS

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2008-09	2009-10	2010-11
Personal Services	\$10,025	\$0	\$0
All Other	(\$10,025)	\$0	\$0

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	2008-09	2009-10	2010-11
	\$0	\$0	\$0

Administration - Human Resources 0038

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$44,861	\$0	\$0
All Other	(\$44,861)	\$0	\$0

GENERAL FUND TOTAL	2008-09	2009-10	2010-11
	\$0	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$32,267	\$0	\$0
All Other	(\$32,267)	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0	\$0
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Central Services - Purchases 0004

Initiative: RECLASSIFICATIONS

POSTAL, PRINTING AND SUPPLY FUND	2008-09	2009-10	2010-11
Personal Services	\$67,191	\$0	\$0
TOTAL	\$67,191	\$0	\$0

Financial and Personnel Services - Division of 0713

Initiative: RECLASSIFICATIONS

FINANCIAL AND PERSONNEL SERVICES FUND	2008-09	2009-10	2010-11
Personal Services	\$112,640	\$0	\$0
TOTAL	\$112,640	\$0	\$0

Information Services 0155

Initiative: RECLASSIFICATIONS

OFFICE OF INFORMATION SERVICES FUND	2008-09	2009-10	2010-11
Personal Services	\$291,225	\$0	\$0
TOTAL	\$291,225	\$0	\$0

Revenue Services - Bureau of 0002

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$3,486	\$0	\$0
All Other	(\$3,486)	\$0	\$0
TOTAL	\$0	\$0	\$0

State Controller - Office of the 0056

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$47,584	\$0	\$0
All Other	(\$47,584)	\$0	\$0
TOTAL	\$0	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2008-09	2009-10	2010-11
FINANCIAL AND PERSONNEL SERVICES FUND	\$112,640	\$0	\$0
POSTAL, PRINTING AND SUPPLY FUND	\$67,191	\$0	\$0
OFFICE OF INFORMATION SERVICES FUND	\$291,225	\$0	\$0
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$471,056	\$0	\$0

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of the Commissioner 0401

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$1,950	\$0	\$0
All Other	(\$1,950)	\$0	\$0
TOTAL	\$0	\$0	\$0

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	2008-09	2009-10	2010-11
DEPARTMENT TOTALS			
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

ARTS COMMISSION, MAINE
Arts - Sponsored Program 0176
Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$3,751	\$0	\$0
All Other	(\$3,751)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

ARTS COMMISSION, MAINE	2008-09	2009-10	2010-11
DEPARTMENT TOTALS			
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

BAXTER STATE PARK AUTHORITY
Baxter State Park Authority 0253
Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$4,283	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,283	\$0	\$0

BAXTER STATE PARK AUTHORITY	2008-09	2009-10	2010-11
DEPARTMENT TOTALS			
OTHER SPECIAL REVENUE FUNDS	\$4,283	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$4,283	\$0	\$0

CONSERVATION, DEPARTMENT OF
Division of Forest Protection 0232
Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$10,120	\$0	\$0
All Other	(\$10,120)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Forest Policy and Management - Division of 0240
Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$4,211	\$0	\$0
All Other	(\$4,211)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Land Management and Planning 0239
Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$181,869	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$181,869	\$0	\$0

Off-road Recreational Vehicles Program 0224
Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$8,152	\$0	\$0
All Other	(\$8,152)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0
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CONSERVATION, DEPARTMENT OF
DEPARTMENT

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$181,869	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$181,869	\$0	\$0

CORRECTIONS, DEPARTMENT OF
Charleston Correctional Facility 0400

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$4,048	\$0	\$0
All Other	(\$4,048)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Correctional Center 0162

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$12,958	\$0	\$0
All Other	(\$12,958)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Juvenile Community Corrections 0892

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$3,084	\$0	\$0
All Other	(\$3,084)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Long Creek Youth Development Center 0163

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$10,267	\$0	\$0
All Other	(\$10,267)	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0	\$0
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State Prison 0144

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$31,889	\$0	\$0
All Other	(\$31,889)	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0	\$0
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CORRECTIONS, DEPARTMENT OF
DEPARTMENT

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Maine Emergency Management Agency 0214

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$5,516	\$0	\$0
All Other	(\$5,516)	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0	\$0
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FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$5,516	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$5,516	\$0	\$0

**DEFENSE,
VETERANS AND
EMERGENCY
MANAGEMENT,
DEPARTMENT OF**

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$5,516	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$5,516	\$0	\$0

GENERAL FUND TOTAL	2008-09	2009-10	2010-11
GENERAL FUND TOTAL	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND			
Personal Services	\$31,326	\$0	\$0
All Other	(\$31,326)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

Office of Tourism 0577

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$22,594	\$0	\$0
All Other	(\$22,594)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Support Systems 0837

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$8,158	\$0	\$0
All Other	(\$8,158)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

**EDUCATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

EDUCATION, DEPARTMENT OF

Learning Systems 0839

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$23,719	\$0	\$0
All Other	(\$23,719)	\$0	\$0

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Maine Environmental Protection Fund 0421

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$4,900	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,900	\$0	\$0

Performance Partnership Grant 0851

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$7,591	\$0	\$0
All Other	\$280	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$7,871	\$0	\$0

Remediation and Waste Management 0247

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$10,817	\$0	\$0
All Other	\$399	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$11,216	\$0	\$0

OTHER SPECIAL REVENUE FUNDS

	2008-09	2009-10	2010-11
Personal Services	\$34,635	\$0	\$0
All Other	\$947	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,582	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$19,087	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$40,482	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$59,569	\$0	\$0

EXECUTIVE DEPARTMENT

Planning Office 0082

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$8,914	\$0	\$0
All Other	(\$8,914)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

EXECUTIVE DEPARTMENT

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$16,616	\$0	\$0
All Other	(\$16,616)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$17,955	\$0	\$0
All Other	(\$17,955)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Dorothea Dix Psychiatric Center 0120

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$29,691	\$0	\$0

All Other	(\$29,691)	\$0	\$0
<hr/>			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Elizabeth Levinson Center 0119

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$10,398	\$0	\$0
All Other	(\$10,398)	\$0	\$0
<hr/>			
GENERAL FUND TOTAL	\$0	\$0	\$0

Mental Health Services - Children 0136

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$8,481	\$0	\$0
All Other	(\$8,481)	\$0	\$0
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GENERAL FUND TOTAL	\$0	\$0	\$0

Mental Retardation Services - Community 0122

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$24,713	\$0	\$0
All Other	(\$24,713)	\$0	\$0
<hr/>			
GENERAL FUND TOTAL	\$0	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$32,112	\$0	\$0
All Other	(\$32,112)	\$0	\$0
<hr/>			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Bureau of Medical Services 0129

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$38,645	\$0	\$0
All Other	(\$38,645)	\$0	\$0
<hr/>			
GENERAL FUND TOTAL	\$0	\$0	\$0

FEDERAL EXPENDITURES FUND

	2008-09	2009-10	2010-11
Personal Services	\$41,512	\$0	\$0
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FEDERAL EXPENDITURES FUND TOTAL	\$41,512	\$0	\$0

Division of Licensing and Regulatory Services Z036

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$3,846	\$0	\$0
All Other	(\$3,846)	\$0	\$0
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GENERAL FUND TOTAL	\$0	\$0	\$0

Health - Bureau of 0143

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$8,714	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$8,714	\$0	\$0

Maine Rx Plus Program 0927

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$517	\$0	\$0
All Other	(\$517)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Office of Management and Budget 0142

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$2,352	\$0	\$0
All Other	(\$2,352)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

OMB Division of Regional Business Operations 0196

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$5,644	\$0	\$0
All Other	\$100	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,744	\$0	\$0

Plumbing - Control Over 0205

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$1,581	\$0	\$0
All Other	\$62	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	2008-09	2009-10	2010-11
	\$1,643	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$50,226	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$7,387	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$57,613	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$4,033	\$0	\$0
All Other	(\$4,033)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$4,870	\$0	\$0
All Other	(\$4,870)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	2008-09	2009-10	2010-11
	\$3,346	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$1,746	\$0	\$0
All Other	(\$1,746)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$3,346	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,346	\$0	\$0

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$19,182	\$0	\$0
All Other	(\$19,182)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$2,989	\$0	\$0
All Other	(\$2,989)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

LIBRARY, MAINE STATE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

LABOR, DEPARTMENT OF

Blind and Visually Impaired - Division for the 0126

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$3,346	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF
Division of Community Resource Development 0043

Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$4,936	\$0	\$0

All Other	(\$4,936)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Marine Patrol - Bureau of 0029
Initiative: RECLASSIFICATIONS

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$10,910	\$0	\$0
All Other	(\$10,910)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Nursing - Board of 0372
Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$10,254	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,254	\$0	\$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$10,254	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$10,254	\$0	\$0
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PUBLIC SAFETY, DEPARTMENT OF FHM - Fire Marshal 0964

Initiative: RECLASSIFICATIONS

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$30,302	\$0	\$0
All Other	\$247	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$30,549	\$0	\$0

Fire Marshal - Office of 0327

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$361,478	\$0	\$0
All Other	\$2,500	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,978	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
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FUND FOR A HEALTHY MAINE	\$30,549	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$363,978	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$394,527	\$0	\$0
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SECTION TOTALS

	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$78,175	\$0	\$0

FUND FOR A HEALTHY MAINE	\$30,549	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$608,253	\$0	\$0
FINANCIAL AND PERSONNEL SERVICES FUND	\$112,640	\$0	\$0
POSTAL, PRINTING AND SUPPLY FUND	\$67,191	\$0	\$0
OFFICE OF INFORMATION SERVICES FUND	\$291,225	\$0	\$0
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$0	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$1,188,033	\$0	\$0

- (2) In fiscal year 2006-07, 84%;
- (3) In fiscal year 2007-08, 84%;
- (4) In fiscal year 2008-09, ~~50%~~ 45%; and
- (5) In fiscal year 2009-10 and succeeding years, 84%.

Sec. C-3. PL 2007, c. 539, Pt. C, §17 is amended to read:

Sec. C-17. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2008-09 is ~~6.55~~ 6.79.

Sec. C-4. PL 2007, c. 539, Pt. C, §19 is amended to read:

Sec. C-19. 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, 2008 and ending June 30, 2009 is calculated as follows:

	2008-09	2008-09
	LOCAL	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	\$837,488,866	\$983,537,536
	<u>\$864,544,910</u>	<u>\$956,481,491</u>

Sec. C-5. Waiver; required local contribution. For fiscal year 2008-09 general purpose aid for local schools funding only, for those school administrative units that do not raise the increased required local contribution pursuant to the Maine Revised Statutes, Title 20-A, section 15690, subsection 1 that results from increasing the mill expectation from 6.55 to 6.79, there will be no proportional reduction to the state share pursuant to Title 20-A, section 15690, subsection 1, paragraph C.

PART D

Sec. D-1. Transfer; unexpended funds; Capital Construction Reserve Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$1,483,545 in unexpended funds from the Department of Administrative and Financial Services, Bureau of General Services - Capital Construction Reserve Fund, Other Special Revenue Funds ac-

PART C
Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2007, c. 539, Pt. C, §4, 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 ~~54.01%~~ 52.52%.
- (5) For fiscal year 2009-10 and succeeding years, the target is 55%.

Sec. C-2. 20-A MRSA §15689, sub-§1, ¶B, as amended by PL 2007, c. 539, Pt. C, §10, is further amended to read:

B. The school administrative unit's special education costs as calculated pursuant to section 15681-A, subsection 2 multiplied by the following transition percentages:

- (1) In fiscal year 2005-06, 84%;

count to General Fund unappropriated surplus at the close of fiscal year 2008-09.

Sec. D-2. Lapse; unencumbered balance; Capital Construction Reserve Fund. Notwithstanding any other provision of law, the State Controller shall lapse \$627,186 from the unencumbered balance in Capital Expenditures from the Department of Administrative and Financial Services, Bureau of General Services - Capital Construction Reserve Fund, General Fund account to General Fund unappropriated surplus at the close of fiscal year 2008-09.

PART E

Sec. E-1. Transfer; Maine Budget Stabilization Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$56,095,026 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 2008-09 to offset a General Fund revenue shortfall.

Sec. E-2. Federal Relief Funds Reserve account established. The Federal Relief Funds Reserve account, referred to in this section as "the reserve account," is established as a nonlapsing General Fund account to be used to reserve the General Fund savings from the anticipated temporary increase in the State's federal medical assistance percentage to be used for expenditures related to health care, including as first priority the payment of MaineCare settlements for hospital fiscal years 2005 and 2006. The State Budget Officer may transfer funds from the reserve account to the Medical Care - Payments to Providers program within the Department of Health and Human Services by financial order upon approval of the Governor for this purpose. Funds in the reserve account may not be expended, transferred or otherwise obligated for other purposes unless specifically authorized by the Legislature. The transfers pursuant to this section are considered adjustments to appropriations and allocations in fiscal year 2008-09.

Sec. E-3. Calculation and transfer; increased federal medical assistance percentage in fiscal year 2008-09. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of projected savings in fiscal year 2008-09 that applies against each appropriate MaineCare General Fund seed account within the Department of Health and Human Services from the anticipated temporary increase in the State's federal medical assistance percentage and shall transfer the calculated amounts by financial order upon approval of the Governor to the Federal Relief Funds Reserve account established in section 2. These transfers are considered adjustments to appropriations and allocations in fiscal year 2008-09.

Sec. E-4. Report. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs and the State Controller a report of the transferred amounts and adjustments to appropriations and allocations made pursuant to sections 2 and 3 by May 15, 2009.

Sec. E-5. Transfer; General Fund unappropriated surplus. Notwithstanding any other provision of law, the State Controller shall transfer \$11,095,026 from General Fund unappropriated surplus to the Maine Revenue Services General Fund suspense account in the Department of Administrative and Financial Services to recognize a prior period adjustment to General Fund undedicated revenue.

PART F

Sec. F-1. 22 MRSA §1511, sub-§12 is enacted to read:

12. Adjustment to allocations. For state fiscal years beginning on or after July 1, 2008, the State Budget Officer is authorized to adjust allocations if actual revenue collections for the fiscal year are less than the approved legislative allocations. The State Budget Officer shall review the programs receiving funds from the fund and shall adjust the funding in the All Other line category to stay within available resources. These adjustments must be calculated in proportion to each account's allocation in the All Other line category in relation to the total All Other allocation for fund programs. Notwithstanding any other provision of law, the allocation for the identified amounts may be reduced by financial order upon the recommendation of the State Budget Officer and approval of the Governor. The State Budget Officer shall report annually on the allocation adjustments made pursuant to this subsection 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 by May 15th.

PART G

Sec. G-1. Transfer; unexpended funds; Community Forestry Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$10,000 in unexpended funds from the Other Special Revenue Funds, Community Forestry Fund account in the Department of Conservation to General Fund unappropriated surplus at the close of fiscal year 2008-09.

Sec. G-2. Transfer; unexpended funds; Aerial Fire Suppression Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$175,000 in unexpended funds from the Other Special Revenue Funds, Aerial Fire Suppression Fund account in the Department of Conservation to General Fund unappropriated surplus at the close of fiscal year 2008-09.

Sec. G-3. Department of Conservation, Division of Forest Protection carrying account; lapsed balances; General Fund. Notwithstanding any other provision of law, \$468,000 of unencumbered balance forward in the Personal Services line category in the Division of Forest Protection, General Fund account in the Department of Conservation lapses to the General Fund at the close of fiscal year 2008-09.

PART H

Sec. H-1. Transfer; unexpended funds; Elderly Tax Deferral program. Notwithstanding any other provision of law, the State Controller shall transfer \$88,000 in unexpended funds from the Other Special Revenue Funds, Elderly Tax Deferral program account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2008-09.

PART I

Sec. I-1. 36 MRSA §5228, sub-§1, ¶D is enacted to read:

D. "Unusual event" means, with respect to that portion of the tax year applicable to the required installment, receipt by an individual taxpayer of taxable income that is not subject to withholding of Maine income tax when the amount exceeds the taxable income not subject to withholding of Maine income tax received by the taxpayer during the same period of the previous tax year by at least \$500,000.

Sec. I-2. 36 MRSA §5228, sub-§2, as amended by PL 2007, c. 438, §106, is repealed and the following enacted in its place:

2. Requirement to pay estimated tax. Every person subject to taxation under this Part shall make payment of estimated tax as required by this Part. The requirement to make estimated tax payments is waived if:

C. The person's tax liability pursuant to this Part, exclusive of a withholder's liability for taxes withheld, reduced by allowable credits for the taxable year, is less than \$1,000 for the taxable year; or

D. The person had less than \$1,000 tax liability under this Part for the preceding taxable year. This paragraph does not apply with respect to an unusual event.

Sec. I-3. 36 MRSA §5228, sub-§3, as amended by PL 2007, c. 438, §§107 and 108, is further amended to read:

3. Amount of estimated tax to be paid. Every person required to make payment of estimated tax is liable for an estimated tax that is no less than the smaller of the following; paragraphs A and B, except

that large corporations as defined in the Code, Section 6655(g), are subject only to paragraph B, except as provided in subsection 5, paragraph C and individual taxpayers encountering an unusual event are subject only to paragraph B with respect to the unusual event, except as provided in subsection 5, paragraph D:

A. An amount equal to the person's tax liability under this Part for the preceding taxable year, if that preceding year was a taxable year of 12 months; or

B. An amount equal to 90% of the person's tax liability under this Part for the current taxable year determined without taking into account the current year's investment tax credit set forth in section 5219-E, except that for farmers and persons who fish commercially, this amount is 66 2/3% of the person's tax liability under this Part for the current taxable year.

Sec. I-4. 36 MRSA §5228, sub-§5, ¶D is enacted to read:

D. The taxpayer encounters an unusual event. For purposes of the installment due with respect to that portion of the tax year during which an unusual event occurs, the taxpayer shall make an estimated tax payment pursuant to subsection 3, paragraph B equal to the amount of estimated tax with respect to the taxable income that results in the unusual event, plus the amount of estimated tax required by this section to be paid with respect to the installment on taxable income exclusive of that resulting in the unusual event.

Sec. I-5. 36 MRSA §5228, sub-§11 is enacted to read:

11. Unusual event; waiver of penalty; extension to pay. With respect to an estimated tax payment related to an unusual event, the assessor shall waive the penalty under subsection 5 or grant a reasonable extension of time, not to extend past the original due date for the filing of the return for the tax year, to pay the estimated tax required under subsection 5, paragraph D if:

A. The taxpayer is an owner in a pass-through entity;

B. The taxpayer had no control over the distribution of the unusual event amount;

C. The taxpayer did not actually or constructively receive payment of the unusual event amount; and

D. The taxpayer pays the estimated tax related to the unusual event amount by the installment payment due date following the installment period during which the taxpayer actually or constructively receives payment of the unusual event amount.

Sec. I-6. Application. This Part applies to tax years beginning on or after January 1, 2009.

PART J

Sec. J-1. 4 MRSA §115, as amended by PL 1981, c. 647, §1, is further amended to read:

§115. Place for holding court; suitable quarters

In each county, the place for holding court ~~shall be~~ is located in a building designated by the Chief Justice of the Supreme Judicial Court or ~~his~~ the Chief Justice's designee, who, with the advice and approval of the Bureau of ~~Public Improvements~~ General Services, is empowered to negotiate, on behalf of the State, the leases, contracts and other arrangements ~~he~~ the Chief Justice considers necessary, within the limits of appropriations and other funds available to the Supreme Judicial ~~and~~, Superior ~~and~~ District Courts, to provide suitable quarters, adequately furnished and equipped, for the Supreme Judicial ~~or~~, Superior ~~or~~ District Court in each county. The county commissioners in each county shall continue to provide for the use of the Supreme Judicial ~~and~~, Superior ~~and~~ District Courts such quarters, facilities, furnishings and equipment in existing county buildings as were in use by the Supreme Judicial and Superior Courts on January 1, 1976, without charge. The county commissioners are not required to provide without charge those quarters, facilities, furnishings and equipment in existing county building that were in use by the District Courts and were subject to a charge prior to January 1, 1976.

The facilities of the ~~Superior Court~~ courts in each county, when ~~that~~ court is not in session, ~~shall~~ must be available for other purposes. Arrangements for such use ~~shall~~ must be made by the Chief Justice or ~~his~~ the Chief Justice's designee.

If the Chief Justice or ~~his~~ the Chief Justice's designee is unable to negotiate the leases, contracts and other arrangements as provided in the ~~preceding paragraph~~ this section, ~~he~~ the Chief Justice may, with the advice and approval of the Bureau of ~~Public Improvements~~ General Services, negotiate on behalf of the State the leases, contracts and other arrangements ~~he~~ the Chief Justice considers necessary, within the limits of the budget and funds available to such court, to provide suitable quarters, adequately furnished and equipped for the Supreme Judicial ~~or~~, Superior ~~or~~ District Court in privately owned buildings.

Sec. J-2. Transfer of funds; indigent legal expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, in fiscal year 2008-09, the Judicial Branch, upon approval of the Governor, is authorized to transfer funds, by financial order, from Personal Services to All Other within the same fund for the purposes of paying indigent legal expenses. The judicial branch shall self-fund its collective bargaining expenses and

is not eligible to receive transfers from the General Fund Salary Plan program in the Department of Administrative and Financial Services in fiscal year 2008-09.

PART K

Sec. K-1. Transfer of funds from Department of Defense, Veterans and Emergency Management. Notwithstanding any other provision of law, the State Controller shall transfer \$24,799 in unexpended funds from the Reimbursement Supplemental Life Insurance - Other Special Revenue Funds account to the unappropriated surplus of the General Fund by June 30, 2009.

PART L

Sec. L-1. Legislature; lapsed balances. Notwithstanding any other provision of law, \$1,585,008 of unencumbered balance forward from the various program accounts and line categories in the legislative accounts, as specified by the Executive Director of the Legislative Council, lapses to the General Fund in fiscal year 2008-09. The executive director shall review the legislative accounts and identify to the State Controller and State Budget Officer by May 15, 2009 the unencumbered balance forward amounts by account and line category totaling \$1,585,008 that will lapse to the General Fund to achieve targeted savings for fiscal year 2008-09.

PART M

Sec. M-1. Transfer of funds; Maine State Museum. Notwithstanding any other provision of law, the State Controller shall transfer \$10,000 from the Museum Sales Program Revolving Fund, Other Special Revenue Funds account in the Maine State Museum to the unappropriated surplus of the General Fund no later than June 30, 2009.

PART N

Sec. N-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before May 15, 2009, the State Controller shall transfer from the Inland Fisheries and Wildlife Carrying Balances - General Fund account the following amounts: \$10,000 to the Office of the Commissioner program, \$75,000 to the Fisheries and Hatcheries Operations program, \$250,000 to the Enforcement Operations program, \$5,000 to the Administrative Services program and \$10,000 to the Public Information and Education program in the General Fund for salary increases resulting from collective bargaining.

Sec. N-2. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before March 1, 2009, the State Controller shall transfer \$51,545 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Office of the Commissioner program for

printing of the Maine Revised Statutes, Title 12, Part 13 and the printing and distribution of boating and ATV law books.

Sec. N-3. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before March 1, 2009, the State Controller shall transfer \$20,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Public Information and Education program for out-of-state travel.

PART O

Sec. O-1. Transfer of funds from Department of the Attorney General. Notwithstanding any other provision of law, the State Controller shall transfer \$600,000 by June 30, 2009 from the Victims' Compensation Fund, Other Special Revenue Funds account in the Department of the Attorney General to the unappropriated surplus of the General Fund.

PART P

Sec. P-1. 36 MRSA §457, sub-§2, ¶F, as amended by PL 2001, c. 559, Pt. H, §1, is further amended to read:

F. For assessments made in 2009, ~~24~~ 22 mills; and

Sec. P-2. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 36, section 457, subsection 2, paragraph F applies to assessments made on or after April 1, 2009.

PART Q

Sec. Q-1. 30-A MRSA §701, sub-§2-A, as enacted by PL 2007, c. 653, Pt. A, §8, is amended to read:

2-A. Tax assessment for correctional services. The counties shall annually collect no more and no less than \$62,452,804 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 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.

PART R

Sec. R-1. Transfer from unappropriated surplus; Help America Vote Act; Department of the Secretary of State. Notwithstanding any other provision of law, the State Controller shall transfer \$30,263 in fiscal year 2008-09 by June 30, 2009 from the unappropriated surplus of the General Fund to the Bureau of Administrative Services and Corporations program, Other Special Revenue Funds, Help America Vote Act account within the Department of the Secretary of State.

PART S

Sec. S-1. 22 MRSA §7924, sub-§1, as amended by PL 2005, c. 397, Pt. A, §24, is further amended to read:

1. Alleged violations reported and investigated. Any person who believes that any of those rules governing the licensure of long-term care facilities or the operation of assisted living programs and services authorized pursuant to section 7853 adopted by the department pertaining to residents' rights and conduct of resident care has been violated may report the alleged violation to the protection and advocacy agency designated pursuant to Title 5, section 19501; the long-term care ombudsman pursuant to section 5106, subsection 11-C and section 5107-A; the Office of Advocacy pursuant to Title ~~34-A~~ 34-B, section ~~4203~~ 5005; and any other agency or person whom the commissioner may designate.

Sec. S-2. 34-A MRSA §1203, as amended by PL 2003, c. 205, §9 and c. 689, Pt. B, §6, is repealed.

Sec. S-3. 34-A MRSA §1402, sub-§5, as amended by PL 2001, c. 659, Pt. I, §1, is further amended to read:

5. Grievance procedures. The commissioner shall establish procedures for hearing grievances of clients ~~as described in section 1203~~. The commissioner shall establish a separate grievance process for addressing complaints by prisoners about their medical and mental health treatment.

PART T

Sec. T-1. Rule amendment. The Department of Health and Human Services, Maine Center for Disease Control and Prevention, division of environmental health shall amend the rules regarding fees in the radiation control program to raise fees to cover the increased costs of information technology and staff operating costs. 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 U

Sec. U-1. Certification renewal notices. The Commissioner of Education is authorized to accelerate the process for renewal notices for teachers who hold provisional certificates and provisional extensions resulting in additional one-time undedicated revenue to the General Fund of \$50,000 in fiscal year 2008-09.

PART V

Sec. V-1. Hospital-based physician reimbursement; rules. Effective February 1, 2009, the Department of Health and Human Services shall amend the rules regarding reimbursement under the MaineCare program for hospital-based physician services to provide for reimbursement at a rate as close to 70% of the Medicare reimbursement rate as the department determines can be funded with the resources used for physician reimbursement in the Medical Care - Payments to Providers General Fund account, as adjusted by this Act. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. V-2. MaineCare physician reimbursement equalization. Effective July 1, 2009, the Department of Health and Human Services shall amend the rules regarding reimbursement under the MaineCare program for non-hospital-based physicians who are reimbursed below the rate provided to hospital-based physicians in section 1 to provide reimbursement at the same percentage of the Medicare reimbursement rate as is provided to hospital-based physicians in section 1. 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 W

Sec. W-1. Carrying balance; Bureau of Medical Services, General Fund account. Notwithstanding any other provision of law, any All Other line category balance in the Department of Health and Human Services, Bureau of Medical Services, General Fund account remaining on June 30, 2009 may not lapse but must be carried forward to June 30, 2010 to be used for the same purposes.

PART X

Sec. X-1. Transfer from General Fund; Callahan Mine Site Restoration, Department of Transportation. Notwithstanding any other provision of law, the State Controller shall transfer \$200,000 by April 15, 2009 from General Fund unappropriated surplus to the Callahan Mine Site Restoration, Other Special Revenue Funds program within the Department of Transportation.

PART Y

Sec. Y-1. Transfer of funds; food, heating and utility expenses; Department of Corrections. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the Department of Corrections, 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 in fiscal year 2008-09.

PART Z

Sec. Z-1. 36 MRSA §5219-R, sub-§2, as enacted by PL 2005, c. 519, Pt. H, §1, is amended to read:

2. Credit refundable in certain cases. Notwithstanding subsection 1, a taxpayer that is a national historic landmark developer is allowed a refundable credit in an amount equal to the credit determined by the taxpayer under Section 47 of the Code for the taxable year. The refundable credit allowed by this subsection is in lieu of the credit that is allowed to the taxpayer by subsection 1 or that would otherwise be passed through to its partners or shareholders, if any. The credit is allowed only for tax years that begin on or after January 1, ~~2006~~ 2009 but before January 1, ~~2010~~ 2013. The credit may not exceed \$500,000 per year, and unused credit amounts may be carried forward only through the ~~2009~~ 2012 tax year. In the event that more than one national historic landmark developer qualifies for the refundable credit allowed by this subsection, the maximum annual credit amount and credit carry-forward limitations established by this subsection apply to all such developers collectively, and if necessary the State Tax Assessor shall prorate the credits between those developers based on their respective share of qualified expenses incurred. For

the purposes of this subsection, "national historic landmark developer" means a person that owns 2 or more structures located in the Kennebec Arsenal District National Historic Landmark.

Sec. Z-2. Effective date. This Part applies retroactively to March 29, 2006.

PART AA

Sec. AA-1. Transfer of overpayments accumulated in the Retiree Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$6,400,000, which represents the General Fund share of overpayments for retiree health insurance assessed to the Maine Community College System, from the Retiree Health Insurance Internal Service Fund within the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund by June 30, 2009. The State Controller shall determine the amount representing the Maine Community College System share of overpayments for retiree health insurance and shall transfer that amount from the Retiree Health Insurance Internal Service Fund within the Department of Administrative and Financial Services to the Maine Community College System no later than June 30, 2009.

PART BB

Sec. BB-1. Compensation and Benefit Plan; lapsed balances; Administrative and Financial Services, General Fund. Notwithstanding any other provision of law, \$1,835,812 in projected salary savings in the Personal Services line category in the Compensation and Benefit Plan, General Fund account in the Department of Administrative and Financial Services lapses to the General Fund at the close of fiscal year 2008-09. These savings are the result of not granting a 4% salary increase effective January 1, 2009 to those unclassified employees whose salaries are subject to the Governor's adjustment or approval and also from a projected lesser demand against the Compensation and Benefit Plan account due to fewer filled positions.

PART CC

Sec. CC-1. 5 MRSA §1742, sub-§25, as amended by PL 2005, c. 634, §5, is further amended to read:

25. Sites for child care programs. To review, in cooperation with the Office of Child Care Coordination in the Department of Health and Human Services, feasible sites for child care programs offered primarily as a service to state employees pursuant to Title 22, section 8307, subsection 2; and

Sec. CC-2. 5 MRSA §1742, sub-§26, ¶C, as amended by PL 2005, c. 634, §6, is further amended to read:

C. Part of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services pursuant to this subsection be transferred to the Department of Defense, Veterans and Emergency Management, Maine National Guard Education Assistance Pilot Program, Other Special Revenue Funds account for the reimbursement of the purchase of supplemental life insurance as provided for in the provisions of Title 37-B, section 390-B; and

Sec. CC-3. 5 MRSA §1742, sub-§26, ¶E is enacted to read:

E. Part of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services pursuant to this subsection be transferred to the Department of Defense, Veterans and Emergency Management, Disaster Assistance Relief, Other Special Revenue Funds account for disaster assistance.

Sec. CC-4. 5 MRSA §1742, sub-§27, as enacted by PL 2005, c. 634, §7, is repealed.

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

Effective January 29, 2009, unless otherwise indicated.

CHAPTER 2

S.P. 11 - L.D. 2

An Act To Provide Rule-making Authority to the Maine Library Commission

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

Sec. 1. 27 MRSA §111, sub-§2 is enacted to read:

2. Rules. The Maine Library Commission may adopt rules to carry out its responsibilities under this Title. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 3
H.P. 32 - L.D. 37**

**An Act To Allow a Weight
Tolerance for Vehicle
Auxiliary Power Units**

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

Sec. 1. 29-A MRSA §101, sub-§7-A is enacted to read:

7-A. Auxiliary power unit. "Auxiliary power unit" means an integrated system that:

A. Provides heat, air conditioning, engine warming or electricity components on a heavy duty vehicle; and

B. Is certified by the Administrator of the United States Environmental Protection Agency under 40 Code of Federal Regulations, Part 89 as meeting emissions standards.

Sec. 2. 29-A MRSA §101, sub-§27-A is enacted to read:

27-A. Heavy duty vehicle. "Heavy duty vehicle" means a vehicle powered by a diesel engine that has a gross vehicle weight rating greater than 8,500 pounds.

Sec. 3. 29-A MRSA §2360, sub-§18 is enacted to read:

18. Exception to fine schedule for vehicle auxiliary power units. For a heavy duty vehicle equipped with an auxiliary power unit, the gross vehicle weight or axle weight used to determine the fine for a violation under this section is the actual gross vehicle weight or axle weight reduced by 400 pounds.

See title page for effective date.

**CHAPTER 4
H.P. 108 - L.D. 124**

**An Act To Remove Game
Sanctuary Status for Certain
Lands in the Town of
Orrington**

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

Sec. 1. 12 MRSA §12706, sub-§1, ¶U, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

See title page for effective date.

**CHAPTER 5
S.P. 18 - L.D. 46**

**An Act To Allow Nonmember
Directors To Serve on the
Board of Cooperative
Agricultural Associations**

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

Sec. 1. 13 MRSA §1871, sub-§1 is amended to read:

1. Membership; term. The business of the association shall be is managed by a board of not less than 3 directors. The directors shall must be members of the association or officers, general managers, directors or members of a member association, except that the members of the association may elect, pursuant to the bylaws of the association, to allow the election of nonmember directors of the association by the board of directors, as long as the number of nonmember directors does not exceed 25% of the total number of duly elected member directors. A director shall hold office for the term for which he the director was named or elected and until his the director's successor is elected and qualified.

See title page for effective date.

**CHAPTER 6
S.P. 49 - L.D. 130**

**An Act To Allow a
Municipality Greater
Flexibility To Disburse
State Fees**

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

Sec. 1. 30-A MRSA §5603, sub-§2, ¶A, as amended by PL 1995, c. 549, §1, is further amended to read:

A. Except as provided in subparagraphs (1) and (2) to (3), and except as otherwise provided by charter or ordinance, disburse money only on the authority of a warrant drawn for the purpose, affirmatively voted and signed by a majority of the municipal officers.

(1) The municipal officers may adopt a written policy to permit the disbursement of employees' wages and benefits when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the

municipal treasurer and renewed annually by vote of the municipal officers.

(2) The municipal officers may adopt a written policy to permit the disbursement of payments for municipal education costs when a disbursement warrant has been signed by the school superintendent and approved by a majority of the school board or by a finance committee appointed or duly elected by the school board. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers;

(3) The municipal officers may adopt a written policy to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers;

See title page for effective date.

CHAPTER 7

H.P. 54 - L.D. 61

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

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Allocations. There are allocated from the various funds for the fiscal year ending June 30, 2009, to the departments listed, the following sums.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations 0080

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$121,230	\$0	\$0
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HIGHWAY FUND TOTAL	\$121,230	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
HIGHWAY FUND	\$121,230	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$121,230	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

Highway Safety DPS 0457

Initiative: Provides funding for blood alcohol tests for the implied consent program due to increased cost of the tests and rising number of tests conducted.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$23,000	\$0	\$0
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HIGHWAY FUND TOTAL	\$23,000	\$0	\$0

Motor Vehicle Inspection 0329

Initiative: Provides funding for the increased cost of gasoline.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$12,361	\$0	\$0
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HIGHWAY FUND TOTAL	\$12,361	\$0	\$0

State Police 0291

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$13,911	\$0	\$0
HIGHWAY FUND TOTAL	\$13,911	\$0	\$0

State Police 0291

Initiative: Adjusts funding for anticipated changes in utility costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$8,074	\$0	\$0
HIGHWAY FUND TOTAL	\$8,074	\$0	\$0

State Police 0291

Initiative: Provides funding for the increased cost of gasoline.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$198,165	\$0	\$0
HIGHWAY FUND TOTAL	\$198,165	\$0	\$0

State Police 0291

Initiative: Reduces funding for overtime associated with training. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	(\$19,498)	\$0	\$0
All Other	(\$302)	\$0	\$0
HIGHWAY FUND TOTAL	(\$19,800)	\$0	\$0

State Police 0291

Initiative: Reduces funding for out-of-state travel except for emergency investigative purposes. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	(\$22,500)	\$0	\$0

HIGHWAY FUND TOTAL	(\$22,500)	\$0	\$0
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State Police 0291

Initiative: Reduces funding for overtime in the State Bureau of Identification. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	(\$34,122)	\$0	\$0
All Other	(\$528)	\$0	\$0
HIGHWAY FUND TOTAL	(\$34,650)	\$0	\$0

State Police 0291

Initiative: Reduces funding from savings in insurance premiums. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	(\$15,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$15,000)	\$0	\$0

State Police 0291

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	(\$91,754)	\$0	\$0
All Other	(\$1,419)	\$0	\$0
HIGHWAY FUND TOTAL	(\$93,173)	\$0	\$0

State Police - Support 0981

Initiative: Provides funding for the increased cost of STA-CAP.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$595	\$0	\$0
HIGHWAY FUND TOTAL	\$595	\$0	\$0

Traffic Safety 0546

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$1,257	\$0	\$0
HIGHWAY FUND TOTAL	\$1,257	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
HIGHWAY FUND	\$72,240	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$72,240	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

Initiative: Adjusts funding for anticipated changes in utility costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$41,930	\$0	\$0
HIGHWAY FUND TOTAL	\$41,930	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Provides funding for an increase in the Bureau of Motor Vehicles' STA-CAP rate from 4.723% to 5.456%.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$265,235	\$0	\$0
HIGHWAY FUND TOTAL	\$265,235	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Provides funding for the increased cost of leases and operating costs within the branch offices.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$95,256	\$0	\$0
HIGHWAY FUND TOTAL	\$95,256	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Reduces funding by managing vacant positions in fiscal year 2008-09.

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	(\$954,558)	\$0	\$0
HIGHWAY FUND TOTAL	(\$954,558)	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
HIGHWAY FUND	(\$552,137)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$552,137)	\$0	\$0

TRANSPORTATION, DEPARTMENT OF

Administration 0339

Initiative: Adjusts funding for anticipated changes in utility costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$239	\$0	\$0
HIGHWAY FUND TOTAL	\$239	\$0	\$0

Administration 0339

Initiative: Reduces funding by managing vacant positions and overtime in fiscal year 2008-09.

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	(\$200,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$200,000)	\$0	\$0

Administration 0339

Initiative: Reduces Capital Expenditures funding by delaying equipment purchases.

HIGHWAY FUND	2008-09	2009-10	2010-11
Capital Expenditures	(\$50,000)	\$0	\$0

HIGHWAY FUND	(\$50,000)	\$0	\$0
TOTAL			

Bond Interest - Highway 0358

Initiative: Reduces funding in the Bond Interest - Highway account.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	(\$1,630,165)	\$0	\$0

HIGHWAY FUND	(\$1,630,165)	\$0	\$0
TOTAL			

Bond Retirement - Highway 0359

Initiative: Reduces funding in the Bond Retirement - Highway program.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	(\$245,000)	\$0	\$0

HIGHWAY FUND	(\$245,000)	\$0	\$0
TOTAL			

Callahan Mine Site Restoration Z007

Initiative: Provides funding for litigation support and legal initiatives for the Callahan Mine Restoration Site.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$200,000	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	\$200,000	\$0	\$0
TOTAL			

Fleet Services 0347

Initiative: Adjusts funding for anticipated changes in utility costs.

FLEET SERVICES FUND - DOT	2008-09	2009-10	2010-11
All Other	\$41,455	\$0	\$0

FLEET SERVICES FUND - DOT TOTAL	\$41,455	\$0	\$0
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Highway and Bridge Capital 0406

Initiative: Adjusts funding for anticipated changes in utility costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$1,896	\$0	\$0

HIGHWAY FUND	\$1,896	\$0	\$0
TOTAL			

Highway and Bridge Capital 0406

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

HIGHWAY FUND	2008-09	2009-10	2010-11
Capital Expenditures	(\$3,717,652)	\$0	\$0

HIGHWAY FUND	(\$3,717,652)	\$0	\$0
TOTAL			

Island Ferry Service 0326

Initiative: Adjusts funding for anticipated changes in the cost of diesel fuel, gasoline and heating oil.

ISLAND FERRY SERVICES FUND	2008-09	2009-10	2010-11
All Other	\$100,000	\$0	\$0

ISLAND FERRY SERVICES FUND	\$100,000	\$0	\$0
TOTAL			

Island Ferry Service 0326

Initiative: Adjusts funding for anticipated changes in utility costs.

ISLAND FERRY SERVICES FUND	2008-09	2009-10	2010-11
All Other	\$17,625	\$0	\$0

ISLAND FERRY SERVICES FUND	\$17,625	\$0	\$0
TOTAL			

Maintenance and Operations 0330

Initiative: Adjusts funding for anticipated changes in the cost of diesel fuel, gasoline and heating oil.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$140,000	\$0	\$0

HIGHWAY FUND	\$140,000	\$0	\$0
TOTAL			

Maintenance and Operations 0330

Initiative: Provides funding for the increased quantity and cost of salt. This will provide for the increase in salt from \$56.78 per ton to \$72 per ton for 100,000 tons of salt. This also adds an additional 12,000 tons of salt at \$72 per ton.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$2,386,000	\$0	\$0
HIGHWAY FUND TOTAL	\$2,386,000	\$0	\$0

Maintenance and Operations 0330

Initiative: Adjusts funding for anticipated changes in utility costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$207,652	\$0	\$0
HIGHWAY FUND TOTAL	\$207,652	\$0	\$0

Maintenance and Operations 0330

Initiative: Reduces funding by managing vacant positions and overtime in fiscal year 2008-09.

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	(\$4,500,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$4,500,000)	\$0	\$0

Maintenance and Operations 0330

Initiative: Reduces Capital Expenditures funding by delaying equipment purchases.

HIGHWAY FUND	2008-09	2009-10	2010-11
Capital Expenditures	(\$1,000,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$1,000,000)	\$0	\$0

Maintenance and Operations 0330

Initiative: Provides funding for emergency repairs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$1,760,000	\$0	\$0
HIGHWAY FUND TOTAL	\$1,760,000	\$0	\$0

Marine Highway Transportation Z016

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

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$50,000	\$0	\$0
HIGHWAY FUND TOTAL	\$50,000	\$0	\$0

Marine Highway Transportation Z016

Initiative: Adjusts funding for anticipated changes in utility costs.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	\$8,812	\$0	\$0
HIGHWAY FUND TOTAL	\$8,812	\$0	\$0

State Transit, Aviation and Rail Transportation Fund Z017

Initiative: Adjusts funding for anticipated changes in utility costs.

STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	2008-09	2009-10	2010-11
All Other	\$3,120	\$0	\$0
STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL	\$3,120	\$0	\$0

Urban-Rural Initiative Program 0337

Initiative: Reduces funding for the Urban-Rural Initiative Program as provided by law due to a reduction in the Department of Transportation's budget as a result of declining Highway Fund revenues.

HIGHWAY FUND	2008-09	2009-10	2010-11
All Other	(\$729,757)	\$0	\$0
HIGHWAY FUND TOTAL	(\$729,757)	\$0	\$0

TRANSPORTATION, DEPARTMENT OF	2008-09	2009-10	2010-11
DEPARTMENT TOTALS			
HIGHWAY FUND	(\$7,517,975)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$200,000	\$0	\$0
FLEET SERVICES FUND - DOT	\$41,455	\$0	\$0
STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	\$3,120	\$0	\$0
ISLAND FERRY SERVICES FUND	\$117,625	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$7,155,775)	\$0	\$0
SECTION TOTALS	2008-09	2009-10	2010-11
HIGHWAY FUND	(\$7,876,642)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$200,000	\$0	\$0
FLEET SERVICES FUND - DOT	\$41,455	\$0	\$0
STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	\$3,120	\$0	\$0
ISLAND FERRY SERVICES FUND	\$117,625	\$0	\$0
SECTION TOTAL - ALL FUNDS	(\$7,514,442)	\$0	\$0

PART B

Sec. B-1. Allocations. There are allocated from the various funds for the fiscal year ending June 30, 2009, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	\$2,936	\$0	\$0

All Other	2008-09	2009-10	2010-11
	(\$2,936)	\$0	\$0
HIGHWAY FUND TOTAL	\$0	\$0	\$0
SECRETARY OF STATE, DEPARTMENT OF			
DEPARTMENT TOTALS	2008-09	2009-10	2010-11
HIGHWAY FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

TRANSPORTATION, DEPARTMENT OF Administration 0339

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	\$18,195	\$0	\$0
All Other	(\$18,195)	\$0	\$0
HIGHWAY FUND TOTAL	\$0	\$0	\$0

Highway and Bridge Capital 0406

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2008-09	2009-10	2010-11
Personal Services	\$50,877	\$0	\$0
All Other	(\$50,877)	\$0	\$0
HIGHWAY FUND TOTAL	\$0	\$0	\$0

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$41,620	\$0	\$0
All Other	(\$41,620)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Island Ferry Service 0326

Initiative: RECLASSIFICATIONS

	2008-09	2009-10	2010-11
ISLAND FERRY SERVICES FUND			
Personal Services	\$71,892	\$0	\$0
All Other	(\$71,892)	\$0	\$0
ISLAND FERRY SERVICES FUND TOTAL	\$0	\$0	\$0

	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

	2008-09	2009-10	2010-11
TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	\$0	\$0	\$0

Maintenance and Operations 0330

Initiative: RECLASSIFICATIONS

	2008-09	2009-10	2010-11
HIGHWAY FUND			
Personal Services	\$12,378	\$0	\$0
All Other	(\$12,378)	\$0	\$0
HIGHWAY FUND TOTAL	\$0	\$0	\$0

	2008-09	2009-10	2010-11
HIGHWAY FUND FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS ISLAND FERRY SERVICES FUND	\$0	\$0	\$0

	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND			
Personal Services	\$1,172	\$0	\$0
All Other	(\$1,172)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

	2008-09	2009-10	2010-11
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

SECTION TOTALS

	2008-09	2009-10	2010-11
HIGHWAY FUND FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS ISLAND FERRY SERVICES FUND	\$0	\$0	\$0

Public Transportation 0443

Initiative: RECLASSIFICATIONS

	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND			
Personal Services	\$6,259	\$0	\$0
All Other	(\$6,259)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

	2008-09	2009-10	2010-11
SECTION TOTAL - ALL FUNDS	\$0	\$0	\$0

PART C

Sec. C-1. Compensation and Benefit Plan; lapsed balances; Administrative and Financial Services, Highway Fund. Notwithstanding any other provision of law, \$12,652 in projected salary savings in the Personal Services line category in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services lapses to the Highway Fund at the close of fiscal year 2008-09. These savings are the result of not granting a 4% salary increase effective January 1, 2009 to those unclassified employees whose salaries are subject to the Governor's adjustment or approval.

Suspense Receivable - Transportation 0344

Initiative: RECLASSIFICATIONS

	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS			
Personal Services	\$161	\$0	\$0
All Other	(\$161)	\$0	\$0

PART D

Sec. D-1. 23 MRSA §2705, as amended by PL 1991, c. 272, is further amended to read:

§2705. Appropriation insufficient

When the amount appropriated is not sufficient to repair or maintain the ways, a road commissioner may, with the written consent of the municipal officers, pay an amount not exceeding 15% of the amount so appropriated in addition to the amount appropriated.

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

Effective March 17, 2009.

CHAPTER 8

S.P. 63 - L.D. 177

An Act To Modify the Maine Dental Education Loan Program

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 Dental Education Loan Program is limited to 3 combined awards annually and an aggregate of 12; and

Whereas, money in the program is currently sufficient to fund additional awards; and

Whereas, that money could be awarded in 2009 but for the current limitation and, if the limitation were eliminated in time to make awards to eligible students entering dental school in 2009, more students could benefit; and

Whereas, there is an urgent need in the State of Maine for additional dentists practicing primary dentistry, which this program addresses by providing financial support for dental students and certain dental practitioners; 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 §12302, sub-§1, as repealed and replaced by PL 2003, c. 510, Pt. E, §1, is amended to read:

1. Establishment. The Maine Dental Education Loan Program, referred to in this chapter as "the program," is established. The authority shall administer the program. Under this program, beginning in fiscal year 2000-01 and ending in fiscal year 2007-08, the chief executive officer shall award up to 3 loans or loan repayment agreements annually up to an aggregate of 12. Beginning in fiscal year 2008-09, the chief executive officer shall award up to 3 loans or loan repayment agreements annually and may award additional loans or loan repayment agreements annually as funds permit. As provided in subsection 3:

A. Loans are available to Maine residents enrolled in a dental school; or

B. A loan repayment agreement is available to a person who is eligible for licensure as a doctor of dental medicine in Maine and who has outstanding dental education loans.

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

Effective March 18, 2009.

CHAPTER 9

H.P. 94 - L.D. 110

An Act To Allow School Buses To Travel at the Posted Speed Limit on the Interstate and the Maine Turnpike

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

Sec. 1. 29-A MRSA §2074, sub-§1, ¶E, as amended by PL 2005, c. 577, §30, is further amended to read:

E. On ways with a higher maximum speed limit, 45 miles per hour for a school bus transporting pupils to and from school. At all other times, a school bus may not exceed 55 miles per hour, except that on an interstate highway, as defined in Title 23, section 1903, subsection 3, and on the turnpike, as defined in Title 23, section 1964, subsection 9, a school bus may not exceed the posted speed limit.

See title page for effective date.

**CHAPTER 10
S.P. 55 - L.D. 169**

**An Act To Allow a Newly
Licensed Driver To Transport
a Foreign Exchange Student
Who Lives with That Driver's
Family**

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

Whereas, families have exchange students living with them and attending school with family members; and

Whereas, due to the way the law is written now, the exchange student is not allowed to ride in a vehicle with a person that is under 18 years of age; and

Whereas, this causes a hardship for the families; 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. 29-A MRSA §1311, sub-§1, ¶A, as enacted by PL 2003, c. 286, §4, is amended to read:

A. Carry passengers other than immediate family members unless accompanied by a licensed operator who meets the requirements of section 1304, subsection 1, paragraph E. For the purpose of this paragraph, "immediate family member" includes a foreign exchange student that is living with the immediate family;

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

Effective March 23, 2009.

**CHAPTER 11
S.P. 23 - L.D. 64**

**An Act To Amend the
Requirements for the Livable
Wage Report**

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

Sec. 1. 26 MRSA §1405, sub-§1, as enacted by PL 2007, c. 363, §2, is amended to read:

1. Calculation. By ~~December 31, 2007~~ July 31, 2009 and ~~annually~~ biennially thereafter, the department shall calculate livable wages for households in the State's counties and metropolitan statistical areas by family size and as statewide averages by developing an annual basic needs budget for the following family sizes:

- A. Single person;
- B. Single parent and one child;
- C. Single parent and 2 children;
- D. Two parents, with one earner and 2 children; and
- E. Two parents, with 2 earners and 2 children.

By ~~January 30, 2008~~ December 31, 2009 and ~~annually~~ biennially thereafter, the department shall report the livable wages calculated pursuant to this subsection to the Legislature.

See title page for effective date.

**CHAPTER 12
H.P. 128 - L.D. 149**

**An Act To Amend the Laws
Relating to the Maine Jobs
Council**

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

Sec. 1. 26 MRSA §2006, sub-§2, ¶A, as amended by PL 2003, c. 114, §10, is repealed.

Sec. 2. 26 MRSA §2006, sub-§5-B, ¶A, as enacted by PL 1997, c. 683, Pt. D, §9, is amended to read:

- A. The committee shall:
 - (1) Advise, consult and assist the executive and legislative branches of State Government on activities of State Government that affect the employment of disabled individuals. The committee is solely advisory in nature. The committee may advise regarding state and federal plans and proposed budgetary, legislative or policy actions affecting disabled individuals;
 - (2) Serve as an advocate on behalf of disabled citizens promoting and assisting activities designed to further equal opportunity for people with disabilities;
 - (3) Conduct educational programs considered necessary to promote public understand-

ing of the needs and abilities of disabled citizens of this State;

(4) Provide information, training and technical assistance to promote greater employer acceptance of disabled workers;

(5) Advise and assist employers and other organizations interested in developing employment opportunities for disabled people; and

(6) ~~Inform~~ Work with state and local government officials, organizations representing persons with disabilities and the business community to inform the public of the benefits of making ~~buildings facilities and services~~ accessible to and usable by individuals with disabilities; monitor the enforcement of state and federal laws regarding architectural accessibility; and advise and assist building owners by disseminating information about accessibility and by making technical assistance available when appropriate.

~~(a) A wheelchair symbol must be appropriately displayed to identify buildings with facilities that are accessible to disabled and elderly individuals; accessibility is determined by the committee.~~

~~(b) The symbol required in division (a) must be that adopted by the Rehabilitation International's World Congress in 1969.~~

~~(c) Application for display of the wheelchair symbol must be made by the committee, which shall obtain and keep on file a supply of symbols.~~

See title page for effective date.

CHAPTER 13

H.P. 136 - L.D. 157

An Act To Enhance Oversight of Fraternal Benefit Societies

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

Sec. 1. 24-A MRSA §12-A, sub-§4, as enacted by PL 1989, c. 269, §3, is amended to read:

4. Refunds of overcharges. In the event that any insurer, fraternal benefit society, nonprofit hospital service plan, nonprofit medical service plan, nonprofit health care plan, health maintenance organization or preferred provider organization makes charges to any person ~~which~~ that are not in conformity with a filing ~~which~~ that it is required to submit for approval or dis-

approval by this Title or Title 24, the superintendent may order that refunds of any overcharges be made.

Sec. 2. 24-A MRSA §2186, sub-§1, ¶B, as amended by PL 1999, c. 5, §1 and affected by §2, is further amended to read:

B. "Insurer" means an authorized insurance company, fraternal benefit society, reinsurer, surplus lines insurer, unauthorized insurer, nonprofit hospital and medical service organization, health maintenance organization, risk retention group or multiple employer welfare organization. "Insurer" also includes an insurance producer or other person acting on the behalf of an insurer. For the purpose of this section, "insurer" also means the state Medicaid program.

Sec. 3. 24-A MRSA §4126, sub-§6 is enacted to read:

6. Nothing in this section may be construed as limiting the superintendent's authority to take enforcement action under section 12-A in connection with violations of applicable provisions of this Title.

Sec. 4. 24-A MRSA §4127, as amended by PL 1977, c. 694, §432 and PL 1999, c. 547, Pt. B, §78 and affected by §80, is repealed.

Sec. 5. 24-A MRSA §4127-A is enacted to read:

§4127-A. Suspension, revocation or refusal of license of foreign or alien society

The superintendent may suspend, revoke or refuse the license of a foreign or alien society transacting or applying to transact business in this State as set out in this section.

1. Investigation. If, upon investigation, the superintendent finds that a foreign or alien society transacting or applying to transact business in this State has exceeded its powers, has failed to comply with any of the provisions of this chapter, is not fulfilling its contracts in good faith or is conducting its business fraudulently or in a manner hazardous to its members or creditors or the public, the superintendent shall notify the society of the deficiency or deficiencies and state in writing the reasons that warrant suspension, revocation or refusal of the society's license. The notice must require that the deficiency or deficiencies be corrected.

After receipt of the notice, the society has 30 days to comply with the superintendent's request for correction, and if the society fails to comply, the superintendent shall notify the society of the findings of non-compliance and require the society to show cause, on a date set by the superintendent, why its license should not be suspended, revoked or refused. If on that date the society does not present good and sufficient reason why its authority to do business in this State should

not be suspended, revoked or refused, the superintendent may suspend or refuse the license of the society to do business in this State until satisfactory evidence is furnished to the superintendent that the suspension or refusal should be withdrawn or the superintendent may revoke the authority of the society to do business in this State.

2. Continue contracts. Nothing in this section may be construed as preventing any foreign or alien society from continuing in good faith all contracts made in this State during the time the society was legally authorized to transact business in this State.

3. Enforcement action. Nothing in this section may be construed as limiting the superintendent's authority to take enforcement action under section 12-A in connection with violations of applicable provisions of this Title.

Sec. 6. 24-A MRSA §4138, as amended by PL 2001, c. 421, Pt. B, §§91 and 92 and affected by Pt. C, §1, is repealed.

Sec. 7. 24-A MRSA §4138-A is enacted to read:

§4138-A. Enforcement; unfair methods of competition and unfair and deceptive acts and practices

A society authorized to do business in this State is subject to the provisions of section 12-A and chapter 23. Nothing in such provisions may be construed as applying to or affecting the right of any society to determine its eligibility requirements for membership or as applying to or affecting the offering of benefits exclusively to members or persons eligible for membership in the society by a subsidiary corporation or affiliated organization of the society or the offering of benefits only to its members.

Sec. 8. 24-A MRSA §4139, as enacted by PL 1969, c. 132, §1, is repealed.

See title page for effective date.

**CHAPTER 14
S.P. 45 - L.D. 123**

**An Act Regarding the
Electronic Submission of
Filings**

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

Sec. 1. 24-A MRSA §2304-A, sub-§1, as amended by PL 2007, c. 188, Pt. B, §1, is further amended to read:

1. Every insurer shall file with the superintendent, except as to inland marine risks, which by gen-

eral custom of the business are not written according to manual rates or rating plans, every manual rate, minimum premium, class rate, rating schedule or rating plan and every other rating rule, and every modification of any of the foregoing that it proposes to use. The filing must state the effective date of the filing and indicate the character and extent of the coverage contemplated. The filing must be made not less than 30 days in advance of the stated effective date unless that 30-day requirement is waived by the superintendent. ~~The effective date may be suspended by the superintendent for a period of time not to exceed 60 days, except that the effective date for filings made electronically may not be suspended. Filings made electronically must be acted~~ The superintendent shall act on a filing no later than 30 days from receipt unless an extension is requested by the filer. A filing required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 24-A MRSA §2382-C, sub-§2, as enacted by PL 1991, c. 885, Pt. B, §12 and affected by §13, is further amended to read:

2. **Form and manner of filing.** Rates filed pursuant to this section must be filed in a form ~~and manner~~ prescribed by the superintendent. If a filing is not accompanied by the information the superintendent has required under this section, the superintendent shall notify the insurer as soon as possible and the filing is deemed as not made until the information is provided. A filing required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 24-A MRSA §2412, sub-§2, as amended by PL 2003, c. 671, Pt. A, §2, is further amended to read:

2. Every filing must be made not less than 30 days in advance of any delivery. At the expiration of the 30 days, the form so filed is deemed approved unless prior thereto it has been affirmatively approved or disapproved by order of the superintendent. Approval of the form by the superintendent constitutes a waiver of any unexpired portion of the waiting period. ~~The superintendent may extend by not more than an additional 30 days the period within which the superintendent may affirmatively approve or disapprove any form, by giving notice to the insurer of the extension before expiration of the initial 30-day period, except that the effective date of a filing made electronically for a coverage under a health, life or annuity product may not be extended. The superintendent shall act on a filing no later than 30 days from receipt unless an~~

extension is requested by the filer. A filing required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. At the expiration of the period so extended, and in the absence of prior affirmative approval or disapproval, any form is deemed approved. The superintendent may at any time, after hearing and for cause shown, withdraw any approval.

Sec. 4. 24-A MRSA §2736, sub-§1, as amended by PL 2003, c. 428, Pt. F, §2, is further amended to read:

1. Filing of rate information. Every insurer shall file with the superintendent every rate, rating formula, classification of risks and every modification of any formula or classification that it proposes to use in connection with individual health insurance policies and certain group policies specified in section 2701. Every such filing must state the effective date of the filing. Every such filing must be made not less than 60 days in advance of the stated effective date, unless the 60-day requirement is waived by the superintendent, and the effective date may be suspended by the superintendent for a period of time not to exceed 30 days. In the case of a filing that meets the criteria in subsection 3, the superintendent may suspend the effective date for a longer period not to exceed 30 days from the date the organization satisfactorily responds to any reasonable discovery requests. A filing required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 24-A MRSA §2839, as amended by PL 2003, c. 428, Pt. E, §2, is further amended to read:

§2839. Rates filed

A policy of group health insurance may not be delivered in this State until a copy of the group rates to be used in calculating the premium for these policies has been filed for informational purposes with the superintendent. The filing must include the base rates and a description of any procedures to be used to adjust the base rates to reflect factors including but not limited to age, gender, health status, claims experience, group size and coverage of dependents. Notwithstanding this section, rates for group Medicare supplement, nursing home care or long-term care insurance contracts and for certain association groups and other groups specified in section 2701, subsection 2, paragraph C must be filed in accordance with section 2736. Rates for small group health insurance subject to section 2808-B are subject to the additional filing requirements specified in that section. A filing

required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 6. 24-A MRSA §4207, sub-§2, as amended by PL 1995, c. 332, Pt. O, §3, is further amended to read:

2. No evidence of coverage, or amendment thereto, or underlying contract may be issued or delivered to any person in this State until a copy of the form of the evidence of coverage, amendment thereto and any underlying contract, has been filed with and approved by the superintendent. A filing required under this section must be made electronically in a format required by the superintendent unless exempted by rule adopted by the superintendent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 15
S.P. 41 - L.D. 119**

**An Act To Amend the Laws
Governing Public Water
System Operation Fees**

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

Sec. 1. 22 MRSA §2660-E, sub-§1, as amended by PL 1995, c. 581, §4, is further amended to read:

1. Rules. The department shall establish fee formulas by rules adopted in accordance with the Maine Administrative Procedure Act. The department must consult with and consider the advice of the commission in preparing the rules. Proposed rules issued by the department under this section must include the fee formulas and collection and transfer schedules developed by the commission. Fee formulas adopted under this section must be equitable. Fees may be based on, but are not limited to, the population served, service connections, volume of water pumped or available seats, campsites, rooms or lots, and may include fixed or graduated fee formulas or combinations of the fee formulas. The base fee may be no more than ~~\$50~~ **\$75** per year per public water system. ~~The base plus per capita fee may be no more than \$30,000 per year per public water system.~~

See title page for effective date.

**CHAPTER 16
H.P. 113 - L.D. 134**

**An Act To Amend the
Occupancy Limits for
Campsites in the Unorganized
Territories**

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 2009 camping season will begin well in advance of the expiration of the 90-day period; 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 §682, sub-§18, as repealed and replaced by PL 2001, c. 402, §2, is amended to read:

18. Transient occupancy. "Transient occupancy" means occupancy that does not exceed ~~90 consecutive~~ 120 days in a calendar year.

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

Effective March 31, 2009.

**CHAPTER 17
H.P. 130 - L.D. 151**

**An Act To Amend the Alewife
Fishing Laws**

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

Sec. 1. 12 MRSA §6131, sub-§1, ¶B, as enacted by PL 1977, c. 661, §5, is amended to read:

B. Municipal rights ~~in existence on January 1, 1974~~ which that are not exercised for 3 consecutive years ~~shall~~ lapse;

Sec. 2. 12 MRSA §6131, sub-§2, ¶A, as amended by PL 1987, c. 513, §2, is further amended to read:

A. It ~~shall be~~ is unlawful to take alewives from 6 a.m. each ~~Saturday~~ Thursday morning until 6

a.m. Sunday morning. Municipalities ~~which that~~ make other provisions for escape of spawning alewives, which are approved by the commissioner, ~~shall be~~ are exempt from this limit.

Sec. 3. 12 MRSA §6131, sub-§5, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

5. Leasing of rights. The commissioner:

A. When the commissioner decides to manage or lease any alewife fishing rights where a municipality has had those rights and has failed to act as provided in subsection 1, shall so notify the clerk of the municipality in writing. After the notice, the commissioner may lease any of those rights to any person, as the commissioner determines is in the best interest of the State. All leases must be in writing and signed by the commissioner and the lessee and must set forth in detail the exact conditions under which the alewives may be taken, all in accordance with good conservation practices; and

B. May manage or lease alewife fishing rights in any river or stream where a municipality does not have those rights. The commissioner may lease any of those rights to any person, as the commissioner determines is in the best interest of the State. All leases must be in writing and approved and signed by the commissioner and the lessee and must set forth in detail the exact conditions under which the alewives may be taken, all in accordance with good conservation practices.

Sec. 4. 12 MRSA §6131, sub-§8, as enacted by PL 1977, c. 661, §5, is amended to read:

8. Migratory Fish Fund. All fees received by the commissioner from alewife leasing rights ~~shall be~~ are allocated to the Migratory Fish Fund, as established. Expenditures from the Migratory Fish Fund ~~shall~~ must be made:

A. To build fishways for alewives and other migratory fish;

B. For construction of other facilities for improving the environment of alewives and other migratory fish;

C. For general propagation and conservation of alewives and other migratory fish; ~~and~~

D. For research to enhance the fishing industry based on alewives and other migratory fish; ~~and~~

E. For management measures required to maintain or enhance alewife populations or populations of other migratory fish.

The Migratory Fish Fund ~~shall~~ does not lapse.

See title page for effective date.

**CHAPTER 18
H.P. 340 - L.D. 452**

An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit 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 Maine Revised Statutes, Title 30-A, section 3504, subsection 3 provides that the Greater Portland Transit District is comprised of the City of Portland and the City of Westbrook and further provides that its board of directors consists of 5 directors appointed from the City of Portland and 3 directors appointed from the City of Westbrook; and

Whereas, the Town of Falmouth has applied for membership in the Greater Portland Transit District and the board of directors of the Greater Portland Transit District has voted to accept its application for membership; and

Whereas, the Town of Falmouth cannot become a member of the Greater Portland Transit District until Title 30-A, section 3504, subsection 3 has been amended to reflect the change in membership; and

Whereas, the board of directors of the Greater Portland Transit District has determined that it would be advantageous to the district and the people it serves if the board of directors could receive and accept applications for membership to the Greater Portland Transit District from other municipalities located wholly or partially within the Portland Area Comprehensive Transportation System, whether or not contiguous with the other members of the Greater Portland Transit District; 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. 30-A MRSA §3501, sub-§3 is enacted to read:

3. Portland Area Comprehensive Transportation System. "Portland Area Comprehensive Transportation System" means the federally designated planning organization for the Portland region established to improve the coordination of transportation planning and investment decisions by state, municipal and public transportation organizations.

Sec. 2. 30-A MRSA §3504, sub-§3, 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, is further amended to read:

3. Greater Portland Transit District. The board of directors of the Greater Portland Transit District, ~~presently comprised composed of the Cities City of Portland and, the City of Westbrook and the Town of Falmouth, shall consist~~ consists of 5 directors appointed from the City of Portland ~~and,~~ 3 directors appointed from the City of Westbrook ~~and 2 directors appointed from the Town of Falmouth.~~ Notwithstanding the other provisions of this chapter, the board of directors of the Greater Portland Transit District may receive and accept applications for membership from other municipalities located wholly or partially within the Portland Area Comprehensive Transportation System whether or not they are contiguous to other members of the Greater Portland Transit District and may determine the number of directors to be appointed from those municipalities to the board of directors of the Greater Portland Transit District on any basis that is mutually agreed upon by the municipality applying for membership and the board of directors of the Greater Portland Transit District. The Cities of Portland and Westbrook member municipalities may, by ordinance, provide that their appointees serve at the will of the appointing power or for terms which that are shorter than those established in subsection 2.

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

Effective April 3, 2009.

**CHAPTER 19
S.P. 13 - L.D. 4**

An Act To Remove the Age Restriction for Serving as a Corporator of a Mutual Financial Institution

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

Sec. 1. 9-B MRSA §325, sub-§1, ¶A, as amended by PL 1997, c. 398, Pt. D, §10, is further amended to read:

A. The persons named in the articles of incorporation constitute the original board of corporators of a mutual financial institution. Membership on this board continues until terminated pursuant to the articles of incorporation or bylaws, by death, resignation or disqualification as provided in this section.

Sec. 2. 9-B MRSA §325, sub-§1, ¶B, as amended by PL 1997, c. 398, Pt. D, §10, is repealed.

See title page for effective date.

CHAPTER 20

H.P. 104 - L.D. 122

An Act To Correct the Law Concerning Private Investigators' License Qualifications

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

Sec. 1. 32 MRSA §8105, sub-§5, as amended by PL 2001, c. 298, §2, is further amended to read:

5. Application. Submits an application ~~which~~ that contains the following:

- A. Full name;
- B. Full current address and addresses for the prior 5 years;
- C. The date and place of birth, height, weight and color of eyes;
- D. A statement granting the chief of police authority to check the criminal records of any law enforcement agency. The applicant must agree to submit to having ~~his~~ fingerprints taken by the issuing authority if it becomes necessary to resolve any question as to ~~his~~ the applicant's identity; and
- E. Answers to the following questions:
 - (1) Are you currently under indictment or information for a crime for which the possible penalty is imprisonment for a period equal to or exceeding one year?
 - (2) Have you ever been convicted of a crime for which the possible penalty was imprisonment for a period equal to or exceeding one year?
 - (3) Are you a fugitive from justice?
 - (4) Are you an unlawful user of or addicted to marijuana or any other drug?
 - (5) Have you been adjudged mentally defective or been committed to a mental institution within the past 5 years? or
 - (6) Are you an illegal alien?

By affixing ~~his~~ the applicant's signature, the applicant certifies that the information in the application provided by ~~him~~ the applicant is true and correct and that ~~he~~ the applicant understands that an affirmative answer to any of the questions in paragraph E, ~~subpara-~~

~~graph (5)~~ is cause for refusal and any false statement may result in prosecution as provided in section 8114.

See title page for effective date.

CHAPTER 21

H.P. 214 - L.D. 271

An Act To Encourage Economic Recovery and Employment Growth To Support Maine's Working Waterfronts

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

Whereas, Maine's working waterfront industries are critical to the growth of the State's economy and bolstering these industries, which have suffered unexpected catastrophic events in regions of high unemployment, by providing Pine Tree Development Zone benefits could help them recover more rapidly and allow them to continue to be valuable assets to the economy; 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. 30-A MRSA §5250-I, sub-§4, as amended by PL 2005, c. 351, §1, is further amended to read:

4. Base level of employment. "Base level of employment" means the greater of either the total employment in the State of a business as of March 31st, June 30th, September 30th and December 31st of the calendar year immediately preceding the year of the business's application to become a certified Pine Tree Development Zone business divided by 4 or its average employment during the base period. Pursuant to section 5250-J, subsection 4-A, "base level of employment" may be adjusted to mean 25% of the average number of employees of that business over the 3 months immediately preceding the catastrophic occurrence.

Sec. 2. 30-A MRSA §5250-I, sub-§5-A is enacted to read:

5-A. Catastrophic occurrence. "Catastrophic occurrence" means accidental fire, flood, hurricane, windstorm, earthquake or other similar event.

Sec. 3. 30-A MRSA §5250-I, sub-§23 is enacted to read:

23. Working waterfront. "Working waterfront" means a parcel of land abutting water subject to tidal influence or land located in the intertidal zone that is used primarily or predominantly to provide access to or support the conduct of commercial fishing and marine activities. For purposes of this subsection, "parcel" includes an entire unit of real estate notwithstanding the fact that it is divided by a road, way, railroad or pipeline.

Sec. 4. 30-A MRSA §5250-I, sub-§24 is enacted to read:

24. Working waterfront industry. "Working waterfront industry" means an industry primarily involved in supporting commercial fishing, marine and boat building activities.

Sec. 5. 30-A MRSA §5250-J, sub-§4-A is enacted to read:

4-A. Catastrophic occurrence; benefits. A qualified Pine Tree Development Zone business whose primary purpose is to support the State's working waterfront industry may apply for an adjustment of the base level of employment as described in this section, if it meets the following criteria:

- A. It is located on a working waterfront in a Pine Tree Development Zone;
- B. It has sustained at least a 5% loss of employed workers due to a catastrophic occurrence; and
- C. It has appropriate infrastructure and zoning or other land use regulations in place.

For the purposes of this section and calculation of Pine Tree Development Zone benefits in section 5250-I, subsection 14, the base level of employment may be adjusted to mean 25% of the average number of employees of that business over the 3 months immediately preceding the catastrophic occurrence. A qualified business must apply for an adjustment of the base level of employment within 16 months of the catastrophic occurrence. Applications pursuant to this subsection must be received by August 1, 2011.

Sec. 6. 36 MRSA §6753, sub-§4, as amended by PL 2005, c. 351, §21, is further amended to read:

4. Base level of employment. "Base level of employment" means the greater of either the total employment of a business as of the March 31st, June 30th, September 30th and December 31st of the calendar year immediately preceding the application for approval of the employment tax increment financing development program divided by 4 or its average employment during the base period. Pursuant to Title 30-A, section 5250-J, subsection 4-A, "base level of employment" may be adjusted to mean 25% of the average number of employees of that business over the

3 months immediately preceding the catastrophic occurrence.

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

Effective April 9, 2009.

**CHAPTER 22
H.P. 76 - L.D. 92**

**An Act Pertaining to the
Quality Child Care Education
Scholarship Fund**

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

Whereas, pursuant to Public Law 1999, chapter 401, Part OOO, section 5 and Public Law 1999, chapter 783, section 1, the Quality Child Care Education Scholarship Fund was established, and the Finance Authority of Maine was authorized to adopt rules for determining amounts of scholarships, among other things; and

Whereas, the Finance Authority of Maine has adopted a rule that currently sets scholarship amounts at \$500 per eligible course for an annual maximum disbursement of \$2,000 per student; and

Whereas, Public Law 2007, chapter 683, Part B, section 3 directed the Finance Authority of Maine to amend its rule to increase the annual maximum scholarship disbursement from \$2,000 to \$3,000 without providing additional funding; and

Whereas, increasing the annual maximum disbursement will result in fewer students receiving scholarships and is not in the best interests of the scholarship program or Maine students; 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. PL 2007, c. 683, Pt. B, §3 is repealed.

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

Effective April 9, 2009.

CHAPTER 23
S.P. 77 - L.D. 227

An Act To Raise the Fee a Bail Commissioner May Charge

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

Sec. 1. 15 MRSA §1023, sub-§5, as amended by PL 1999, c. 15, §1, is further amended to read:

5. Fees. A bail commissioner is entitled to receive a fee not to exceed ~~\$40~~ \$60 for the charges pursuant to which the defendant is presently in custody. The bail commissioner shall submit such forms as the Judicial Department directs to verify the amount of fees received under this subsection. The sheriff of the county in which the defendant is detained may create a fund for the distribution by the sheriff or the sheriff's designee for the payment in whole or in part of the ~~\$40~~ \$60 bail commissioner fee for those defendants who do not have the financial ability to pay that fee.

See title page for effective date.

CHAPTER 24
H.P. 27 - L.D. 32

An Act To Clarify the Disposition of Fines from Maine's Soft-shelled Clam Laws

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

Sec. 1. 12 MRSA §6671, sub-§1-A is enacted to read:

1-A. Municipal fines. In accordance with Title 30-A, section 3001, a fine collected pursuant to this section must be paid to the municipality in which the violation occurred.

See title page for effective date.

CHAPTER 25
S.P. 24 - L.D. 65

An Act To Increase the Ability of the Maine Wage Assurance Fund To Pay Unpaid Workers

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

Sec. 1. 26 MRSA §632, sub-§3, as enacted by PL 1979, c. 202, §1, is amended to read:

3. Amount in fund. The Maine Wage Assurance Fund ~~shall be~~ is a nonlapsing, revolving fund limited to a maximum of ~~\$100,000~~ \$200,000. All ~~moneys~~ money collected from an employer pursuant to a claim for unpaid wages by an employee who has received payment from the fund, or by the State as ~~his~~ the employee's subrogee, ~~shall be~~ is credited to the fund.

The fund ~~shall~~ must be established and augmented periodically as necessary.

~~Moneys~~ Money in the fund not needed currently to meet claims against the fund ~~shall~~ must be deposited with the Treasurer of State to be credited to the fund and may be invested in such manner as is provided for by statute. Interest received on that investment ~~shall~~ must be credited to the Maine Wage Assurance Fund.

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

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards 0158

Initiative: Increases the allocation in the Maine Wage Assurance Fund to a maximum of \$200,000 beginning in fiscal year 2009-10.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$95,194	\$95,194
OTHER SPECIAL REVENUE FUNDS TOTAL	\$95,194	\$95,194

See title page for effective date.

CHAPTER 26
H.P. 126 - L.D. 147

An Act To Facilitate the Protection of Electric Utility Consumer Interests in Public Utility Commission Cases Involving the Construction, Rebuilding or Relocating of Transmission Lines

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

Sec. 1. 35-A MRSA §3132, sub-§10-A is enacted to read:

10-A. Filing fee to Office of the Public Advocate. When a person pays a filing fee to the commission pursuant to subsection 9, the person shall, at the same time, pay to the Office of the Public Advocate an amount equal to 1/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line. The

person may, at the time of the filing of the petition under this section, request the Office of the Public Advocate to waive all or a portion of the filing fee. The Office of the Public Advocate shall decide on the waiver request within 30 days.

Filing fees paid as required under this subsection must be segregated, apportioned and expended by the Office of the Public Advocate for the purposes of representing the interests of consumers in the proceeding before the commission or conducting public outreach to inform consumers about the proceeding. The Office of the Public Advocate shall return any portion of the filing fee that is not expended for these purposes to the person who paid the fee.

Sec. 2. 35-A MRSa §3132, sub-§10-B is enacted to read:

10-B. Office of the Public Advocate reporting requirement; repeal. No later than January 15, 2012, the Office of the Public Advocate shall report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding filing fees collected pursuant to this section, including a detailed accounting of the amount of filing fees collected, the expenditures of the fees and the return of unexpended fees.

This subsection is repealed June 30, 2012.

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

EXECUTIVE DEPARTMENT

Public Advocate 0410

Initiative: Provides a base allocation for expenditure of future assessments of transmission projects by the Office of the Public Advocate in representing the interests of affected ratepayers.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 27

H.P. 400 - L.D. 562

An Act To Support Maine State Parks

Emergency preamble. **Whereas,** acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, our state parks are open seasonally; and

Whereas, revenue from sales of merchandise will be greatest in the summer months; and

Whereas, increased funding for the operation and maintenance of our state parks is essential; 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 §1825, sub-§5 is enacted to read:

5. State Parks Improvement Fund established; sale of merchandise. The State Parks Improvement Fund, referred to in this section as "the fund," is established within the bureau. The fund is nonlapsing. The bureau may sell within parks or historic sites general merchandise that is distinctive to the parks or historic sites or useful to the enjoyment of the parks or historic sites. Items that may be sold include, but are not limited to, hats, coffee mugs, bumper stickers, t-shirts, tote bags and firewood. Merchandise sold by the bureau must be of good quality, appropriate for sale by the bureau and sold for a reasonable fee. The bureau also may rent items to be used for the enjoyment of the park or historic site, including, but not limited to, rowboats, canoes, kayaks and bicycles. To the extent the bureau needs to contract with vendors to obtain goods or services in order to develop, create or manufacture merchandise for sale or lease, the commissioner shall, to the maximum extent practicable, contract with vendors located in this State. Goods and services purchased by the bureau for sale or lease under this section must be procured in accordance with Title 5, chapter 155. All proceeds from the sale or lease of merchandise pursuant to this subsection must be deposited in the fund and used for the operation and maintenance of parks.

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

CONSERVATION, DEPARTMENT OF

Parks - General Operations 0221

Initiative: Provides an allocation to purchase materials for resale.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,500	\$7,500	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500	\$7,500	\$10,000

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

Effective April 16, 2009.

**CHAPTER 28
S.P. 38 - L.D. 89**

**An Act To Amend the Laws
Concerning Informal
Conferences as Part of the
Board of Licensure in
Medicine's Disciplinary
Proceedings**

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

Sec. 1. 32 MRSA §3282-A, sub-§1, as amended by PL 1999, c. 547, Pt. B, §67 and affected by §80, is further amended to read:

1. Disciplinary proceedings and sanctions. The board shall investigate a complaint, on its own motion or upon receipt of a written complaint filed with the board, regarding noncompliance with or violation of this chapter or any rules adopted by the board.

The board shall notify the licensee of the content of a complaint filed against the licensee as soon as possible, but not later than 60 days after receipt of this information. The licensee shall respond within 30 days. The board shall share the licensee's response with the complainant, unless the board determines that it would be detrimental to the health of the complainant to obtain the response. 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 or a subcommittee of the board may request and conduct an informal conference with the licensee. The board shall provide the licensee with adequate notice of the conference and the issues to be discussed. The complainant may attend and may be accompanied by up to 2 individuals, including legal counsel. The conference must be conducted in executive session of the

board or a subcommittee of the board, pursuant to Title 1, section 405, unless otherwise requested by the licensee. Before the board decides what action to take at the conference or as a result of the conference, the board or a subcommittee of the board shall give the complainant a reasonable opportunity to speak. Statements made at the conference may not be introduced at a subsequent formal hearing unless all parties consent. The complainant, the licensee or either of their representatives shall maintain the confidentiality of the conference.

When a complaint has been filed against a licensee and the licensee moves or has moved to another state, the board may report to the appropriate licensing board in that state the complaint that has been filed, other complaints in the physician's record on which action was taken and disciplinary actions of the board with respect to that physician.

When an individual applies for a license under this chapter, the board may investigate the professional record of that individual, including professional records that the individual may have as a licensee in other states. The board may deny a license or authorize a restricted license based on the record of the applicant in other states.

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 determines appropriate.

A. With the consent of the licensee, the board may enter into a consent agreement that fixes the period and terms of probation best adapted to protect the public health and safety and 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, the board may negotiate stipulations, including terms and conditions for reinstatement, that ensure protection of the public health and safety and serve to rehabilitate or educate the licensee. These stipulations may be set forth only in a consent agreement signed by the board, the licensee and the Attorney General's office.

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 Title 5, chapter 375, subchapter ~~IV~~ 4.

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.

The board shall require a licensee to notify all patients of the licensee of a probation or stipulation under which the licensee is practicing as a result of board disciplinary action. This requirement does not apply to a physician participating in an alcohol or drug treatment program pursuant to Title 24, section 2505, a physician who retires following charges made or complaints investigated by the board or a physician under the care of a professional and whose medical practices and services are not reduced, restricted or prohibited by the disciplinary action.

See title page for effective date.

CHAPTER 29
S.P. 33 - L.D. 84

An Act To Ensure Fair Pay

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

Sec. 1. 26 MRSA §628, first ¶, as amended by PL 2001, c. 304, §2, is further amended to read:

An employer may not discriminate between employees in the same establishment on the basis of sex by paying wages to any employee in any occupation in this State at a rate less than the rate at which the employer pays any employee of the opposite sex for comparable work on jobs that have comparable requirements relating to skill, effort and responsibility. Differentials that are paid pursuant to established seniority systems or merit increase systems or difference in the shift or time of the day worked that do not discriminate on the basis of sex are not within this prohibition. An employer may not discharge or discriminate against any employee by reason of any action taken by such employee to invoke or assist in any manner the enforcement of this section. An employer may not prohibit an employee from disclosing the employee's own wages or from inquiring about another employee's wages if the purpose of the disclosure or inquiry is to enforce the rights granted by this section. Nothing in this section creates an obligation to disclose wages.

See title page for effective date.

CHAPTER 30
H.P. 174 - L.D. 209

An Act To Abolish the Intergovernmental Advisory Commission

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

Sec. 1. 5 MRSA §12004-I, sub-§75-C, as amended by PL 2005, c. 222, §1, is repealed.

Sec. 2. 30-A MRSA §2181, as amended by PL 2005, c. 222, §2, is repealed.

Sec. 3. 30-A MRSA §6210, as amended by PL 2005, c. 222, §4 and enacted by c. 266, §2, is repealed.

See title page for effective date.

CHAPTER 31
H.P. 258 - L.D. 322

An Act To Clarify the Prohibition on Payment for Health Care Facility Mistakes or Preventable Adverse Events

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

Sec. 1. 22 MRSA §1721, sub-§2, as enacted by PL 2007, c. 605, §1, is amended to read:

2. Prohibition. A health care facility is prohibited from knowingly charging a patient or the patient's insurer or the patient's employer as defined in Title 39-A, section 102, subsection 12 for health care services it provided as a result of or to correct a mistake or preventable adverse event caused by that health care facility.

See title page for effective date.

CHAPTER 32
S.P. 221 - L.D. 606

An Act To Enable the Maine Employers' Mutual Insurance Company To Better Serve the Needs of All Employers

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

Sec. 1. 24-A MRSA §3703, sub-§1, as amended by PL 2007, c. 125, §1, is further amended to read:

1. Workers' compensation. The company shall provide workers' compensation insurance and employers' liability insurance incidental to and written in connection with workers' compensation coverage to employers in this State. The company may provide employment practices liability insurance incidental to and written in connection with workers' compensation coverage for employers ~~with an average of 100 or fewer employees~~ if the employment practices liability insurance is provided as an endorsement to workers'

compensation coverage approved by the superintendent and is provided under terms and conditions, including reinsurance protection, approved by the superintendent. Rates for employment practices liability insurance are subject to chapter 25. The company may not write other lines of insurance. The company may reinsure workers' compensation and employers' liability insurance written by other insurers that are covering out-of-state employees of Maine-based employers that are insured by the company. For the purpose of providing insurance to Maine-based employers operating in other states, the company may apply to appropriate regulatory authorities in those states for authority to write workers' compensation, employers' liability and employment practices liability insurance for Maine-based employers' operations in those states. The company may form or acquire subsidiary insurers in other states that are authorized to write only workers' compensation insurance, employers' liability insurance and employment practices liability insurance as long as such coverage is incidental to and written in connection with workers' compensation coverage. The superintendent may authorize a subsidiary insurer formed or acquired by the company to write workers' compensation, employers' liability and employment practices liability insurance in this State as long as such coverage is incidental to and written in connection with coverage in the state in which the insured's principal place of business is located. The superintendent may not authorize a subsidiary insurer formed or acquired by the company to write any other line of insurance in this State.

See title page for effective date.

CHAPTER 33

S.P. 541 - L.D. 1454

An Act To Provide Additional Unemployment Benefits and Make Statutory Revisions in Accordance with the American Recovery and Reinvestment Act of 2009

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

Whereas, there is a federal option that permits the State's long-term unemployed workers to qualify for either 13 or 20 weeks of additional unemployment benefits during periods of high unemployment; and

Whereas, effective February 17, 2009, the American Recovery and Reinvestment Act of 2009, Public Law 111-5 made changes to the laws governing extended benefits in the unemployment compensation

program, under which this option exists, such that in most cases, 100% of the benefits paid out under this program would be paid by the federal government for weeks of unemployment beginning after February 17, 2009 and before January 1, 2010; and

Whereas, it is likely that as many as 9,900 unemployed workers of the State would benefit from extended benefits in the unemployment compensation program if the federal option were temporarily adopted by the State; and

Whereas, in addition, a change must be made to the Maine Revised Statutes, Title 26, section 1193, subsection 1 in order for this State to meet the provisions of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Section 2003 pertaining to special transfers for unemployment compensation modernization; 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. 26 MRSA §1193, sub-§1, ¶A, as amended by PL 2003, c. 28, §1, is further amended to read:

A. For the week in which the claimant left regular employment voluntarily without good cause attributable to that employment. The disqualification continues until the claimant has earned 4 times the claimant's weekly benefit amount in employment by an employer. A claimant may not be disqualified under this paragraph if:

(1) The leaving was caused by the illness or disability of the claimant or an immediate family member and the claimant took all reasonable precautions to protect the claimant's employment status by promptly notifying the employer of the reasons for the absence and by promptly requesting reemployment when again able to resume employment need for time off, a change or reduction in hours or a shift change and being advised by the employer that the time off or change or reduction in hours or shift change cannot or will not be accommodated;

(2) The leaving was necessary to accompany, follow or join the claimant's spouse in a new place of residence and the claimant can clearly show within 14 days of arrival at the new place of residence an attachment to the new labor market, and the claimant is in all

respects able, available and actively seeking suitable work;

(3) The leaving was in good faith in order to accept new employment on a permanent full-time basis and the new employment did not materialize for reasons attributable to the new employing unit;

(4) The leaving was necessary to protect the claimant or any member of the claimant's immediate family from domestic abuse or the leaving was due to domestic violence that caused the claimant reasonably to believe that the claimant's continued employment would jeopardize the safety of the claimant or any member of the claimant's immediate family and the claimant made all reasonable efforts to preserve the employment; or

(5) The claimant's employer announced in writing to employees that it planned to reduce the work force through a layoff or reduction in force and that employees may offer to be among those included in the layoff or reduction in force, at which time the claimant offered to be one of the employees included in the layoff or reduction in force and the claimant's employer accepted the claimant's offer, thereby ending the employment relationship.

Separation from employment based on the compelling family reasons in subparagraphs (1), (2) and (4) does not result in disqualification.

Sec. 2. Alternative trigger. In addition to the conditions provided in the Maine Revised Statutes, Title 26, section 1195, there is a state "on" indicator for a week in the period from February 17, 2009 until the week ending December 12, 2009 or until the week ending 3 weeks prior to the last week for which federal sharing is authorized by the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Section 2005(a), whichever is later, if:

1. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the period consisting of the most recent 3 months for which data for all states are published before the close of that week equals or exceeds 6.5%; and

2. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the 3-month period referred to in subsection 1 equals or exceeds 110% of the average rate for either or both of the corresponding 3-month periods ending in the 2 preceding calendar years.

Sec. 3. Total extended benefit amount. For the period from February 17, 2009 until the week ending December 12, 2009 or until the week ending 3

weeks prior to the last week for which federal sharing is authorized by the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Section 2005(a), whichever is later, and effective with respect to weeks beginning in a high unemployment period, the total extended benefit amount payable to any eligible individual with respect to the applicable benefit year is the least of the following amounts:

1. Eighty percent of the total amount of regular benefits that were payable to the individual under the Maine Revised Statutes, Title 26, chapter 13 in the applicable benefit year;

2. Twenty times the weekly benefit amount that was payable to the individual under Title 26, chapter 13 for a week of total unemployment in the applicable benefit year; and

3. Forty-six times the weekly benefit amount that was payable to the individual under Title 26, chapter 13 for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits that were paid, or deemed paid, to the individual under Title 26, chapter 13 with respect to the benefit year.

For purposes of this section, "high unemployment period" means any period during which an extended benefit period would be in effect if section 1 of this Act were applied with an average seasonally adjusted unemployment rate of 8% instead of 6.5%.

Sec. 4. Definitions. In addition to the definition of "exhaustee" in the Maine Revised Statutes, Title 26, section 1195, subsection 1, paragraph A, in the context of the extended benefits in the unemployment compensation program provided by this Act, "exhaustee" means an individual who, with respect to any week of unemployment in that individual's eligibility period, has received, prior to such week, all of the federal emergency unemployment compensation 2008 benefits that were available to that individual.

Sec. 5. Eligibility period. In the context of the extended benefits in the unemployment program provided by this Act, "eligibility period" of an individual means the period consisting of the weeks in the individual's benefit year or a period in which the individual is collecting benefits under the federal emergency unemployment compensation 2008 program that begins in an extended benefit period and, if the individual's benefit year or period of benefit collection under the federal emergency unemployment compensation 2008 program ends within such extended benefit period, any weeks thereafter that begin in such period.

Sec. 6. Fund. The Commissioner of Administrative and Financial Services shall establish, within the Department of Administrative and Financial Services, the Emergency Unemployment Benefit Reimbursement Fund, referred to in this section as "the

fund." The fund must be used to reimburse eligible employers for the cost of extended benefits paid on their behalf from the Unemployment Compensation Fund under the Maine Revised Statutes, Title 26, section 1141 as a result of the triggering of the "on" indicator provided in this Act.

To obtain reimbursement from the fund, an employer must demonstrate to the administrator of the fund that the employer has paid its bill to the Unemployment Compensation Fund for the benefits and that the benefits paid were attributable to this "on" indicator.

If amounts in the fund are not sufficient to cover the total cost of the extended benefits under this Act, the Commissioner of Administrative and Financial Services, on behalf of the Governor, shall submit a budget request to the Second Regular Session of the 124th Legislature.

For purposes of this section, a school administrative unit as defined in the Maine Revised Statutes, Title 20-A, section 1, subsection 26 is not an eligible employer.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Emergency Unemployment Benefit Reimbursement Fund N070

Initiative: Provides funds to support the costs of reimbursing certain direct reimbursement employers for extended benefits paid as a result of temporarily adding an alternative methodology for determining when extended unemployment benefits are paid.

GENERAL FUND	2009-10	2010-11
All Other	\$600,000	\$0
GENERAL FUND TOTAL	\$600,000	\$0

Sec. 8. Retroactivity. Sections 2 to 5 of this Act apply retroactively to February 17, 2009.

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

Effective April 16, 2009.

**CHAPTER 34
S.P. 71 - L.D. 221**

**An Act To Modify the Laws
Regarding Seat Belts**

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

Sec. 1. 29-A MRSA §2081, sub-§6, as amended by PL 1997, c. 450, §4, is further amended to read:

6. Exceptions. Notwithstanding subsection 3-A:

A. A rural mail carrier of the United States Postal Service is not required to be secured in a seat belt while engaged in the delivery of mail; ~~and~~

B. The operator of a taxicab or a limousine is not responsible for securing in a seat belt a passenger transported for a fee; ~~and~~

C. A newspaper delivery person is not required to be secured in a seat belt while engaged in the actual delivery of newspapers from a vehicle or performing newspaper delivery duties that require frequent entry into and exit from a vehicle.

See title page for effective date.

**CHAPTER 35
S.P. 43 - L.D. 120**

**An Act Regarding Assistance
to Low-income Customers of
Gas Utilities**

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

Sec. 1. 35-A MRSA §4706-A, as enacted by PL 1999, c. 664, §1, is repealed.

Sec. 2. 35-A MRSA §4706-B is enacted to read:

§4706-B. Assistance programs for low-income customers

1. Programs. Each gas utility in the State that serves 5,000 or more residential customers shall offer low-income assistance programs for residential customers who satisfy criteria for low-income assistance as established by the commission in rule. To the maximum extent possible, a gas utility, in adopting and implementing a low-income assistance program under this section, shall seek to encourage conservation in the use of gas by program participants.

2. Cost recovery. The commission shall include in rates for a gas utility all costs incurred in compli-

ance with this section and commission rules adopted under this section, as long as such costs have been prudently incurred.

3. Rules. The commission may adopt rules necessary to implement this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Report. The commission shall report on low-income assistance programs offered by gas utilities pursuant to this section within the annual report required under section 120.

See title page for effective date.

CHAPTER 36

H.P. 111 - L.D. 127

An Act To Prohibit Telephone Charges Not Representing Services or Fees Requested by the Customer or Authorized by the Government

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

Sec. 1. 35-A MRSA §7102, sub-§1-B is enacted to read:

1-B. Line-item charge. "Line-item charge" means a discrete charge identified separately on a customer's telephone bill.

Sec. 2. 35-A MRSA §7109 is enacted to read:
§7109. Unlawful telephone charges

1. Unauthorized and duplicative line-item charges prohibited. A telephone utility may not charge a customer for, or include as a separate line-item charge on the customer's bill, any charge unless that charge represents:

A. An actual service or fee authorized by the customer; or

B. An actual tax, fee or charge authorized or required by federal or state law or by a federal or state agency rule or order.

A telephone utility may not include in a line-item charge on a customer's bill any element of the telephone utility's costs that is charged for elsewhere on the customer's bill.

2. Description of line-item charges required. A telephone utility shall provide on the customer's bill a brief, clear, nonmisleading, plain language description of each line-item charge included on the bill and the authorized service, tax or fee represented by that line-item charge.

3. Enforcement. In addition to any authority the commission may have pursuant to other law, the commission may impose an administrative penalty upon a telephone utility for violation of this section. The amount of any administrative penalty imposed under this subsection may not exceed \$1,000 per violator for violations arising out of the same incident or complaint and must be based on:

A. The severity of the violation, including the intent of the violator and the nature, circumstances, extent and gravity of any prohibited acts;

B. The history of previous violations by the violator;

C. The amount necessary to deter future violations;

D. Good faith attempts to comply after notification of a violation; and

E. Such other matters as justice requires.

The commission shall provide a simple process for a customer of a telephone utility to report to the commission a line-item charge that the customer believes may violate this section.

This subsection is not intended to limit any enforcement action or penalty pursued by the Attorney General for violations of Title 5, chapter 10 where applicable.

See title page for effective date.

CHAPTER 37

H.P. 192 - L.D. 238

An Act Regarding Consumer-owned Water Utilities and Contracts for Large-scale Extraction and Transportation of Water

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

Sec. 1. 35-A MRSA §6109-B is enacted to read:

§6109-B. Contracts for large-scale extraction and transportation of water

Except as provided in subsection 5, this section governs any contract or agreement between a consumer-owned water utility and another entity that involves the large-scale extraction of water and the large-scale transportation of water.

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

A. "Large-scale extraction of water" means the extraction of water that is required to be permitted, certified, reported or approved pursuant to:

(1) The in-stream flow provisions of Title 38, section 470-H;

(2) The requirements for significant ground-water wells under Title 38, section 480-B;

(3) The site location of development law requirements for a development of state or regional significance that may substantially affect the environment as provided in Title 38, section 482, subsection 2; or

(4) The water withdrawal reporting program under Title 38, chapter 3, subchapter 1, article 4-B.

B. "Large-scale transportation of water" means the transportation of water for commercial purposes by pipeline or other conduit or by tank truck or in a container, greater in size than 10 gallons, beyond the boundaries of the municipality or township in which the water is naturally located or of any bordering municipality or township.

2. Public meeting required. A consumer-owned water utility may not enter into a contract or agreement subject to this section until at least 30 days after holding a public meeting on the proposed contract or agreement in accordance with this subsection. The public meeting must include:

A. A presentation by the consumer-owned water utility of the terms and conditions of the proposed contract or agreement and the criteria to be used by the utility to decide whether to enter into the contract or agreement; and

B. An opportunity for public comment on the proposed contract or agreement.

3. Public notice required. The consumer-owned water utility shall, at least 30 days prior to the public meeting required under subsection 2, give written notice of the public meeting and the proposed contract or agreement in accordance with this subsection. The notice must include the date, time, place and purpose of the meeting.

A. The consumer-owned water utility shall give one written notice to each of its customers.

B. The consumer-owned water utility shall give written notice to the commission, the Office of the Public Advocate and the municipality or municipalities where the source of water is located.

C. The consumer-owned water utility shall publish one notice in a newspaper of general circulation in the area served by the consumer-owned water utility.

4. Copy available for inspection. Prior to the public meeting required under subsection 2, the consumer-owned water utility shall make available for public inspection a copy of the proposed contract or agreement.

5. Exceptions. This section does not apply to a contract or agreement between a consumer-owned water utility and another entity that involves the large-scale extraction of water and the large-scale transportation of water when:

A. The entity entering into a contract or agreement with the consumer-owned water utility is:

(1) An existing customer of the consumer-owned water utility; or

(2) A water utility; or

B. The large-scale transportation of water meets the exceptions provided in Title 22, section 2660-A, subsection 2, paragraph B, C or D.

6. Rulemaking. The commission 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.

See title page for effective date.

CHAPTER 38

H.P. 141 - L.D. 162

An Act To Clarify Child Abuse and Neglect Information Disclosure

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

Sec. 1. 22 MRSA §4008, sub-§3, ¶A-1, as enacted by PL 2005, c. 300, §9, is amended to read:

A-1. The court-appointed guardian ad litem, ~~visi-
tor~~ or attorney of a child who is the subject of a court proceeding involving parental rights and responsibilities, grandparent visitation, custody, guardianship or involuntary commitment. The access of the guardian ad litem, ~~visi-
tor~~ or attorney to the records or information under this paragraph is limited to reviewing the records in the offices of the department. Any other use of the information or records during the proceeding in which the guardian ad litem, ~~visi-
tor~~ or attorney is appointed is governed by paragraph B;

Sec. 2. 22 MRSA §4008-A, sub-§1, as enacted by PL 1997, c. 328, §1, is amended to read:

1. Disclosure permitted. Notwithstanding any other provision of law, the commissioner, with the advice of the Attorney General, may disclose informa-

tion as set forth in this section regarding the abuse or neglect of a child and the investigation of and any services related to the abuse and neglect if the commissioner determines that such disclosure is not contrary to the best interests of the child, the child's siblings or other children in the household and any one of the following factors is present:

A. The alleged perpetrator of the abuse or neglect has been charged with committing a crime related to the allegation of abuse or neglect maintained by the department;

B. A judge, a law enforcement agency official, a district attorney or another state or local investigative agency or official has publicly disclosed, as required by law in the performance of official duties, the provision of child welfare services or the investigation by child welfare services of the abuse or neglect of the child; or

C. An individual who is the parent, custodian or guardian of the victim or a child victim over 14 years of age has made a prior knowing, voluntary, public disclosure; or

D. ~~The child named in the report has died.~~

Sec. 3. 22 MRSA §4008-A, sub-§1-A is enacted to read:

1-A. Disclosure required. The commissioner shall make public disclosure of the findings or information pursuant to this section in situations where child abuse or neglect results in a child fatality or near fatality, with the exception of circumstances, as determined with the advice of the Attorney General or appropriate district attorney, in which disclosure of child protective information would jeopardize a criminal investigation or proceeding.

See title page for effective date.

CHAPTER 39

H.P. 501 - L.D. 718

An Act Concerning Cremated Remains

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

Sec. 1. 32 MRSA §1405-A, as enacted by PL 2001, c. 611, §1, is amended to read:

§1405-A. Disposition of cremated remains

A funeral director or a practitioner of funeral services who receives ~~eremains cremated remains~~ or has received ~~eremains cremated remains~~ prior to the effective date of this section may dispose of those ~~eremains cremated remains~~ in accordance with Title 13, section

1032, providing the following conditions have been met:

1. Cremated remains not claimed for one year. The ~~eremains cremated remains~~ have not been claimed after a time period of at least ~~4 years~~ one year from the time of cremation; and

2. Notice. The funeral director or practitioner of funeral services has sent notice by certified mail, return receipt requested, to the last known address of the person who authorized the cremation at least 60 days prior to disposal.

See title page for effective date.

CHAPTER 40

S.P. 325 - L.D. 856

An Act To Ensure the Availability of Supplemental Educational Loans

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

Whereas, unprecedented turbulence in the capital markets has made it necessary to replace existing auction rate bond financing for supplemental or alternative student loans with financing supported by a capital reserve fund; and

Whereas, if financing supported by a capital reserve fund cannot be made available, Maine students and families may be adversely affected by increased costs of education borrowing or limited availability of supplemental loans, which may affect the number of Maine students pursuing a higher education because they cannot secure the necessary financing; 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 enacted by PL 1987, c. 807, §3, is 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 author-

ity. The authority may not create or establish any capital reserve fund under this section after June 30, 2011.

Sec. 2. 20-A MRSA §11424, sub-§2, as enacted by PL 1987, c. 807, §3, is amended to read:

2. Application. Money held in any capital reserve fund, except as provided in this section, shall be used solely with respect to bonds, repayment of which is secured by any such fund and solely for the payment of principal of bonds, the purchase or redemption of those bonds, including any fees or premiums and the payment of interest on those bonds. In addition, if the authority obtains a letter of credit, insurance contract, surety bond or similar financial undertaking to establish and fund a capital reserve fund under this section, money in that capital reserve fund may be used to pay, as and when due, all reimbursement obligations of the authority established in connection with that letter of credit, insurance contract, surety bond or similar financial undertaking, including, but not limited to, all fees, expenses, indemnities and commissions. Money in excess of the reserve requirement set forth in subsection 3 may be transferred to other funds and accounts of the authority.

Sec. 3. 20-A MRSA §11424, sub-§6, as enacted by PL 1987, c. 807, §3, is amended to read:

6. Bonds outstanding. The authority ~~shall~~ 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 ~~\$50,000,000~~ \$300,000,000. The amount of bonds issued to refund bonds previously issued ~~shall~~ may not be taken into account in determining the principal amount of the bonds outstanding, ~~provided that as long as~~ 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 ~~which that~~ 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 ~~shall~~ must be valued as of any date of calculation at their current accreted value rather than their face value.

Sec. 4. Report of bond and loan activity. The Maine Educational Loan Authority shall submit a report to the Joint Standing Committee on Education and Cultural Affairs no later than April 2, 2010 summarizing the authority's bond and loan activity from the effective date of this Act through March 15, 2010. The report must include an account of tax exempt bonds issued during this period with amounts and rates for each issue. The report must include an account of bonds issued prior to the effective date of this Act that have been refinanced, the change in interest rates for these bonds and the bond cap available as of March 15, 2010.

The Maine Educational Loan Authority shall also report the rates on alternative loans originating after the effective date of this Act and changes in rates for loans outstanding on the effective date of this Act. The report must also include an account of any fees in excess of \$50,000 paid to entities outside the authority.

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

Effective April 17, 2009.

CHAPTER 41

H.P. 315 - L.D. 427

An Act To Require School Bus Drivers and School Bus Attendants To Report Suspected Child Abuse

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

Sec. 1. 22 MRSA §4011-A, sub-§1, ¶A, as amended by PL 2007, c. 577, §6, is further amended to read:

- A. When acting in a professional capacity:
 - (1) An allopathic or osteopathic physician, resident or intern;
 - (2) An emergency medical services person;
 - (3) A medical examiner;
 - (4) A physician's assistant;
 - (5) A dentist;
 - (6) A dental hygienist;
 - (7) A dental assistant;
 - (8) A chiropractor;
 - (9) A podiatrist;
 - (10) A registered or licensed practical nurse;
 - (11) A teacher;
 - (12) A guidance counselor;
 - (13) A school official;
 - (14) A children's summer camp administrator or counselor;
 - (15) A social worker;
 - (16) A court-appointed special advocate or guardian ad litem for the child;
 - (17) A homemaker;
 - (18) A home health aide;

- (19) A medical or social service worker;
- (20) A psychologist;
- (21) Child care personnel;
- (22) A mental health professional;
- (23) A law enforcement official;
- (24) A state or municipal fire inspector;
- (25) A municipal code enforcement official;
- (26) A commercial film and photographic print processor;
- (27) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications;
- (28) A chair of a professional licensing board that has jurisdiction over mandated reporters;
- (29) A humane agent employed by the Department of Agriculture, Food and Rural Resources;
- (30) A sexual assault counselor; ~~and~~
- (31) A family or domestic violence victim advocate; ~~and~~
- (32) A school bus driver or school bus attendant;

See title page for effective date.

CHAPTER 42

H.P. 324 - L.D. 436

An Act To Include Trucks in the Definition of "Low-speed Vehicle"

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

Sec. 1. 29-A MRSA §101, sub-§32-A, as affected by PL 2003, c. 614, §9 and repealed and replaced by c. 688, Pt. B, §8 and affected by §9, is amended to read:

32-A. Low-speed vehicle. "Low-speed vehicle" means a 4-wheeled ~~automobile~~ motor vehicle that is able to attain a speed of at least 20 miles per hour but not more than 25 miles per hour and ~~does not exceed 1,800~~ is less than 3,000 pounds in unloaded weight. "Low-speed vehicle" does not include an ATV as defined in Title 12, section 13001. A low-speed vehicle must be originally manufactured and maintained in accordance with the Federal Motor Vehicle Safety

Standards as a low-speed vehicle pursuant to 49 Code of Federal Regulations, Section 571.500, as amended.

See title page for effective date.

CHAPTER 43

S.P. 16 - L.D. 7

An Act To Amend the Instruction Permit Process

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

Sec. 1. 29-A MRSA §1304, sub-§1, ¶E, as amended by PL 2005, c. 577, §18, is further amended to read:

E. Unless the permittee is operating a motorcycle or moped, the permit requires the permittee to be accompanied by a licensed operator who:

- (1) Has held a valid license for ~~the immediately preceding at least 2 consecutive~~ years;
- (2) Is at least 20 years of age;
- (3) Is occupying a seat beside the driver; and
- (4) Is licensed to operate the class vehicle operated by the permittee.

The accompanying operator must adhere to all restrictions applied to the license when functioning as the permittee's accompanying operator. ~~A person who meets the conditions of subparagraphs (2), (3) and (4) whose license was canceled or suspended for physical, mental or emotional reasons within the immediately preceding 2 consecutive years may act as an accompanying operator pursuant to this paragraph with the approval of the Secretary of State.~~

See title page for effective date.

CHAPTER 44

H.P. 135 - L.D. 156

An Act To Protect Consumers from the Unlicensed Practice of a Trade or Profession

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

Sec. 1. 10 MRSA §8003-C, sub-§4, as enacted by PL 1999, c. 687, Pt. C, §12, is amended to read:

4. Unlicensed practice; civil penalties. Any person who practices or represents to the public that the person is authorized to practice a profession or

trade without first obtaining a license as required by this Title or after the license has expired or has been suspended or revoked commits a civil violation punishable by a fine of not less than ~~\$100~~ \$1,000 but not more than ~~\$2,000~~ \$5,000 for each violation. An action under this subsection may be brought in District Court or, in combination with an action under subsection 5, in Superior Court.

See title page for effective date.

CHAPTER 45

H.P. 237 - L.D. 297

An Act To Ensure That Medical Equipment Found in a Repossessed Vehicle Is Returned to the Owner

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

Sec. 1. 29-A MRSA §665, sub-§6, as enacted by PL 2003, c. 133, §1, is amended to read:

6. Repossession. Upon the exercise of the right to take possession of a vehicle by a lienholder that is a supervised financial organization creditor as defined in Title 9-A, section 1-301, subsection 17, or the assignee of that creditor, ownership of the vehicle vests in the lienholder, subject to the rights granted to the owner and the duties imposed on the lienholder under Title 9-A, Article 5, Part 1 ~~and~~, Title 11, Article 9-A, Part 6 and Title 32, section 11017.

Sec. 2. 32 MRSA §11017, sub-§3 is enacted to read:

3. Special treatment for necessary medical device or equipment in a repossessed vehicle. A consumer who has unsecured property taken when a vehicle is repossessed pursuant to Title 29-A, section 665, subsection 6 may have that property returned by complying with this subsection.

The consumer shall notify the debt collector that:

- A. Unsecured property was taken with a repossessed vehicle;
- B. The unsecured property includes a medical device or equipment necessary for health or welfare; and
- C. The consumer does not have practicable means to retrieve the medical device or equipment.

If the consumer makes a reasonable request for the return of the medical device or equipment, the debt collector shall arrange to have the medical equipment or device promptly returned to the consumer. If the debt collector incurs expenses in actually returning the

medical device or equipment to the consumer, those reasonable expenses are considered a reasonable charge incurred in realizing on a security interest in personal property, pursuant to Title 9-A, section 3-402, subsection 1, paragraph B, which may be added to the consumer's indebtedness.

See title page for effective date.

CHAPTER 46

H.P. 47 - L.D. 54

An Act To Change the Coyote Night Hunting Season

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

Sec. 1. 12 MRSA §12001, sub-§1, as amended by PL 2007, c. 242, §1, is further amended to read:

1. Open night hunting season. Notwithstanding the night hunting prohibitions in section 11206-A, there is an open season for hunting coyotes at night in all counties of the State from ~~January 1st~~ December 16th to June 1st.

See title page for effective date.

CHAPTER 47

H.P. 78 - L.D. 94

An Act To Authorize the State Board of Nursing To Request Mental and Physical Examinations and To Establish a Nurse Health Program

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

Sec. 1. 24 MRSA §2502, sub-§4-A, as amended by PL 2007, c. 288, §1, is further amended to read:

4-A. Professional review committee. "Professional review committee" means a committee of physicians, dentists, pharmacists, nurses or a combination of members of all ~~3~~ 4 professions formed by a professional society for the purpose of identifying and working with physicians, dentists and other licensees of the Board of Dental Examiners, physician assistants, pharmacists and pharmacy technicians and nurses who are disabled or impaired by virtue of physical or mental infirmity or by the misuse of alcohol or drugs, as long as the committee operates pursuant to protocols approved by the Board of Licensure in Medicine, the Board of Dental Examiners, the Board of Osteopathic

Licensure and, the Maine Board of Pharmacy and the State Board of Nursing.

Sec. 2. 32 MRSA §2105-A, sub-§4 is enacted to read:

4. Authority to request mental and physical examinations. For the purposes of this section, by application for and acceptance of a license to practice, a nurse is considered to have given consent to a mental or physical examination when directed by the board. The board may direct a nurse to submit to an examination whenever the board determines the nurse may be suffering from a mental illness that may be interfering with the competent practice of nursing or from the use of intoxicants or drugs to an extent that they are preventing the nurse from practicing nursing competently and with safety to patients. A nurse examined pursuant to an order of the board may not prevent the testimony of the examining individual or prevent the acceptance into evidence of the report of an examining individual in a proceeding under subsection 1-A. Failure to comply with an order of the board to submit to a mental or physical examination results in the immediate suspension of the license of the nurse by order of the District Court until the nurse submits to the examination.

Sec. 3. 32 MRSA §2105-A, sub-§5 is enacted to read:

5. Nurse health program. The board may establish protocols for the operation of a professional review committee as defined in Title 24, section 2502, subsection 4-A. The protocols must include the committee's reporting information the board considers appropriate regarding reports received, contracts or investigations made and the disposition of each report, as long as the committee is not required to disclose any personally identifiable information. The protocols may not prohibit an impaired nurse from seeking alternative forms of treatment.

The board may contract with other agencies, individuals, firms or associations for the conduct and operation of a nurse health program operated by a professional review committee as that term is defined in Title 24, section 2502, subsection 4-A.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

State Board of Nursing 0380

Initiative: Allocates dedicated revenue funds for the State Board of Nursing to contract with an agency to operate a nurse health program beginning in September 2009.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$100,000	\$120,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$120,000

See title page for effective date.

CHAPTER 48

H.P. 149 - L.D. 184

An Act To Allow a Cosmetologist, Barber, Manicurist or Aesthetician Licensee To Perform Services outside of the Primary Business Location

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

Sec. 1. 32 MRSA §14203, sub-§2, ¶H, as amended by PL 1997, c. 210, §19, is further amended to read:

H. On persons in their private businesses; and

Sec. 2. 32 MRSA §14203, sub-§2, ¶I, as enacted by PL 1997, c. 210, §20, is amended to read:

I. On human remains in licensed funeral establishments; and

Sec. 3. 32 MRSA §14203, sub-§2, ¶J is enacted to read:

J. On persons at special events with a special event services permit. Services rendered pursuant to this paragraph must be rendered for compensation. A person may not perform special event services without first obtaining a special event services permit from the board. The services provided pursuant to the special event services permit must comply with any applicable public health and safety requirements, the requirements of this chapter and all federal, state and local laws.

Sec. 4. Rules. The Department of Professional and Financial Regulation, Office of Licensing and Registration, Board of Barbering and Cosmetology shall adopt rules to implement the Maine Revised Statutes, Title 32, section 14203, subsection 2, paragraph J and to specify the types of services that may be performed with a special event services permit. The rules are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 5. 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 funds for the one-time costs associated with updating the agency licensing system, rulemaking and preparing, printing and mailing notifications to all licensees.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,500	\$0
	\$4,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL		

Licensing and Enforcement 0352

Initiative: Allocates funds for the one-time costs associated with updating the agency licensing system, rulemaking and preparing, printing and mailing notifications to all licensees.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$8,000	\$0
	\$8,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL		

**PROFESSIONAL AND
FINANCIAL
REGULATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$12,500	\$0
	\$12,500	\$0
DEPARTMENT TOTAL - ALL FUNDS		

See title page for effective date.

CHAPTER 49

H.P. 222 - L.D. 282

**An Act Regarding the
Requirement That the
Treatment of a Gunshot
Wound Be Reported**

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

Sec. 1. 17-A MRSA §512, sub-§1, as enacted by PL 1975, c. 499, §1, is amended to read:

1. A person is guilty of failure to report treatment of a gunshot wound if, being a ~~licensed physician health care practitioner or emergency medical services person~~, he that person treats a human being for a wound apparently caused by the discharge of a firearm and knowingly fails to report the same to a law enforcement officer ~~within 24 hours~~ agency immediately by the quickest means of communication.

Sec. 2. 17-A MRSA §512, sub-§3 is enacted to read:

3. As used in this section, "health care practitioner" has the same meaning as in Title 24, section 2502, subsection 1-A, and "emergency medical services person" has the same meaning as in Title 32, section 83, subsection 12.

See title page for effective date.

CHAPTER 50

H.P. 325 - L.D. 437

**An Act To Require a Person
under 18 Years of Age To
Wear a Helmet While on a
Motorcycle**

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

Sec. 1. 29-A MRSA §2083, sub-§1, ¶A, as amended by PL 2005, c. 577, §33, is further amended to read:

A. If under ~~15~~ 18 years of age, a passenger on a motorcycle or in an attached side car;

Sec. 2. 29-A MRSA §2083, sub-§1, ¶B, as amended by PL 2005, c. 577, §33, is further amended to read:

B. If under ~~15~~ 18 years of age, an operator of an ~~off-road~~ a motorcycle;

Sec. 3. 29-A MRSA §2083, sub-§2, as amended by PL 2005, c. 577, §33, is further amended to read:

2. **Compliance.** An operator of a motorcycle, parent or guardian may not allow a passenger under the age of ~~15~~ 18 years to ride in violation of this section.

See title page for effective date.

**CHAPTER 51
H.P. 25 - L.D. 30**

An Act To Establish Native American Veterans Day

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

Whereas, throughout the history of our nation, Native Americans served our country to defend rights that they themselves were not always afforded; and

Whereas, the recognition afforded by this Act should be bestowed upon them without further delay; 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. 1 MRSA §150-C is enacted to read:

§150-C. Native American Veterans Day

The Governor annually shall issue a proclamation designating June 21st as Native American Veterans Day in remembrance of the courage and dedicated service of Native American members of the United States Armed Forces, and the Governor shall urge the people of the State to observe this day in suitable places and with appropriate ceremony and activity.

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

Effective April 22, 2009.

**CHAPTER 52
H.P. 29 - L.D. 34**

An Act To Clarify the Election of Municipal Charter Commission Members

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 to the law governing the creation of charter commissions in 2008 inadvertently failed to allow sufficient flexibility in the election of

charter commission members for municipalities to conveniently schedule special referenda elections; and

Whereas, there is no regularly scheduled June primary election in 2009; and

Whereas, there can be a significant municipal expense in holding a special election outside of a regular election schedule; 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. 30-A MRSA §2103, sub-§1, ¶A, as amended by PL 2007, c. 495, §1, is further amended to read:

A. Voter members must be elected by one of the following methods:

- (1) Six voter members are elected in the same manner as the municipal officers, except that they must be elected at-large and without party designations;
- (2) One voter member is elected from each voting district or ward in the same manner as municipal officers, except that the voter member must be elected without party designation; or
- (3) Voter members are elected both at-large and by district or ward, as long as the number of voter members is the same as the number of municipal officers on the board or council of that municipality and the voter members are elected in the same manner as the municipal officers, except that they must be elected without party designation.

Election of voter members may be held either at the same municipal election as the referendum for the charter commission or at the next scheduled regular or special municipal or state election ~~that is no more than 200 days after the referendum authorizing the charter commission.~~ The names of the candidates on the ballot must be arranged alphabetically by last name. If the elections are held at the same time, the names of the candidates must appear immediately below the question relating to the charter commission.

Sec. 2. Retroactivity. This Act applies retroactively to January 1, 2009.

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

Effective April 22, 2009.

CHAPTER 53

S.P. 248 - L.D. 673

**An Act To Improve the
Protection for Buyers of Motor
Vehicles from Vehicles Labeled
Lemons in Other States**

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

Sec. 1. 10 MRSA §1174, sub-§4, ¶F is enacted to read:

F. To fail to disclose in writing to a potential purchaser or lessee of a motor vehicle that the motor vehicle had previously been returned to the manufacturer pursuant to either a lemon law arbitration decision or a lemon law settlement agreement in a state other than this State if known to the dealer. If that information is known to the dealer, this disclosure must be clear and conspicuous. For the purpose of this section, "lemon law" refers to any state's certified dispute settlement law that establishes a state-certified arbitration procedure to settle consumer complaints that the consumer had been sold a vehicle that did not conform to all manufacturer express warranties and that the manufacturer had not been able to repair or correct the defect or condition that impaired the vehicle.

See title page for effective date.

CHAPTER 54

S.P. 66 - L.D. 180

**An Act To Make Technical
Corrections to the Operating
Under the Influence 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, it is in the best interest of the public safety and drivers to make motor vehicle license suspension provisions in the ignition interlock laws consistent with all other administrative suspensions by the Secretary of State; 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. 29-A MRSA §2451, sub-§3, ¶B, as enacted by PL 1995, c. 368, Pt. AAA, §17, is amended to read:

B. ~~Eighteen months~~ Three years, if the person has 2 OUI offenses within a 10-year period; or

Sec. 2. 29-A MRSA §2451, sub-§3, ¶C, as enacted by PL 1995, c. 368, Pt. AAA, §17, is amended to read:

C. ~~Four~~ Six years, if the person has 3 or more OUI offenses within a 10-year period; ~~or.~~

Sec. 3. 29-A MRSA §2451, sub-§3, ¶D, as enacted by PL 1995, c. 368, Pt. AAA, §17, is repealed.

Sec. 4. 29-A MRSA §2508, sub-§1, as enacted by PL 2007, c. 531, §6 and affected by §10, is amended to read:

1. Installation of ignition interlock device. Notwithstanding the periods of suspension pursuant to section 2411 or 2451, subsection 3, the Secretary of State may reinstate the license of a person convicted of more than one violation of section 2411 or whose license is suspended by the Secretary of State pursuant to section 2453 if the person satisfies all other conditions for license reinstatement and installs an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates, under the following conditions.

A. The license of a person with 2 OUI offenses may be reinstated after 9 months of the suspension period has run if the person has installed for a period of 2 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

B. The license of a person with 3 OUI offenses may be reinstated after 3 years of the suspension period has run if the person has installed for a period of 3 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

C. The license of a person with 4 or more OUI offenses may be reinstated after the expiration of the period of suspension if the person has installed for a period of 4 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

Sec. 5. 29-A MRSA §2557-A, sub-§2, as enacted by PL 2005, c. 606, Pt. A, §11, is amended to read:

2. Penalties. The following penalties apply.

A. A person is guilty of a Class D crime if the person violates subsection 1 and:

(1) The person has not been convicted for operating after revocation under this section or under former Title 29, section 2298 within the previous 10 years; and

(2) The person has not been convicted for violating section 2411 or former Title 29, section 1312-B received an OUI conviction within the previous 10 years.

The minimum fine for a Class D crime under this paragraph is \$500 and the minimum term of imprisonment is 30 days, neither of which may be suspended by the court.

B. A person is guilty of a Class C crime if the person violates subsection 1 and:

(1) The person has one conviction for operating after revocation under this section or under former Title 29, section 2298 within the previous 10 years; or

(2) The person has one OUI conviction for violating section 2411 or former Title 29, section 1312-B within the previous 10 years.

The minimum fine for a Class C crime under this paragraph is \$1,000 and the minimum term of imprisonment is 6 months, neither of which may be suspended by the court.

C. A person is guilty of a Class C crime if the person violates subsection 1 and:

(1) The person has 2 convictions for operating after revocation under this section or under former Title 29, section 2298 within the previous 10 years; or

(2) The person has 2 OUI convictions for violating section 2411 or former Title 29, section 1312-B within the previous 10 years.

The minimum fine for a Class C crime under this paragraph is \$1,000 and the minimum term of imprisonment is 9 months plus a day, neither of which may be suspended by the court.

D. A person is guilty of a Class C crime if the person violates subsection 1 and:

(1) The person has 3 or more convictions for operating after revocation under this section or under former Title 29, section 2298 within the previous 10 years; or

(2) The person has 3 or more OUI convictions ~~for violating section 2411 or former Title 29, section 1312-B~~ within the previous 10 years.

The minimum fine for a Class C crime under this paragraph is \$1,000 and the minimum term of imprisonment is 2 years, neither of which may be suspended by the court.

Sec. 6. 29-A MRSA §2558, sub-§2, ¶B, as enacted by PL 2005, c. 606, Pt. A, §12, is amended to read:

B. A person who violates subsection 1 and at the time has one OUI conviction ~~for violating this section, section 2411, or one conviction for violating former section 2557 or section 2557-A~~ within the previous 10 years commits a Class C crime for which a minimum fine of \$1,000 and a minimum term of imprisonment of one year must be imposed, neither of which may be suspended by the court.

Sec. 7. Retroactivity. This Act applies retroactively to September 1, 2008.

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

Effective April 22, 2009.

**CHAPTER 55
H.P. 131 - L.D. 152**

An Act Relating to Autocycles

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

Sec. 1. 29-A MRSA §101, sub-§6-A is enacted to read:

6-A. Autocycle. "Autocycle" means an enclosed motorcycle having no more than 3 wheels in contact with the ground and that:

A. Meets the general motorcycle inspection standards, except those standards that do not apply due to the design of the vehicle; and

B. Is equipped with:

(1) Safety belts for all passengers;

(2) A roll bar or enclosed cab;

(3) A steering wheel or tiller; and

(4) Brakes on at least 2 main wheels.

The manufacturer's certificate of origin must state that the vehicle meets the federal specifications for a motorcycle.

This subsection is repealed 90 days after the adjournment of the First Regular Session of the 125th Legislature.

Sec. 2. 29-A MRSA §501, sub-§12 is enacted to read:

12. Autocycles. The Secretary of State may issue a registration for an autocycle upon application and payment of an annual fee of \$21. The registrant must provide a certificate of title required by section 651, proof of financial responsibility required by section 1601 and evidence of payment of the excise tax as required by Title 36, section 1482, subsection 1, paragraph C. An autocycle registered under this section is issued a registration plate with the word "autocycle" instead of "Vacationland." The Secretary of State may issue a facsimile plate for a 60-day period.

This subsection is repealed 90 days after the adjournment of the First Regular Session of the 125th Legislature.

Sec. 3. 29-A MRSA §1301, sub-§9, as reallocated by RR 2003, c. 1, §28, is amended to read:

9. Vehicle used for examination. An applicant for a license may not use a low-speed vehicle or autocycle to demonstrate ability to operate a motor vehicle as required under subsection 4.

Sec. 4. 29-A MRSA §2083, sub-§2, as amended by PL 2005, c. 577, §33, is further amended to read:

2. Compliance. An operator of a motorcycle, or autocycle or a parent or guardian may not allow a passenger under the age of 15 years to ride in violation of this section.

Sec. 5. 29-A MRSA §2089-A is enacted to read:

§2089-A. Operation of autocycles

A person operating an autocycle on a public way shall comply with the provisions of this chapter and with this section.

1. License required. A person operating an autocycle must possess a valid operator's license pursuant to section 1251.

2. State highway restrictions. An autocycle may not be operated on a road or street where the posted speed limit is greater than 45 miles per hour. An autocycle may cross, at an intersection, a road or street with a posted speed limit of more than 45 miles per hour. An autocycle may not be operated on any highway or segment of highway under the jurisdiction of the department in violation of any applicable rules and regulations of the department. An autocycle may only transport cargo in compliance with manufacturer specifications.

3. Municipal road restrictions. A municipality may prohibit the operation of an autocycle on any road under its jurisdiction if it determines that the prohibition is necessary in the interest of public safety.

4. Violation. A person who operates an autocycle in violation of subsection 2 commits a traffic infraction.

5. Repeal. This section is repealed 90 days after the adjournment of the First Regular Session of the 125th Legislature.

Sec. 6. Report. The Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, shall submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than February 1, 2011. The report must include the status of the registration and use of autocycles on public ways. After reviewing the report, the joint standing committee of the Legislature having jurisdiction over transportation matters may submit legislation to the First Regular Session of the 125th Legislature concerning the registration and use of autocycles on public ways.

See title page for effective date.

**CHAPTER 56
S.P. 203 - L.D. 508**

**An Act To Amend the Laws
Relating to Corporations,
Limited Liability Companies
and Limited Liability
Partnerships**

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

Sec. 1. 5 MRSA §102, sub-§16, ¶A, as enacted by PL 2007, c. 323, Pt. A, §1 and affected by Pt. G, §4, is amended to read:

A. An individual ~~or a domestic or foreign entity~~ that serves in this State as the agent for service of process of an entity; or

Sec. 2. 5 MRSA §108, sub-§2, as enacted by PL 2007, c. 323, Pt. A, §1 and affected by Pt. G, §4, is amended to read:

2. Approval not needed. ~~The~~ Except for a corporation formed under Title 13-C, the interest holders or governors of a domestic entity need not approve the filing of:

- A. A statement of change under this section; or
- B. A similar filing changing the clerk or registered agent or registered office of the entity in any other jurisdiction.

Sec. 3. 13 MRSA §43 is amended to read:

§43. Certificate of organization

Before commencing business, the president, treasurer and a majority of the directors of any corporation chartered by a special act of the Legislature shall prepare a certificate setting forth, sign, date and deliver for filing with the Secretary of State articles of incorporation as required by Title 13-C, section 202. In addition to the provisions under Title 13-C, section 202, the corporation must provide the date of approval of its charter, the name and purposes of the corporation, the amount of capital stock, the amount already paid in, the par value of the shares having par value and the number of shares without par value, the names and residences of the owners, the name of the county where it is located, the number and names of the directors and the name and residence of the clerk, and shall sign and make oath to it. Such certificate shall be recorded in the registry of deeds in the county where its principal office is to be located in a book kept for that purpose and a copy thereof, certified by such register, shall be filed in the office of the Secretary of State, who shall enter the date of filing thereon and on the original certificate to be kept by the corporation and shall record said copy in a book kept for that purpose. From the time of filing such certificate in the office of the Secretary of State, the stockholders of said corporation, their successors and assigns shall be a corporation. If articles of incorporation delivered for filing to the Secretary of State pursuant to this section satisfy the requirements of this subchapter and Title 13-C, section 202, the Secretary of State shall file the articles of incorporation. The date of filing is the date of receipt by the Secretary of State. After filing the articles of incorporation under this subchapter, the Secretary of State shall deliver to the corporation or its representative a copy of the document with an acknowledgment of the date of filing.

Sec. 4. 13 MRSA §44 is amended to read:

§44. Fees

The certificate mentioned in filing fee for the articles of incorporation filed under section 43 shall not be received and filed by the Secretary of State except upon the payment to him for the use of the State of: \$15 if the capital stock does not exceed \$5,000; \$25 if the capital stock exceeds \$5,000 and does not exceed \$10,000; \$75 if the capital stock exceeds \$10,000 and does not exceed \$50,000; \$125 if the capital stock exceeds \$50,000 and does not exceed \$100,000; \$60 upon every \$100,000 or fraction thereof in excess of \$100,000 if the capital stock exceeds \$100,000; also 1¢ per share and in no case less than \$10 on all shares authorized without par value. This section shall not apply to corporations chartered for charitable and benevolent purposes is the same as for a corporation filing articles of incorporation under Title 13-C.

Sec. 5. 13 MRSA §903, as repealed and replaced by PL 2003, c. 523, §1, is amended to read:

§903. Certificate of organization

The incorporators shall prepare, sign, date and deliver for filing with the Secretary of State a certificate of organization setting forth the name, location, officers and directors, trustees or managing board, contact person and the contact person's mailing and physical address, if different, in this State and purposes of the corporation. The certificate must clearly state that the corporation is not organized for profit and that no property or profit of the corporation inures to the benefit of any person, partnership or corporation except in furtherance of the benevolent or nonprofit purposes of the corporation. Once the Secretary of State has filed the certificate of organization, the corporation may carry on activities pursuant to this chapter.

Sec. 6. 13 MRSA §906, as repealed and replaced by PL 1993, c. 349, §31, is repealed.

Sec. 7. 13 MRSA §909 is enacted to read:

§909. Certificate of existence; certificate of fact

1. Application. A person may apply to the Secretary of State for a certificate of existence for a corporation formed under this subchapter.

2. Contents. A certificate of existence sets forth:

A. The corporation's name used in this State;

B. That the corporation is duly incorporated under the laws of this State and the date of its incorporation;

C. That all fees and penalties owed to this State have been paid if:

(1) Payment is reflected in the records of the Secretary of State; and

(2) Nonpayment affects the existence of the corporation; and

D. Any facts of record in the office of the Secretary of State that may be requested by the applicant under subsection 1.

3. Evidence of existence. Subject to any qualification stated in the certificate, a certificate of existence issued by the Secretary of State may be relied upon as conclusive evidence that the corporation is in existence in this State.

4. Certificate of fact. In addition to the certificate of existence authorized under subsection 2, the Secretary of State may issue a certificate attesting to any fact of record in the office of the Secretary of State that may be requested by the applicant under subsection 1.

Sec. 8. 13 MRSA §910 is enacted to read:

§910. Contact person for corporation; changes

1. Corporation to keep name of contact person on file with Secretary of State. A corporation to which this chapter applies must continually keep and maintain the name of a contact person, who is a natural person resident in this State, on file with the Secretary of State.

2. Change. If a change in the contact person under subsection 1 occurs or the name or address of the contact person changes:

A. The corporation must notify the Secretary of State by filing a certificate of change of contact person if the contact person changes. Notice by the corporation must be made within 10 business days after a change of contact person occurs; or

B. The contact person must notify the Secretary of State of a name or address change by filing a certificate of change of name or address. Notice by the contact person must be made within 10 business days after a change of name or address of the contact person occurs.

3. Application. This section applies to:

A. A new corporation formed under this chapter on or after the effective date of this section; and

B. An existing corporation formed under this chapter that files an amendment to its articles of incorporation on or after the effective date of this section.

Sec. 9. 13 MRSA §911 is enacted to read:

§911. Corporate name

1. Prohibition. A corporate name may not contain language stating or implying that the corporation is organized for a purpose other than that permitted under this chapter and the corporation's articles of incorporation.

2. Distinguishable name. Except as authorized by subsections 4 and 5, a corporate name must be distinguishable on the records of the Secretary of State from:

A. The name of a corporation, limited liability company, limited liability partnership or limited partnership that is incorporated, organized or authorized to transact business or carry on activities in this State;

B. Assumed, fictitious, reserved and registered name filings for all entities; and

C. Marks registered under Title 10, chapter 301-A unless the registered owner or holder of the mark is the same person or entity as the corporation seeking to use a name that is not distinguishable on the records of the Secretary of State and

files proof of ownership with the Secretary of State.

3. Refuse to file name. The Secretary of State, in the Secretary of State's discretion, may refuse to file a name that:

A. Consists of or comprises language that is obscene;

B. Inappropriately promotes abusive or unlawful activity;

C. Falsely suggests an association with public institutions; or

D. Violates any other provision of the laws of this State with respect to names.

4. Authorization to use name. A corporation may apply to the Secretary of State for authorization to use a name that is not distinguishable on the records of the Secretary of State from one or more of the names described in subsection 2. The Secretary of State shall authorize use of the name applied for if:

A. The entity in possession of the name consents to the use in writing and submits an undertaking in a form satisfactory to the Secretary of State as provided in this chapter or as provided in the applicable law for that entity to change its name to a name that is distinguishable on the records of the Secretary of State from the name of the applicant; or

B. The applicant delivers to the Secretary of State a certified copy of the final judgment of a court of competent jurisdiction establishing the applicant's right to use the name applied for in this State.

5. Use of another corporation's name. A corporation may use the name, including the assumed or fictitious name, of another domestic or foreign corporation that is used in this State if the other corporation is incorporated or authorized to transact business in this State and the corporation proposing to use the name:

A. Has merged with the other corporation;

B. Has been formed by reorganization of the other corporation; or

C. Has acquired all or substantially all of the assets, including the corporate name, of the other corporation.

6. Determining distinguishability. In determining whether names are distinguishable on the records, the Secretary of State shall disregard:

A. The words or abbreviations of words that describe the nature of the entity, including "professional association," "corporation," "company," "incorporated," "chartered," "limited," "limited

partnership," "limited liability company," "professional limited liability company," "limited liability partnership," "registered limited liability partnership," "limited liability partnership," "service corporation" and "professional corporation";

B. The presence or absence of the words or symbols of the words "and" and "the"; and

C. The differences in the use of punctuation, capitalization or special characters.

7. Violations of this section. If a corporation has in other respects complied with this chapter and its articles of incorporation have been filed, subsequent discovery of a violation of this section does not invalidate its corporate existence or authority, but the courts of this State may, upon application of the State or of any interested or affected person, enjoin such violation and grant any other appropriate relief.

Sec. 10. 13 MRSA §1823, first ¶ is amended to read:

The articles of incorporation shall be signed by each of the incorporators and acknowledged by at least 3 of them if natural persons, and by the president and secretary if associations, before an officer authorized to take acknowledgments, and shall state must set forth:

Sec. 11. 13 MRSA §1823, sub-§4 is amended to read:

4. Location of office. The location and post-office mailing address and physical address, if different, of its registered office in this State;

Sec. 12. 13 MRSA §1823, sub-§5 is amended to read:

5. Name and address of incorporators; number of shares. The name and post-office mailing address and physical address, if different, of the incorporators, and if organized with capital stock, a statement of the number of shares subscribed by each, which shall may not be less than one, and the class of shares for which each subscribes;

Sec. 13. 13 MRSA §1823, sub-§6 is amended to read:

6. Names and addresses of first directors. The names and mailing addresses and physical addresses, if different, of the first directors and their post-office addresses;

Sec. 14. 13 MRSA §1824, as amended by PL 2007, c. 231, §5, is further amended to read:

§1824. Filing and recording articles of incorporation

Before commencing business, the president, treasurer and a majority of the directors or trustees incorporators of every corporation organized under

this subchapter shall prepare, sign, date and deliver for filing with the Secretary of State articles of incorporation, in a format approved by the Secretary of State, setting forth the names and addresses of the officers information required under section 1823. The filing fee for a corporation formed under this subchapter is the same as for a corporation organized under Title 13-C. If articles of incorporation delivered for filing to the Secretary of State pursuant to this section satisfy the requirements of this subchapter, the Secretary of State shall file the articles of incorporation. The date of filing is the date of receipt by the Secretary of State. After filing the articles of incorporation under this subchapter, the Secretary of State shall deliver to the corporation or its representative a copy of the document with an acknowledgement of the date of filing.

Sec. 15. 13-C MRSA §202, sub-§5, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is repealed.

Sec. 16. 13-C MRSA §1503, sub-§3, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is repealed.

Sec. 17. 24-A MRSA §3308, as amended by PL 1973, c. 585, §12, is repealed.

Sec. 18. 24-A MRSA §3308-A is enacted to read:

§3308-A. Filing by the Secretary of State

1. Duty to file. If a document delivered to the office of the Secretary of State for filing pursuant to this chapter satisfies the requirements of this chapter, the Secretary of State shall file the document.

2. Recording as filed; acknowledgment. The Secretary of State files a document pursuant to subsection 1 by recording it as filed on the date of receipt. After filing a document, the Secretary of State shall deliver to the corporation or its representative a copy of the document with an acknowledgment of the date of filing.

3. Evidentiary effect of copy of filed document. A certificate from the Secretary of State delivered with a copy of a document filed by the Secretary of State is conclusive evidence that the original document is on file with the Secretary of State.

Sec. 19. 24-A MRSA §3309, as amended by PL 1973, c. 585, §12, is further amended to read:

§3309. Completion of incorporation; general powers, duties

The incorporation of an insurer shall be is effective as of the date of issuance filing of the appropriate document by the Secretary of State of his certificate as provided for in section 3308; 3308-A, and thereupon the corporation shall be is vested with all the powers, rights and privileges; and be is subject to all the duties, liabilities and restrictions applicable to insurer corpo-

rations; subject to qualification and application for, and issuance to the corporation of, a certificate of authority as an insurer by the superintendent under this Title.

Sec. 20. 24-A MRSA §6717, sub-§4, as enacted by PL 1997, c. 435, §1, is amended to read:

4. Effect of transfer. Upon any transfer authorized pursuant to this section, the captive insurance company ceases to be domiciled in this State, and its corporate or other legal existence in this State ceases upon the ~~issuance of a certificate of discontinuance filing of the notice under this section~~ by the Secretary of State.

Sec. 21. 31 MRSA §625, sub-§1, ¶D, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

D. The future effective date or time of cancellation, which must be a date or time ~~certain not more than 90 days after the filing of the certificate~~, if it is not to be effective upon the filing of the certificate; and

Sec. 22. 31 MRSA §825, sub-§1, ¶D, as enacted by PL 1995, c. 633, Pt. B, §1, is amended to read:

D. The future effective date or time of renunciation, which must be a date or time ~~certain not more than 90 days after the filing of the certificate~~, if it is not to be effective upon the filing of the certificate; and

Sec. 23. 31 MRSA §1009, sub-§1, ¶C, as enacted by PL 2005, c. 543, Pt. A, §2, is amended to read:

C. For filing a statement of conversion under section ~~1092 or~~ 1093, the fee is \$150;

Sec. 24. 31 MRSA §1092, as enacted by PL 2005, c. 543, Pt. A, §2, is repealed.

See title page for effective date.

CHAPTER 57

S.P. 286 - L.D. 739

An Act To Clarify That the Assessor and Treasurer Are Incompatible Municipal Offices

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

Sec. 1. 30-A MRSA §2526, sub-§8, 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, is further amended to read:

8. Treasurers and tax collectors. Treasurers and tax collectors of towns may not ~~be selectmen~~ simultaneously serve as municipal officers or as elected or appointed assessors until they have completed their duties and had a final settlement with the town.

A. The same person may serve as treasurer and tax collector of a municipality.

See title page for effective date.

CHAPTER 58

H.P. 339 - L.D. 451

An Act To Clarify the Law Regarding Reinstatement of a Driver's License

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

Sec. 1. 29-A MRSA §2551-A, sub-§3, ¶A, as enacted by PL 2005, c. 606, Pt. A, §7, is amended to read:

A. A conviction of operating a motor vehicle without a license if the license had expired and was not suspended or revoked; ~~and~~

Sec. 2. 29-A MRSA §2551-A, sub-§3, ¶B, as enacted by PL 2005, c. 606, Pt. A, §7, is amended to read:

B. A conviction of operating after suspension when the suspension is based upon a failure to pay child support; ~~and~~

Sec. 3. 29-A MRSA §2551-A, sub-§3, ¶C is enacted to read:

C. A conviction of operating after suspension when the suspension is based solely on a failure to pay the reinstatement fee required by section 2486.

See title page for effective date.

CHAPTER 59

S.P. 255 - L.D. 680

An Act To Hold Municipal Officers Harmless for a Determination That a Town Way or Public Easement Is Considered Abandoned

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

Sec. 1. 23 MRSA §3028, as repealed and replaced by PL 1991, c. 195, is amended to read:

§3028. Abandonment of public ways; determination of status of any town way or public easement

1. Presumption of abandonment. It is prima facie evidence that a town or county way not kept passable for the use of motor vehicles at the expense of the municipality or county for a period of 30 or more consecutive years has been discontinued by abandonment. A presumption of abandonment may be rebutted by evidence that manifests a clear intent by the municipality or county and the public to consider or use the way as if it were a public way. A proceeding to discontinue a town or county way may not prevent or estop a municipality from asserting a presumption of abandonment. A municipality or its officials are not liable for nonperformance of a legal duty with respect to such ways if there has been a good faith reliance on a presumption of abandonment. Any person affected by a presumption of abandonment, including the State or a municipality, may seek declaratory relief to finally resolve the status of such ways. A way that has been abandoned under this section is relegated to the same status as it would have had after a discontinuance pursuant to section 3026, except that this status is at all times subject to an affirmative vote of the legislative body of the municipality within which the way lies making that way an easement for recreational use. A presumption of abandonment is not rebutted by evidence that shows isolated acts of maintenance, unless other evidence exists that shows a clear intent by the municipality or county to consider or use the way as if it were a public way.

2. Status of town way or public easement. The determination of the municipal officers regarding the status of a town way or public easement is binding on all persons until a final determination of that status has been made by a court, unless otherwise ordered by a court during the pendency of litigation to determine the status.

3. Removal of obstructions. If the municipal officers have determined under subsection 2 that the way is a town way or public easement and a court has not ordered otherwise, the municipality or an abutter on the way, acting with the written permission of the municipal officers, may remove any gates, bars or other obstructions in the way.

4. Quasi-judicial act. The determination of the municipal officers regarding the status of a town way or public easement pursuant to subsection 2 is a quasi-judicial act under Title 14, section 8104-B, subsection 2.

See title page for effective date.

**CHAPTER 60
S.P. 25 - L.D. 66**

**An Act To Amend Maine's
Endangered and Threatened
Species List by Removing the
Bald Eagle**

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

Sec. 1. 12 MRSA §12803, sub-§3, ¶U, as enacted by PL 2003, c. 573, §6 and affected by §8 and c. 655, Pt. C, §§3 and 6, is repealed.

Sec. 2. 12 MRSA §12810 is enacted to read:

§12810. Delisted species

1. Definition. For purposes of this section, "delisted species" means a species that was listed as a state endangered or threatened species under section 12803 and after 2007 was removed from that list by the Legislature. The following is a delisted species:

A. Bald eagle, *Haliaeetus leucocephalus*.

2. Prohibited acts regarding delisted species. Except as otherwise authorized by the commissioner pursuant to this Part, a person may not intentionally:

A. Import into the State or export out of the State a delisted species. A person who violates this paragraph commits a Class D crime;

B. Hunt, trap or possess a delisted species within the State. A person who violates this paragraph commits a Class D crime;

C. Process, sell, offer for sale, deliver, carry, transport or ship, by any means whatsoever, a delisted species or any part of a delisted species. A person who violates this paragraph commits a Class D crime; or

D. Feed, set bait for or harass a delisted species. A law enforcement officer, as defined in Title 25, section 2801-A, subsection 5, must issue a warning to a person who violates this paragraph for the first time. A person who violates this paragraph after having previously been given a warning under this paragraph commits a Class D crime.

See title page for effective date.

CHAPTER 61
H.P. 144 - L.D. 165

**An Act To Supervise and
Regulate Real Estate
Settlement Agents and
Exchange Facilitators in Order
To Protect Consumers**

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

Sec. 1. 10 MRSA c. 212-C is enacted to read:

CHAPTER 212-C
REGULATION OF EXCHANGE
FACILITATORS

§1395. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Administrator. "Administrator" means the Superintendent of Consumer Credit Protection within the Department of Professional and Financial Regulation.

2. Affiliated. "Affiliated" means a person, directly or indirectly through one or more intermediaries, who controls, is controlled by or is under common control of, another person.

3. Client. "Client" means the taxpayer with whom the exchange facilitator enters into an agreement described in subsection 4, paragraph A.

4. Exchange facilitator. "Exchange facilitator" means a person that does any of the following:

A. Facilitates, for a fee, an exchange of like-kind property by entering into an agreement with a taxpayer by which the exchange facilitator acquires from the taxpayer the contractual rights to sell the taxpayer's relinquished property located in this State and transfers a replacement property to the taxpayer as a qualified intermediary as that term is defined under United States Treasury Regulation Section 1.1031(k)-1(g)(4) or enters into an agreement with the taxpayer to take title to a property in this State as an exchange accommodation titleholder as that term is defined in United States Internal Revenue Service Revenue Procedure 2000-37 or enters into an agreement with a taxpayer to act as a qualified trustee or qualified escrow holder as those terms are defined under United States Treasury Regulation Section 1.1031(k)-1(g)(3), except as provided in section 1396;

B. Maintains an office in this State for the purpose of soliciting business as an exchange facilitator; or

C. Purports to be an exchange facilitator by advertising any of the services listed in paragraph A or soliciting clients in printed publications, direct mail, television or radio advertisements, telephone calls, facsimile transmissions or other electronic communications directed to the general public in this State for purposes of providing any of those services.

5. Fee. "Fee" means compensation of any nature, direct or indirect, monetary or in-kind, that is received by a person or related person as defined in the United States Internal Revenue Code, Section 267(b) or 707(b) for any services relating to or incidental to the exchange of like-kind property.

6. Financial institution. "Financial institution" means a bank, credit union, savings and loan association, savings bank or trust company or other similar depository or nondepository financial institution including an institution whose accounts are insured by the full faith and credit of the United States, the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund or other similar or successor programs as well as an affiliate or subsidiary of such institution.

7. Person. "Person" means an individual, corporation, partnership, limited liability company, joint venture, association, joint stock company, trust or any other form of legal entity, including agents and employees of a person.

8. Prudent investor standard. "Prudent investor standard" means the prudent investor standard referenced in Title 18-B, Part 1, section 901, subsection 1.

§1396. License; requirements

1. License. A person may not directly or indirectly engage in or carry on, or purport to engage in or carry on, the business of, or act in the capacity of, an exchange facilitator in this State without first obtaining a license from the administrator in accordance with this chapter.

2. Issuance of license. An application for a license as an exchange facilitator must be in writing and filed with the administrator in the manner and form prescribed by the administrator. The administrator shall set an application fee for a primary office not to exceed \$350 and for any branch offices not to exceed \$200. All funds received by the administrator under this chapter are appropriated for the use of the administrator.

3. Renewal. On or before April 30th of each year, an exchange facilitator licensed under this chapter shall pay an annual license renewal fee of \$150 and shall file with the administrator a renewal form con-

taining such information as the administrator may require.

4. Place of business; name. An exchange facilitator licensed under this chapter shall maintain a home office as its principal location for the transaction of exchange facilitator business. The administrator may issue additional branch licenses to the same exchange facilitator licensee upon compliance with all the provisions of this chapter governing the issuance of a single exchange facilitator license. An exchange facilitator may not engage in the exchange facilitator business at any place of business for which it does not hold a license or engage in business under any other name than that on the license.

5. Exemptions. The following persons described in this subsection are exempt from the requirements of this chapter:

A. A taxpayer or a disqualified person, as that term is defined under United States Treasury Regulation Section 1.1031(k)-1(k), seeking to qualify for the nonrecognition provisions of Section 1031 of the United States Internal Revenue Code of 1986, as amended;

B. A financial institution;

C. A title insurance company, underwritten title company or escrow company that is acting solely as a qualified escrow holder or qualified trustee, as those terms are defined under United States Treasury Regulation Section 1.1031(k)-1(g)(3), and that is not facilitating exchanges;

D. A person that advertises for and teaches seminars or classes or otherwise makes a presentation to attorneys, accountants, real estate professionals, tax professionals or other professionals, when the primary purpose is to teach the professionals about tax-deferred exchanges or to train them to act as exchange facilitators;

E. A qualified intermediary, as that term is defined under United States Treasury Regulation Section 1.1031(k)-1(g)(4), who holds exchange funds from the disposition of relinquished property located outside this State;

F. An entity in which an exchange accommodation titleholder has a 100% interest and that is used by the exchange accommodation titleholder as defined in United States Internal Revenue Service Revenue Procedure 2003-37 to take title to property in this State;

G. A person licensed to practice law in this State while engaged in the performance of the person's professional duties, except an attorney or law firm actively engaging in a separate business as an exchange facilitator;

H. A real estate company, broker or salesperson licensed by and subject to the jurisdiction of this State while performing acts in the course of or incidental to sales or purchases of real or personal property handled or negotiated by the real estate company, broker or salesperson;

I. A receiver, trustee in bankruptcy, executor, administrator, guardian or other person acting under the supervision or order of a court of this State or of a federal court;

J. A person licensed in this State as a certified public accountant while engaged in the performance of the person's professional duties who is not actively engaged in a separate business as an exchange facilitator;

K. A regulated lender subject to the licensing requirements of Title 9-A to the extent the lender is not engaged in a separate business as an exchange facilitator;

L. Any federal or state agency and its political subdivisions; and

M. A loan broker subject to the licensing requirements of Title 9-A, Article 10 to the extent the loan broker is not engaged in a separate business as an exchange facilitator.

§1397. Financial responsibility and insurance coverage requirements

1. Financial responsibility. An exchange facilitator shall at all times comply with one or more of the following:

A. Maintain a fidelity bond or bonds in an amount not less than \$250,000, executed by an insurer authorized to do business in this State;

B. Deposit an amount of cash or securities or irrevocable letters of credit in an amount not less than \$250,000 in an interest-bearing deposit account or a money market account with a financial institution. Interest on that amount must accrue to the exchange facilitator; or

C. Deposit all exchange funds in a qualified escrow account or qualified trust, as those terms are defined under United States Treasury Regulation Section 1.1031(k)-1(g)(3), with a financial institution and provide that any withdrawals from that escrow account or trust require that person's and the client's written authorization.

An exchange facilitator may maintain a bond or bonds or deposit an amount of cash or securities or irrevocable letters of credit in excess of the minimum required amounts. If an exchange facilitator is listed as a named insured on one or more fidelity bonds totaling at least \$250,000, the requirements of this subsection are deemed satisfied.

2. Insurance or alternative coverage. An exchange facilitator shall at all times comply with either of the following:

A. Maintain an errors and omissions insurance policy in an amount not less than \$100,000, executed by an insurer authorized to do business in this State; or

B. Deposit an amount of cash, securities or irrevocable letters of credit in an amount not less than \$100,000 in an interest-bearing deposit account or a money market account with a financial institution. Interest on that amount must accrue to the exchange facilitator.

An exchange facilitator may maintain insurance or deposit an amount of cash or securities or irrevocable letters of credit in excess of the minimum required amounts. If an exchange facilitator is listed as a named insured on an errors and omissions policy of at least \$100,000, the requirements of this section are deemed satisfied.

§1398. Duties of exchange facilitators; prohibited activities

1. Duty to client. An exchange facilitator shall act as a custodian for all exchange funds, including, but not limited to, money, property, other consideration or instruments received by the person from, or on behalf of, a client, except funds received as the person's compensation. An exchange facilitator shall invest those exchange funds in investments that meet a prudent investor standard and that satisfy the investment goals of liquidity and preservation of principal. For purposes of this subsection, a prudent investor standard is violated if any of the following occurs:

A. Exchange funds are knowingly commingled by the exchange facilitator with the operating accounts of the exchange facilitator;

B. Exchange funds are loaned or otherwise transferred to any person or entity, other than a financial institution, that is affiliated with or related to the exchange facilitator. This paragraph does not apply to the transfer of funds from an exchange facilitator to an exchange accommodation titleholder as defined in United States Internal Revenue Service Revenue Procedure 2003-37 in accordance with an exchange contract; or

C. Exchange funds are invested in a manner that does not provide sufficient liquidity to meet the exchange facilitator's contractual obligations to its clients and does not preserve the principal of the exchange funds.

Exchange funds are not subject to execution or attachment on any claim against the exchange facilitator. An exchange facilitator may not knowingly keep, or cause to be kept, any money in any bank, credit union, or other financial institution under a name designating

the money as belonging to the client of any exchange facilitator, unless that money belongs to that client and was actually entrusted to the exchange facilitator by that client.

2. Notice of change in control. An exchange facilitator shall notify all existing exchange clients whose relinquished property is located in this State, or whose replacement property held under a qualified exchange accommodation agreement is located in this State, of any change in control of the exchange facilitator. The notice must be provided within 10 business days of the effective date of the change in control by hand delivery, facsimile transmission, e-mail, overnight mail or first-class mail, and must be posted on the exchange facilitator's publicly accessible website for at least 90 days following the change in control. The notice must include the name, address and other contact information of the transferees. For purposes of this subsection, "change in control" means any transfer of more than 50% of the assets or ownership interests, directly or indirectly, of the exchange facilitator.

3. Prohibitions. A person engaged in business as an exchange facilitator may not do any of the following:

A. Make any material misrepresentations concerning any like-kind exchange transaction that are intended to mislead;

B. Pursue a continued or flagrant course of misrepresentation, or make false statements through advertising or otherwise;

C. Fail, within a reasonable time, to account for any money or property belonging to others that may be in the possession of, or under control of, the person;

D. Engage in any conduct constituting fraudulent or dishonest dealings;

E. Commit any crime involving fraud, misrepresentation, deceit, embezzlement, misappropriation of funds, robbery or theft; or

F. Materially fail to fulfill its contractual duties to a client to deliver property or funds to the client, unless that failure is due to circumstances beyond the control of the person engaging in business as an exchange facilitator.

§1399. Civil liability

1. Claim on bonds, deposits or letters of credit. The administrator may file a claim on behalf of any client or clients on the bonds, deposits or letters of credit described in section 1397, subsection 1 to recover the damages as a result of financial loss or damages by reason of the failure of an exchange facilitator to comply with this chapter.

2. Civil action. A person may bring a civil action in a court of competent jurisdiction against an exchange facilitator for any violation of this chapter.

§1400. Powers and duties of the administrator

1. Rules. In addition to any other powers and duties of the administrator authorized by law, the administrator may adopt rules as necessary to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Examinations and investigations. The administrator may examine or investigate the books, records and accounts of each exchange facilitator, within or without the State, at intervals the administrator considers necessary. The administrator may assess the exchange facilitator for the actual costs of the examination pursuant to Title 9-A, Article 6.

3. Enforcement. The administrator may undertake any action authorized pursuant to Title 9-A, Article 6 to ensure compliance with this chapter.

Sec. 2. 10 MRSA c. 212-D is enacted to read:

CHAPTER 212-D

REGULATION OF RESIDENTIAL REAL ESTATE SETTLEMENT AGENCIES

§1400-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Administrator. "Administrator" means the Superintendent of Consumer Credit Protection within the Department of Professional and Financial Regulation.

2. Financial institution. "Financial institution" means a bank, credit union, savings and loan association, savings bank, trust company or other similar depository or nondepository financial institution, including an institution whose accounts are insured by the full faith and credit of the United States, the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund or other similar or successor programs as well as an affiliate or subsidiary of such financial institution.

3. Settlement agency. "Settlement agency" means the person responsible for conducting the settlement or disbursement of settlement proceeds in a residential real estate transaction effecting the sale, transfer, encumbrance or lease to another person of real or personal property located in this State. "Settlement agency" includes an individual, corporation, limited liability company, partnership or other entity conducting the settlement and disbursement of settlement proceeds.

4. Settlement agent. "Settlement agent" means a person engaged in the business of settlements on behalf of a settlement agency.

5. Settlement. "Settlement" means the receipt of loan funds, loan documents or other documents or funds to carry out the contractual terms of a residential real estate transaction.

§1400-B. Registration; requirements

1. Registration. A person may not directly or indirectly engage in or carry on, or purport to engage in or carry on, the business of, or act in the capacity of, a settlement agency in this State without first registering with the administrator in accordance with this chapter. The registration must be in a manner and form prescribed by the administrator. The administrator shall set a registration fee for a primary office or a branch office not to exceed \$25. All funds received by the administrator under this chapter are appropriated for the use of the administrator.

2. Exemptions. This chapter does not apply to:

A. A person licensed to practice law in this State while engaged in the performance of the person's professional duties, except an attorney or law firm actively engaging in a separate business as a settlement agency;

B. Individual settlement agents, working on behalf of a settlement agency registered or exempt under this section;

C. A real estate company, broker or salesperson licensed by and subject to the jurisdiction of this State while performing acts in the course of or incidental to sales or purchases of real or personal property handled or negotiated by the real estate company, broker or salesperson;

D. A receiver, trustee in bankruptcy, executor, administrator, guardian or other person acting under the supervision or order of a court of this State or of a federal court;

E. A person licensed in this State as a certified public accountant while engaged in the performance of the person's professional duties who is not actively engaged in a separate business as a settlement agency;

F. A financial institution;

G. A regulated lender subject to the licensing requirements of Title 9-A to the extent the lender is not engaged in a separate business as a settlement agency;

H. Any federal or state agency and its political subdivisions; and

I. A loan broker subject to the requirements of Title 9-A, Article 10 to the extent the loan broker is

not engaged in a separate business as a settlement agency.

3. Renewal. On or before April 30th of each year, a settlement agency registered under this chapter shall pay an annual renewal fee of \$25 and shall file with the administrator a renewal form containing such information as the administrator may require.

4. Place of business; name. A settlement agency registered under this chapter shall maintain a home office as its principal location for the transaction of settlement business. The administrator may issue additional branch registrations to the same settlement agency upon compliance with all the provisions of this chapter governing the issuance of a single settlement agency registration. For purposes of this subsection, the conducting of a settlement by mail or at a remote location for the convenience of the parties by a settlement agent based out of the settlement agency's registered principal office or registered branch of office is not considered the transaction of settlement business at a place of business other than the registered location of the settlement agency.

5. Examinations and investigations. Upon any complaint alleging a violation of law, including the Funded Settlement Act, the federal Real Estate Settlement Procedures Act of 1974, 12 United States Code, Section 2601 et seq. or the Maine Consumer Credit Code, the administrator may examine or investigate the books, records and accounts of a settlement agency.

6. Enforcement. The administrator may undertake any action authorized pursuant to Title 9-A, Article 6 to ensure compliance with this chapter. Nothing in this subsection may be construed to affect the ability of a settlement company to assert the attorney-client privilege. With respect to a settlement company that is owned or operated by an attorney licensed in this State, the administrator shall notify the Board of Overseers of the Bar of any enforcement action taken by the administrator pursuant to this chapter.

Sec. 3. 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 funds for the one-time costs of establishing new license and registration categories in the agency's licensing system.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,000	\$0

OTHER SPECIAL	\$5,000	\$0
REVENUE FUNDS TOTAL		

Bureau of Consumer Credit Protection 0091

Initiative: Allocates funds for the ongoing costs of regulating exchange facilitators and residential real estate settlement agencies.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,525	\$6,100

OTHER SPECIAL	\$1,525	\$6,100
REVENUE FUNDS TOTAL		

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
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OTHER SPECIAL REVENUE FUNDS	\$6,525	\$6,100
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DEPARTMENT TOTAL - ALL FUNDS	\$6,525	\$6,100
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See title page for effective date.

CHAPTER 62

S.P. 89 - L.D. 266

An Act To Preserve Statewide Public Broadcasting

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

Sec. 1. 20-A MRSA §852, sub-§3, as enacted by PL 1991, c. 848, §2, is amended to read:

3. Transfer of assets and liabilities. The University of Maine System may transfer any assets and liabilities acquired pursuant to this section in order to unify operation in a nonprofit, nonstock private corporation, referred to in this section as "the corporation." The University of Maine System retains a reversionary interest in the university's assets as provided for in the articles of incorporation of that corporation. An annual appropriation for operating, constructing, equipping, maintaining, improving and replacing facilities of the corporation must be made in amounts sufficient to ensure delivery of broadcast sources throughout the State.

Sec. 2. 20-A MRSA §852, sub-§4 is enacted to read:

4. Condition of funding. As a condition of receiving an appropriation or allocation of state funds to broadcast throughout the State, the corporation shall continue to operate, equip and maintain facilities used to provide signals identified under paragraphs A and B that were in operation on February 1, 2009 or an equivalent network providing equivalent or expanded broadcast coverage throughout the State:

A. A television broadcast signal originating from stations whose community of license is Presque Isle, Calais, Orono, Augusta and Biddeford; and

B. A radio broadcast signal originating from stations whose community of license is Fort Kent, Presque Isle, Calais, Bangor, Waterville, Camden and Portland.

Sec. 3. 20-A MRSA §852, sub-§5 is enacted to read:

5. Failure to meet funding conditions. If the corporation fails to meet the requirements of subsection 4 during any state fiscal year in which an appropriation or allocation has been made, the corporation shall return the full amount of that appropriation or allocation to the Treasurer of State within 15 business days of the beginning of the next state fiscal year.

Sec. 4. 20-A MRSA §852, sub-§6 is enacted to read:

6. Exceptions. The corporation does not fail to meet the requirements of subsection 4 if:

A. One or more of the broadcast signals described in subsection 4, paragraphs A and B is off the air for a period of time due to a reason outside of the control of the corporation; or

B. All of the television broadcast signals or all of the radio broadcast signals are off the air for an equal period of time for any reason.

See title page for effective date.

CHAPTER 63

H.P. 585 - L.D. 850

**An Act To Ensure Local
Broadband Coverage**

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

Whereas, by April 30, 2009, the ConnectME Authority will initiate the 3rd round of its grant program to expand access to broadband service in the

State and, particularly, to expand access in areas where there is presently no broadband or high-speed Internet service available; and

Whereas, more than \$750,000 is expected to be available for the 3rd round of grants; and

Whereas, access to broadband service is a necessity for residents and businesses in the State; and

Whereas, certain changes in law must be put into effect as soon as possible in order to affect the ConnectME Authority’s implementation of the 3rd round of the grant program; 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. 35-A MRSA §9204, sub-§1, as enacted by PL 2005, c. 665, §3, is amended to read:

1. Establish criteria defining unserved and underserved areas. The authority, by rule adopted pursuant to section 9205, subsection 3, shall establish criteria to define unserved and underserved areas. The authority shall establish criteria that ensure that an area is not determined to be an unserved or underserved area if the effect of that determination would inhibit or impede private investment in any area or diminish the value of prior investment in advanced communications technology infrastructure within any area. Criteria established by the authority must include but are not limited to whether investment is planned in an area within a reasonable time. Criteria established by the authority to define unserved and underserved areas with respect to broadband service must include the percentage of households with access to broadband service within a municipality or other appropriate geographic area.

Sec. 2. 35-A MRSA §9204, sub-§2, ¶C, as enacted by PL 2005, c. 665, §3, is amended to read:

C. Expand the availability of broadband service to residential and small business customers in unserved or underserved areas. In awarding grants, the authority shall give priority to those proposals that, relative to other proposals, extend access to broadband service to a higher percentage of an unserved area within a municipality or other appropriate geographic area;

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

Effective April 30, 2009.

**CHAPTER 64
S.P. 246 - L.D. 672**

**An Act To Add Maine
Maritime Academy
Representation to the State
Employee Health Commission**

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

Sec. 1. 5 MRSA §285-A, sub-§2, as amended by PL 2001, c. 636, §1 and PL 2003, c. 20, Pt. OO, §2 and affected by §4 and amended by PL 2007, c. 58, §3, is further amended to read:

2. Membership. The State Employee Health Commission consists of ~~22~~ 24 labor and management members as follows:

- A. One labor member from each bargaining unit recognized under Title 26, chapter 9-B, appointed by the employee organization certified to represent the unit;
- B. One labor member from the largest bargaining unit recognized under Title 26, chapter 14, appointed by the employee organization authorized to represent the unit;
- C. One labor member appointed by the retiree chapters of the Maine State Employees Association;
- C-1. One labor member from Maine Turnpike Authority employees appointed by the employee organization authorized to represent the employees;
- C-2. One labor member from Maine Public Employees Retirement System employees, appointed by the employee organization authorized to represent the employees;
- C-3. One labor member from Maine Maritime Academy employees, appointed by the employee organization authorized to represent the employees;
- D. Four management members appointed by the Commissioner of Administrative and Financial Services;
- E. One management member appointed by the Court Administrators;
- F. The Executive Director of Health Insurance, ex officio;
- G. One member representing retirees appointed by the Maine Association of Retirees;
- H. One labor member from the Maine Community College System faculty or administrative unit, appointed by the employee organization authorized to represent the units;

I. One management member from the Maine Community College System appointed by the President of the Maine Community College System;

J. One management member appointed by the Executive Director of the Maine Turnpike Authority; ~~and~~

K. One management member appointed by the Executive Director of the Maine Public Employees Retirement System; ~~and~~

L. One management member appointed by the President of the Maine Maritime Academy.

All appointed or elected members serve at the pleasure of their appointing or electing authorities.

See title page for effective date.

**CHAPTER 65
S.P. 26 - L.D. 67**

**An Act To Protect Maine's
State Parks and State Historic
Sites**

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 2009 summer recreational 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. 22 MRSA §1580-E is enacted to read:

§1580-E. Smoking in state parks and state historic sites

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

A. "Enclosed area" has the same meaning as in section 1541, subsection 2;

B. "Public place" has the same meaning as in section 1541, subsection 4;

C. "Smoking" has the same meaning as in section 1541, subsection 6;

D. "State historic site" has the same meaning as "historic site" in Title 12, section 1801, subsection 5; and

E. "State park" has the same meaning as "park" in Title 12, section 1801, subsection 7.

2. Smoking prohibited. A person may not smoke tobacco or any other substance in, on or within 20 feet of a beach, playground, snack bar, group picnic shelter, business facility, enclosed area, public place or restroom in a state park or state historic site.

3. Signs; public education. To the extent possible within existing budgeted resources, the Maine Center for Disease Control and Prevention shall erect signs and undertake public education initiatives regarding the prohibition on smoking in certain areas of state parks and state historic sites.

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

Effective May 1, 2009.

CHAPTER 66

H.P. 541 - L.D. 790

An Act To Waive Public Utilities Commission Approval of Special Contracts When the Contracts Apply to Detariffed Rates or Terms

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

Sec. 1. 35-A MRSA §703, sub-§3-A, as enacted by PL 1995, c. 254, §3, is repealed and the following enacted in its place:

3-A. Special contracts. A public utility, subject to the commission's approval, may make a contract for a definite term for its product or service, but the published rates for the product or service may not be changed during the term of the contract without the commission's consent. If the commission grants to a telephone utility or a group of telephone utilities an exemption pursuant to section 307-A from the requirement to file rate schedules or terms and conditions, that telephone utility or group of telephone utilities is exempt from the requirements for commission approval and consent under this subsection to the same extent as the exemption granted by the commission pursuant to section 307-A.

See title page for effective date.

CHAPTER 67

H.P. 196 - L.D. 250

An Act To Streamline and Clarify Laws Pertaining to the Civil and Criminal Possession of Marijuana

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

Sec. 1. 17-A MRSA §1106, sub-§3, ¶A, as enacted by PL 1989, c. 924, §12, is amended to read:

A. More than ~~1 1/4~~ 2 1/2 ounces of marijuana;

Sec. 2. 17-A MRSA §1107-A, sub-§1, ¶F, as enacted by PL 2001, c. 383, §127 and affected by §156, is amended to read:

F. A schedule Z drug. Violation of this paragraph is a Class E crime: ~~unless the drug is marijuana, in which case a violation of this paragraph is:~~

(1) For possession of over 2 1/2 ounces to 8 ounces of marijuana, a Class E crime;

(2) For possession of over 8 ounces to 16 ounces of marijuana, a Class D crime;

(3) For possession of over one pound to 20 pounds of marijuana, a Class C crime; and

(4) For possession of over 20 pounds of marijuana, a Class B crime.

Sec. 3. 22 MRSA §2383, sub-§1, as amended by PL 2005, c. 386, Pt. DD, §3, is further amended to read:

1. Marijuana. Except as provided in section 2383-B, subsection 5, a person may not possess marijuana.

A. A person who possesses a usable amount of marijuana commits a civil violation for which a fine of not less than \$350 and not more than \$600 must be adjudged ~~for possession of up to 1 1/4 ounces of marijuana and a fine of not less than \$700 and not more than \$1,000 must be adjudged~~ for possession of over 1 1/4 ounces to 2 1/2 ounces of marijuana, none of which may be suspended.

~~B. A person who possesses a usable amount of marijuana after having previously violated this subsection within a 6-year period commits a civil violation for which a fine of \$550 must be adjudged, none of which may be suspended.~~

See title page for effective date.

CHAPTER 68
H.P. 525 - L.D. 766

**An Act To Promote
Telecommunications
Availability for the Deaf and
Hard of Hearing**

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

Sec. 1. 35-A MRSA §7302, sub-§1, as amended by PL 1995, c. 560, Pt. F, §15, is further amended to read:

1. Rate reduction. The commission shall establish a 70% rate reduction for usage-sensitive intrastate toll calls made on lines, or via credit cards assigned to lines, used for making calls from certified deaf, hard-of-hearing or speech-impaired persons who must rely on ~~teletypewriters~~ telecommunications devices for the deaf for residential telephone communications. In addition, the 70% rate reduction must apply to all usage-sensitive intrastate toll calls using the state telecommunications relay service. Upon request, this discount must be provided to any noncertified user making calls to a certified user, provided the noncertified user informs the local exchange carrier or intrastate toll provider of the relevant billed calls made during each billing period. This reduction must also apply to intrastate toll calls made by agencies certified by the Division of Deafness in the Department of Labor as eligible to receive a discount, while providing vocal relay services to deaf, hard-of-hearing or speech-impaired persons, as well as to community service centers serving deaf, hard-of-hearing or speech-impaired persons certified by the Division of Deafness of the Department of Labor as eligible to receive a discount. The costs incurred by a telephone company an intrastate toll provider under this subsection are just and reasonable expenses for rate-making purposes.

Sec. 2. 35-A MRSA §7302, sub-§2, as amended by PL 1993, c. 275, §1, is further amended to read:

2. Customers qualifying for the reduction. To qualify for the reduction, a customer must file an affidavit, on a form approved by the Public Utilities Commission commission, with the telephone utility customer's intrastate toll provider, stating that, due to deafness, hearing impairment or speech impairment, the customer or a member of the household must rely on a teletypewriter for telephone communications and that the equipment is connected or acoustically coupled to the customer's telephone telecommunications device for the deaf for telecommunications.

Sec. 3. 35-A MRSA §7302, sub-§3 is enacted to read:

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

A. "Deaf person" has the same meaning as in section 8702, subsection 3.

B. "Hard-of-hearing person" has the same meaning as in section 8702, subsection 3-A.

C. "Speech-impaired person" has the same meaning as in section 8702, subsection 5.

D. "Telecommunications device for the deaf" has the same meaning as in section 8702, subsection 6.

Sec. 4. 35-A MRSA §7505, sub-§5, as amended by PL 1993, c. 708, Pt. J, §11, is further amended to read:

5. Devices. The requirements of this section may be satisfied by installation of telecommunication typewriters, including so-called telecommunication telecommunications devices for the deaf as defined in section 8702, subsection 6, or other devices approved by the Department of Education, Office Labor, Bureau of Rehabilitation Services, Division of Deafness.

Sec. 5. 35-A MRSA §8701, as enacted by PL 1989, c. 851, §7, is amended to read:

§8701. Findings

The Legislature finds and declares that it is in the public interest to establish an effective statewide system to provide continuous telecommunications relay services to facilitate communication between deaf, hearing-impaired hard-of-hearing or speech impaired persons who must rely on use telecommunications devices for the deaf and persons using standard telephone equipment.

Sec. 6. 35-A MRSA §8702, sub-§3-A is enacted to read:

3-A. Hard-of-hearing person. "Hard-of-hearing person" means a person who has a hearing loss in the range of mild to profound, who uses residual hearing and who prefers to speak and listen with the help of amplification, implantable devices, assistive technology and speechreading.

Sec. 7. 35-A MRSA §8702, sub-§4, as enacted by PL 1989, c. 851, §7, is repealed.

Sec. 8. 35-A MRSA §8702, sub-§5, as enacted by PL 1989, c. 851, §7, is amended to read:

5. Speech impaired person. "Speech impaired person" means a person whose speech is nonfunctional or defective diminished for the purpose of ordinary communication.

Sec. 9. 35-A MRSA §8702, sub-§5-A is enacted to read:

5-A. Speechreading. "Speechreading" means a technique of understanding speech by visually interpreting the movements of the lips, face and tongue with information provided by the context, language and any residual hearing.

Sec. 10. 35-A MRSA §8702, sub-§6, as enacted by PL 1989, c. 851, §7, is amended to read:

6. Telecommunications device for the deaf or TDD. "Telecommunications device for the deaf" or "TDD" means a teletypewriter, or TTY, or other telecommunication equipment used by deaf, hearing-impaired hard-of-hearing or speech impaired people persons to conduct telephone communications, including but not limited to devices required for captioned telephone service, equipment necessary to perform video relay service and 2-way paging devices.

Sec. 11. 35-A MRSA §8702, sub-§7, as enacted by PL 1989, c. 851, §7, is amended to read:

7. Telecommunications relay service. "Telecommunications relay service" means a service transmitting messages and information between a person using standard telephone equipment for spoken communications and a deaf, hearing-impaired or speech-impaired person using a telecommunications device for the deaf and another person.

Sec. 12. 35-A MRSA §8703, sub-§1, as enacted by PL 1989, c. 851, §7, is amended to read:

1. Geographic availability. Services must be available on a statewide basis to the extent that they are technologically feasible.

Sec. 13. 35-A MRSA §8704, sub-§1, ¶E, as amended by PL 2005, c. 279, §17, is further amended to read:

E. Eight members appointed by the Governor as follows:

- (1) One member from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf;
- (2) One member from a statewide association for the deaf;
- (3) One member from a center on deafness;
- (4) One member from a company ~~the largest incumbent local exchange carrier~~ the largest incumbent local exchange carrier providing telecommunications relay service in this State;
- (5) One member of a telephone association in this State, except that the representative under this subparagraph may not be a representative of the carrier under subparagraph (4);
- (6) Two members from the general public who ~~must rely on TTYs for use~~ use telecommuni-

cations devices for the deaf as a primary means of telecommunications; and

(7) One member representing a cellular or wireless service provider.

See title page for effective date.

CHAPTER 69
S.P. 51 - L.D. 132

An Act To Clarify Hunting and Trapping Laws for Youth

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

Sec. 1. 12 MRSA §11108-A, sub-§7 is enacted to read:

7. Parent or guardian; junior hunters. A person violates this subsection if that person is the adult supervisor, parent or guardian of a holder of a valid junior hunting license and that junior hunter violates any provision of this Part pertaining to hunting.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor 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 §12201, sub-§2, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. A resident under 10 years of age may trap all legal species, except bear, without a license.

Sec. 3. 12 MRSA §12201, sub-§7, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. A person under 10 years of age may not trap unless that person is accompanied at all times while trapping by a parent or guardian or by an adult at least 18 years of age approved by a parent or guardian. A person under 10 years of age may not trap bear.

Sec. 4. 12 MRSA §12201, sub-§9 is enacted to read:

9. Parent or guardian; junior trappers. A person violates this subsection if that person is the adult supervisor, parent or guardian of a holder of a valid junior trapping license and that junior trapper violates any provision of this Part pertaining to trapping.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor 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. 5. 12 MRSA §12612 is enacted to read:

§12612. Parent or guardian; violation by minor

A person violates this section if that person is the adult supervisor, parent or guardian of a minor under 16 years of age and that minor violates any provision of this Part pertaining to fishing.

1. Civil violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

2. Class E crime. A person who violates this section 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.

See title page for effective date.

CHAPTER 70

H.P. 117 - L.D. 138

**An Act Regarding the
Placement of Bait To Attract
Wild Animals or Birds for
Hunting**

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

Sec. 1. 12 MRSA §11227 is enacted to read:

§11227. Placement of bait for hunting

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

A. "Bait" means an animal or plant or a part of an animal or plant used to attract wild animals for the purpose of hunting. "Bait" does not include:

(1) A derivative of an animal or plant in a liquid or paste form, including but not limited to urine or commercially prepared lures or scents; or

(2) Packaging or container materials that fall within the definition of "litter" under Title 17, section 2263, subsection 2.

B. "Bait site" means the place where the bait has been placed and the immediate surrounding area.

2. Placement of bait. A person may not place bait unless the bait site is plainly labeled with a 2-inch-by-4-inch tag identifying the name and address of the person establishing the bait site.

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.

3. Hunting over another's bait. A person may not hunt at a bait site established by another person unless that person has permission from the person that established the bait site.

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.

4. Bait site cleanup. A person placing bait may not leave the bait or bait label at the bait site and must clean up the bait site immediately after the landowner requests the removal of that bait or, if not requested by the landowner, within 20 days from the last day the bait site was hunted over by the person that established the bait site.

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.

5. Litter at bait sites. A person establishing a bait site under this section is subject to the littering provisions of Title 17, chapter 80.

6. Construction. Nothing in this section authorizes hunting of wild animals that is otherwise prohibited by law or rule.

7. Applicability. This section does not apply to:

A. Bear baiting under section 11301; or

B. Placing of bait on the ice of inland waters.

See title page for effective date.

CHAPTER 71
H.P. 85 - L.D. 101

**An Act To Extend the
Operation of the Maine Health
Data Processing Center and To
Amend the Maine Health Data
Organization Statutes**

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 establishing and governing the Maine Health Data Processing Center are scheduled to be repealed September 1, 2009; and

Whereas, this legislation extends that date until September 1, 2015; 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. 10 MRSA §683, sub-§3, as enacted by PL 2001, c. 456, §1, is amended to read:

3. Limitation on terms. An elected person may not serve as a director for not more than 5-years 2 5-year terms in succession and continues to serve until a successor has been appointed.

Sec. 2. 10 MRSA §691, as amended by PL 2005, c. 253, §1, is further amended to read:

§691. Repeal

This chapter is repealed September 1, ~~2009~~ 2015.

Sec. 3. 22 MRSA §1718, as amended by PL 2005, c. 391, §1, is repealed and the following enacted in its place:

§1718. Consumer information

Each hospital or ambulatory surgical center licensed under chapter 405 shall, upon request by an individual, provide the average charge for any inpatient service or outpatient procedure provided by the licensee. For emergency services, the hospital must provide the average charges for facility and physician services according to the level of emergency services provided by the hospital and based on the time and intensity of services provided.

Sec. 4. 22 MRSA §8702, sub-§5-A, as enacted by PL 2007, c. 136, §1, is amended to read:

5-A. Medicare health plan sponsor. "Medicare ~~prescription drug health plan~~ sponsor" means a health insurance carrier or other private company authorized by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to administer Medicare Part C and Part D benefits under a health plan or prescription drug plan.

Sec. 5. 22 MRSA §8702, sub-§8, as amended by PL 2007, c. 136, §1, is further amended to read:

8. Payor. "Payor" means a 3rd-party payor, 3rd-party administrator, Medicare ~~prescription drug health plan~~ sponsor, pharmacy benefits manager or nonlicensed carrier.

Sec. 6. 22 MRSA §8703, sub-§2, as amended by PL 2007, c. 136, §2, is further amended to read:

2. Board of directors. The organization operates under the supervision of a board of directors, which consists of 20 voting members and one nonvoting member.

A. The Governor shall appoint 18 board members in accordance with the following requirements. Appointments by the Governor are not subject to review or confirmation.

(1) Four members must represent consumers. For the purposes of this section, "consumer" means a person who is not affiliated with or employed by a 3rd-party payor, a provider or an association representing those providers or those 3rd-party payors.

(2) Three members must represent employers. One member must be chosen from a list provided by a health management coalition in this State. One member must be chosen from a list provided by a statewide chamber of commerce.

(3) Two members must represent 3rd-party payors chosen from a list provided by a statewide organization representing 3rd-party payors.

(4) Nine members must represent providers. Two provider members must represent hospitals chosen from a list provided by the Maine Hospital Association. Two provider members must be physicians or representatives of physicians, one chosen from a list provided by the Maine Medical Association and one chosen from a list provided by the Maine Osteopathic Association. One provider member must be a doctor of chiropractic chosen from a list provided by a statewide chiropractic association. One provider member must be a representative, chosen from a list provided by the Maine Primary Care Association, of a federally qualified health center. One provider member must be a pharmacist chosen

from a list provided by the Maine Pharmacy Association. One provider member must be a mental health provider chosen from a list provided by the Maine Association of Mental Health Services. One provider member must represent a home health care company.

B. The commissioner shall appoint ~~2 members~~ one member who are employees is an employee of the department to represent the State's interest in maintaining health data and to ensure that information collected is available for determining public health policy.

D. The Executive Director of Dirigo Health, or a designee of the executive director who is an employee of Dirigo Health, shall serve as a voting member.

E. The Commissioner of Professional and Financial Regulation, or the commissioner's designee who is an employee of the Department of Professional and Financial Regulation, shall serve in a nonvoting, consultative capacity.

Sec. 7. 22 MRSA §8703, sub-§3, ¶B, as amended by PL 2005, c. 253, §4, is further amended to read:

B. ~~The terms of departmental board members are 3-year terms. Departmental State agency board members may serve an unlimited number of terms.~~

Sec. 8. 22 MRSA §8712, sub-§2, as amended by PL 2005, c. 391, §2, is repealed and the following enacted in its place:

2. Payments. The organization shall create a publicly accessible interactive website that presents reports related to health care facility and practitioner payments for services rendered to residents of the State. The services presented must include, but not be limited to, imaging, preventative health, radiology and surgical services and other services that are predominantly elective and may be provided to a large number of patients who do not have health insurance or are underinsured. The website must also be constructed to display prices paid by individual commercial health insurance companies, 3rd-party administrators and, unless prohibited by federal law, governmental payors.

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

Effective May 4, 2009.

CHAPTER 72

S.P. 31 - L.D. 82

An Act To Create a Penalty for Harvesting Scallops in a Conservation Area

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

Sec. 1. 12 MRSA §6404-G is enacted to read:

§6404-G. Suspension based on 2 or more convictions of scallop fishing in a conservation area

The commissioner shall suspend the license authorizing the activity in which the person was engaged at the time of the violation for any person adjudicated of a 2nd or subsequent violation of section 6626. The suspension must be for one year from the date of adjudication.

Sec. 2. 12 MRSA §6626 is enacted to read:

§6626. Scallop conservation areas

Notwithstanding section 6174, subsection 3, a person who violates a rule adopted pursuant to section 6171 regarding a scallop conservation area commits a civil violation for which the penalties under this section apply.

1. First offense. For the first offense, a fine of \$1,000 is imposed and all scallops on board may be seized.

2. Second or subsequent offense. For a 2nd or subsequent offense, a mandatory minimum fine of \$1,000 is imposed, all scallops on board may be seized and the commissioner shall suspend the license authorizing the activity in which the person was engaged at the time of violation. The court may not suspend a fine imposed under this paragraph. The license suspension must be for one year from the date of adjudication.

See title page for effective date.

CHAPTER 73

S.P. 64 - L.D. 178

An Act To Create the Support Animal Welfare Registration Plate

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

Sec. 1. 29-A MRSA §456-G is enacted to read:

§456-G. Support Animal Welfare registration plate

1. Support Animal Welfare plates. The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of Support Animal Welfare special registration plates to be used in lieu of regular registration plates.

2. Contribution; credit to funds. In addition to the regular motor vehicle registration fee prescribed by law for the particular class of vehicle registered, the initial contribution for Support Animal Welfare special registration plates is \$20, which must be deposited with the Treasurer of State and credited as follows:

- A. Five dollars to the animal welfare auxiliary fund pursuant to Title 7, section 3906-B, subsection 16;
- B. Five dollars to the Companion Animal Sterilization Fund established in Title 7, section 3910-B;
- C. Nine dollars to the Highway Fund for administrative and production costs;
- D. One dollar to the Specialty License Plate Fund established under section 469.

3. Design; review; vanity plates. The Secretary of State, in consultation with private businesses and nonprofit organizations concerned with animal welfare, shall determine a design for the Support Animal Welfare special registration plates. The joint standing committee of the Legislature having jurisdiction over transportation matters shall review the final design prior to manufacture of the plates. The Secretary of State shall issue upon request Support Animal Welfare special registration plates that are also vanity plates. Support Animal Welfare special registration plates are issued in accordance with the provisions of this section and section 453.

4. Renewal fee. In addition to the regular motor vehicle registration fee prescribed by law, the annual renewal contribution for Support Animal Welfare special registration plates is \$15, which must be deposited with the Treasurer of State and credited as follows:

- A. Five dollars to the animal welfare auxiliary fund pursuant to Title 7, section 3906-B, subsection 16;
- B. Five dollars to the Companion Animal Sterilization Fund established in Title 7, section 3910-B;
- C. Four dollars to the Highway Fund for administrative and production costs;
- D. One dollar to the Specialty License Plate Fund established under section 469.

5. Payment for costs associated with the production and issuance of the first 2,000 plates. The sponsor of the Support Animal Welfare special registration plates shall provide \$50,000 to the Secretary of State for costs associated with the production and issuance of plates. The Secretary of State shall deposit these funds in the Specialty License Plate Fund established under section 469. In accordance with section 468, subsection 3-A, the Secretary of State shall provide 2,000 credit receipts to the sponsor to provide to each supporter who contributed \$25. A credit receipt may be used only to obtain one set of Support Animal Welfare special registration plates.

6. Transfer of fees. On a quarterly basis, the Secretary of State shall transfer the revenue from the issuance and renewal of the Support Animal Welfare special registration plates to the Treasurer of State for deposit and crediting pursuant to subsections 2 and 4.

7. Duplicate plates. The Secretary of State shall issue a Support Animal Welfare special registration plate in a unique 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity plates issued in another class of plate.

8. Weight limit. Support Animal Welfare special registration plates may be issued for a motor vehicle that does not exceed 10,000 pounds. A motor vehicle that exceeds 6,000 pounds is subject to the fees in section 504.

9. Date of first issue. The Secretary of State shall issue the first Support Animal Welfare special registration plate no later than October 1, 2009.

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

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Animal Welfare Fund 0946

Initiative: Provides an allocation of funds from \$5 received from each initial registration and renewal of the Support Animal Welfare specialty license plate.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$32,500	\$70,000
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,500	\$70,000

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
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OTHER SPECIAL REVENUE FUNDS	\$32,500	\$70,000
DEPARTMENT TOTAL - ALL FUNDS	\$32,500	\$70,000

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Provides an allocation of funds for manufacturing costs related to the Support Animal Welfare specialty license plate.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$52,956	\$6,708
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,956	\$6,708

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$52,956	\$6,708
DEPARTMENT TOTAL - ALL FUNDS	\$52,956	\$6,708

SECTION TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$85,456	\$76,708
SECTION TOTAL - ALL FUNDS	\$85,456	\$76,708

See title page for effective date.

CHAPTER 74

H.P. 286 - L.D. 379

An Act To Amend the Notary Public Laws

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

Sec. 1. 4 MRSA §951-A is enacted to read:
§951-A. Commission signature

1. Official signature. When performing a notarization, a notary public must sign by producing that

notary public's official signature by hand in the same form as indicated on the notary public's commission. For the purposes of this section, the notary public's official signature is the signature that appears on the notary public's most recent oath of office or most recent application for a notary public commission.

2. Change of signature. If the official signature of a notary public changes during the term of the notary public's commission, the notary public shall immediately provide the Secretary of State with a new sample of the notary public's official signature.

Sec. 2. 5 MRSA §5, as amended by PL 2001, c. 667, Pt. C, §1, is further amended to read:

§5. Oath of office; before whom taken

The Justices of the Supreme Judicial Court and of the Superior Court, the Judges of the District Court and all state officials elected by the Legislature shall take and subscribe the oath or affirmation required by the Constitution, before the Governor. Every other person elected or appointed to any civil office shall take and subscribe the oath before any dedimus justice commissioned by the Governor for that purpose, except when the Constitution otherwise provides. A newly appointed notary public shall take and subscribe the oath or affirmation before a dedimus justice as required by section 82, subsection 3-A.

Sec. 3. 5 MRSA §82, sub-§3-A is enacted to read:

3-A. Oath. A newly appointed notary public shall take and subscribe the following oath or affirmation before a dedimus justice:

"I, (name), do swear that I will support the Constitution of the United States and of this State, so help me God."

"I, (name), do swear that I will faithfully discharge, to the best of my abilities, the duties incumbent on me as a Notary Public according to the Constitution of Maine and laws of this State, so help me God."

When a person is conscientiously scrupulous of taking an oath, the word "affirm" may be substituted for the word "swear" and the words "this I do under penalty of perjury" may be substituted for the words "so help me God."

Sec. 4. 5 MRSA §82, sub-§8, as enacted by PL 2007, c. 285, §1, is repealed.

Sec. 5. 5 MRSA §82-B, sub-§1, as enacted by PL 2007, c. 285, §2, is amended to read:

1. Board created. The Notary Public Review Board, as established by section 12004-G, subsection 31-C and referred to in this section as "the board," is created to review violations of law by notaries public and complaints concerning notaries public made pur-

suant to ~~section 82, subsection 8~~ Title 4, section 955-C, subsection 3.

Sec. 6. 5 MRSA §82-B, sub-§3, ¶B, as enacted by PL 2007, c. 285, §2, is repealed.

Sec. 7. 5 MRSA §82-B, sub-§7, as enacted by PL 2007, c. 285, §2, is amended to read:

7. Review of complaints. The board shall review complaints against notaries public made pursuant to section 82, subsection 8 Title 4, section 955-C, subsection 3 and make recommendations to the Secretary of State on the appropriate disposition of such complaints. The board may hold a hearing as part of its review to determine whether grounds exist for denial of commission, suspension of commission, revocation of commission or renewal of commission or other action necessary to the fulfillment of the Secretary of State's responsibility under the laws of this State. The board may recommend to the Secretary of State that the complaint be dismissed or that a notary public's commission be denied, suspended, revoked or not renewed or any other action that the board determines to be appropriate.

See title page for effective date.

CHAPTER 75

S.P. 112 - L.D. 348

An Act To Facilitate the Removal of Dams That Pose a Hazard to Public Safety and the Installation and Repair of Fishways

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

Sec. 1. 38 MRSA §480-Q, sub-§25, as amended by PL 2005, c. 330, §15, is further amended to read:

25. Existing agricultural fields and pastures. Maintenance, but not enlargement, of agricultural fields and pastures in existence on September 1, 2002 that are adjacent to a river, stream or brook not regulated by a municipality under chapter 3, subchapter 1, article 2-B; ~~and~~

Sec. 2. 38 MRSA §480-Q, sub-§26, as enacted by PL 2005, c. 330, §16, is amended to read:

26. Overboard wastewater system. Installation, maintenance or removal of a licensed overboard discharge treatment system, including the outfall pipe, if:

- A. Erosion control measures are taken to prevent sedimentation of the water;
- B. Effects of construction activity on the protected natural resource are minimized; and

C. The activity is approved by the department as provided in the department's rules concerning overboard discharges adopted pursuant to section 414-A; ~~i~~

Sec. 3. 38 MRSA §480-Q, sub-§27 is enacted to read:

27. Fishways. Erection, maintenance, repair or alteration of a fishway in a dam or other artificial obstruction when required by the Commissioner of Inland Fisheries and Wildlife pursuant to Title 12, section 12760 or by the Commissioner of Marine Resources pursuant to Title 12, section 6121;

Sec. 4. 38 MRSA §480-Q, sub-§28 is enacted to read:

28. Release of water from dam after petition by owner for release from dam ownership or water level maintenance. Activity associated with the release of water from a dam pursuant to an order issued by the department pursuant to section 905; and

Sec. 5. 38 MRSA §480-Q, sub-§29 is enacted to read:

29. Dam safety order. Activity associated with the breach or removal of a dam pursuant to an order issued by the Commissioner of Defense, Veterans and Emergency Management under Title 37-B, chapter 24.

See title page for effective date.

CHAPTER 76

S.P. 57 - L.D. 171

An Act To Extend the Season for Training Hunting Dogs

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 the management of game species that adequate opportunity exist for hunters to properly train their hunting dogs; and

Whereas, hunting dog training season begins on July 1, 2009; 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 §12051, sub-§1-A is enacted to read:

1-A. Open training season 2009-2010. Notwithstanding subsection 1, beginning July 1, 2009 and ending June 30, 2010, unless otherwise provided in this Part, a person may not:

A. Engage in activities authorized under this subsection unless that person possesses a valid hunting license issued under section 11109; and

B. Train dogs on wild birds and wild animals except as specified in this paragraph.

(1) A person may train dogs on foxes, rabbits and raccoons from July 1st through the following March 31st, including Sundays.

(2) A person may train sporting dogs on wild birds at any time, including Sundays.

(3) A resident may train up to 6 dogs at any one time on bear from July 1st to the first day of the open season on hunting bear, except in those portions of Washington County and Hancock County that are situated south of Route 9.

A person who violates this subsection commits a Class E crime.

This subsection is repealed on June 30, 2010.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect July 1, 2009.

Effective July 1, 2009.

CHAPTER 77

S.P. 263 - L.D. 688

An Act To Equalize Annuity and Structured Settlement Annuity Benefits with Life Insurance under the Maine Life and Health Insurance Guaranty Association

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

Whereas, current financial and economic conditions have raised concerns about the financial health of certain insurance companies; and

Whereas, if an insolvency occurs, the maximum amount of funds invested in annuity accounts and protected through the Maine Life and Health Insurance Guaranty Association is only \$100,000; and

Whereas, the maximum benefit amount is increased in this Act from \$100,000 to \$250,000 for the

protection of those Maine residents with investments in annuity accounts; and

Whereas, immediate enactment is necessary to provide the maximum protection granted in this Act in the event of an insolvency; 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. 24-A MRSA §4603, sub-§3, ¶B, as enacted by PL 2005, c. 346, §2 and affected by §16, is amended to read:

B. With respect to one life, regardless of the number of policies or contracts:

(1) Three hundred thousand dollars in life insurance death benefits, but not more than \$100,000 in net cash surrender and net cash withdrawal values for life insurance;

(2) The following limits for health insurance benefits:

(a) Three hundred thousand dollars for coverages not defined as disability insurance or basic hospital, medical and surgical insurance or major medical insurance, including any net cash surrender and net cash withdrawal values;

(b) Three hundred thousand dollars for disability and long-term care insurance; or

(c) Five hundred thousand dollars for basic hospital, medical and surgical insurance or major medical insurance; or

(3) ~~One hundred~~ Two hundred fifty thousand dollars in the present value of annuity benefits, including net cash surrender and net cash withdrawal values; or

Sec. 2. 24-A MRSA §4603, sub-§3, ¶C, as enacted by PL 2005, c. 346, §2 and affected by §16, is amended to read:

C. With respect to each payee of a structured settlement annuity, or beneficiary or beneficiaries of the payee if deceased, ~~\$100,000~~ \$250,000 in present value annuity benefits, in the aggregate, including net cash surrender and net cash withdrawal values.

Sec. 3. Applicability. This Act applies to an insolvency of an insurance company who is a member of the Maine Life and Health Insurance Guaranty As-

sociation that occurs on or after the effective date of this Act.

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

Effective May 4, 2009.

CHAPTER 78

S.P. 350 - L.D. 928

**An Act To Permit the Landing
of Dragged Crabs as Bycatch**

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

Whereas, given the serious recent restrictions on groundfishing, this legislation may provide some relief to the troubled industry; 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 §6421, sub-§4, as amended by PL 1991, c. 591, Pt. T, §1, is repealed and the following enacted in its place:

4. Exception. A license is not required for a person:

A. To take or catch crabs with bare hands or hook and line; or

B. Who is issued a commercial fishing license under section 6501 to take, possess and sell crabs that have been taken as bycatch while using an otter trawl within the exclusive economic zone as shown on the most recently published Federal Government nautical chart. Crabs taken by otter trawl within the territorial waters must be liberated alive immediately.

This subsection is repealed June 30, 2012.

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

Effective May 4, 2009.

CHAPTER 79

H.P. 446 - L.D. 632

**An Act To Increase Payments
to Victims of Crimes**

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

Sec. 1. 5 MRSA §3360, sub-§2-A is enacted to read:

2-A. Catastrophic injury. "Catastrophic injury" means an extremely serious injury that may result in permanent disability or a long-lasting medical condition.

Sec. 2. 5 MRSA §3360, sub-§4, as amended by PL 2003, c. 243, §2, is further amended to read:

4. Eligible expenses and losses. "Eligible expenses and losses" means expenses and losses resulting from a personal injury sustained by an individual as a direct result of a crime specified in subsection 3 and may include medical and medically related expenses, psychological or mental health counseling expenses, lost wages ~~and~~, funeral ~~and~~, burial ~~and~~ other homicide-related expenses and travel expenses and loss of income of a claimant or family member for providing or obtaining care for the personal injury of a minor or incapacitated victim. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the crime, costs to repair ~~or~~, replace ~~or~~ install locks or security devices ~~and~~, costs of crime scene cleanup ~~and~~ security deposits. Expenses and losses claimed under this subsection must be expenses or losses actually and reasonably incurred.

Sec. 3. 5 MRSA §3360-B, sub-§3, as enacted by PL 1997, c. 378, §5, is amended to read:

3. Eligibility for payment of mental health treatment for family members. The board may award compensation for the benefit of a surviving family or household member of a person who dies ~~or~~ suffers catastrophic injury as a direct result of a crime, a family or household member who witnessed a crime or a family or household member of a sexual assault victim ~~who is a minor~~ for unreimbursed mental health treatment expenses directly related to the crime.

Sec. 4. 5 MRSA §3360-M, sub-§2, as amended by PL 2007, c. 240, Pt. WW, §2, is further amended to read:

2. Forensic examination; forensic examiner training and education. The board shall determine by rule what a forensic examination may include for purposes of payment. An examination must include at least all services directly related to the gathering of forensic evidence and related testing and treatment for

pregnancy and sexually transmitted diseases. The board shall pay a licensed hospital or licensed health care practitioner the actual cost of the forensic examination up to a maximum of ~~500~~ 750.

The cost of sexual assault forensic examiner training and education provided by the sexual assault forensic examiner program must be paid from the Victims' Compensation Fund in an amount that may not exceed \$50,000 per year.

See title page for effective date.

CHAPTER 80

H.P. 178 - L.D. 213

An Act To Allow Military Reenlistees To Obtain a Veterans Registration Plate

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

Sec. 1. 29-A MRSA §523, sub-§3, as amended by PL 2007, c. 383, §15, is further amended to read:

3. Special veterans registration plates. The Secretary of State, on application and evidence of payment of the excise tax required by Title 36, section 1482 and the registration fee required by section 501, shall issue a registration certificate and a set of special veterans registration plates to be used in lieu of regular registration plates for a vehicle with a registered gross weight of not more than 10,000 pounds to any person who has served in the United States Armed Forces and who has been honorably discharged or to a person who has served in the United States Armed Forces for at least 3 years and continues to serve. If a veteran person who qualifies for a special veterans registration plate under this subsection is the primary driver of 3 vehicles, the Secretary of State may issue in accordance with this section a set of special veterans registration plates for each vehicle.

Each application must be accompanied by the applicant's Armed Forces Report of Transfer or Discharge, DD Form 214, ~~or~~ certification from the United States Veterans Administration or the appropriate branch of the United States Armed Forces verifying the applicant's military service and honorable discharge, or a letter from the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services verifying active duty military service and length of service.

The Secretary of State shall recall a special veterans registration plate of a recipient who has been less than honorably discharged from the United States Armed Forces.

All surplus revenue collected for issuance of the special registration plates is retained by the Secretary of State to maintain and support this program.

The surviving spouse of a special veteran plate recipient issued plates in accordance with this subsection may retain and display the special veteran plates as long as the surviving spouse remains unmarried. Upon remarriage, the surviving spouse may not use the special veteran plates on a motor vehicle, but may retain them as a keepsake. Upon the death of the surviving spouse, the family may retain the special veteran plates, but may not use them on a motor vehicle.

The Secretary of State may issue a special disability registration plate for veterans in accordance with section 521, subsections 1, 5, 7 and 9. The special disability registration plate for veterans must bear the International Symbol of Access.

The Secretary of State may issue a set of special veterans registration plates when the qualifying veteran is the primary driver of a company-owned vehicle if:

- A. The company is owned solely by a veteran who qualifies for a veteran plate under this section;
- B. The vehicle is leased by a veteran who qualifies for the veteran plate under this subsection; or
- C. The vehicle is leased by the employer of a veteran who qualifies for the veteran plate and the employer has assigned the vehicle exclusively to the veteran. The employer must attest in writing that the veteran will have exclusive use of the vehicle and agrees to the display of the special veteran plate.

Sec. 2. 29-A MRSA §523, sub-§3-A, as enacted by PL 2007, c. 376, §1, is amended to read:

3-A. Motorcycle plates; veterans. In addition to any plate issued pursuant to subsection 3, the Secretary of State, on application and evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 515, subsection 1 and a one-time additional fee of \$5, shall issue a registration certificate and a special veterans registration plate for one designated motorcycle owned or controlled by a person who has served in the United States Armed Forces and who has been honorably discharged or to a person who has served in the United States Armed Forces for at least 3 years and continues to serve.

Each application must be accompanied by the applicant's Armed Forces Report of Transfer or Discharge, DD Form 214, ~~or~~ certification from the United States Department of Veterans Affairs or the appropriate branch of the United States Armed Forces verifying the applicant's military service and honorable discharge, or a letter from the Department of Defense, Veterans and Emergency Management, Bureau of

Maine Veterans' Services verifying active duty military service and length of service.

The Secretary of State shall recall a special veterans registration plate of a recipient who has been less than honorably discharged from the United States Armed Forces.

All surplus revenue collected for issuance of the special veterans registration plates is retained by the Secretary of State to maintain and support this program.

Upon request the Secretary of State shall issue special veterans registration plates for a motorcycle that are also vanity plates. These plates are issued in accordance with this section and section 453. Vanity plates issued under this subsection may not duplicate vanity plates issued in another class of plate.

The surviving spouse of a recipient of a special veterans registration plate issued in accordance with this subsection may retain and display the plate as long as the surviving spouse remains unmarried. Upon remarriage, the surviving spouse may not use the plate on a motorcycle, but may retain it as a keepsake. Upon the death of the surviving spouse, the family may retain the plate, but may not use it on a motorcycle.

The Secretary of State may not issue special commemorative decals under subsection 5 or 6 for use on special veterans registration plates for a motorcycle.

Sec. 3. Special veterans registration plates; inventory; applicants who qualify for a special veterans registration plate and continue to serve in the United States Armed Forces. The Secretary of State is not required to purchase or manufacture additional special veterans registration plates if demand by applicants who qualify for special veterans registration plates exceeds the annual supply of special veterans registration plates. If the demand exceeds the annual supply of special veterans registration plates, the Secretary of State shall maintain a waiting list of those who qualify for special veterans registration plates and shall issue plates at the earliest date on which plates are available.

See title page for effective date.

CHAPTER 81

H.P. 517 - L.D. 758

**An Act To Allow
Municipalities and Counties To
Require Bartender Training
for Liquor Licensees**

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

Sec. 1. 28-A MRSA §653, sub-§2, ¶E, as amended by PL 1989, c. 592, §3, is further amended to read:

E. A violation of any provision of this Title; ~~and~~

Sec. 2. 28-A MRSA §653, sub-§2, ¶F, as enacted by PL 1989, c. 592, §4, is amended to read:

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601-; ~~and~~

Sec. 3. 28-A MRSA §653, sub-§2, ¶G is enacted to read:

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

See title page for effective date.

CHAPTER 82

S.P. 384 - L.D. 1020

**An Act To End Discrimination
in Civil Marriage and Affirm
Religious Freedom**

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

Sec. 1. 19-A MRSA §650, as enacted by PL 1997, c. 65, §2, is repealed.

Sec. 2. 19-A MRSA §650-A is enacted to read:

§650-A. Codification of marriage

Marriage is the legally recognized union of 2 people. Gender-specific terms relating to the marital relationship or familial relationships, including, but not limited to, "spouse," "family," "marriage," "immediate family," "dependent," "next of kin," "bride," "groom," "husband," "wife," "widow" and "widower," must be construed to be gender-neutral for all purposes throughout the law, whether in the context of statute, administrative or court rule, policy, common law or any other source of civil law.

Sec. 3. 19-A MRSA §650-B is enacted to read:

§650-B. Recognition of marriage licensed and certified in another jurisdiction

A marriage of a same-sex couple that is validly licensed and certified in another jurisdiction is recognized for all purposes under the laws of this State.

Sec. 4. 19-A MRS §651, sub-§2, as amended by PL 1997, c. 537, §12 and affected by §62, is further amended to read:

2. Application. The parties wishing to record notice of their intentions of marriage shall submit an application for recording notice of their intentions of marriage. The application may be issued to any 2 persons otherwise qualified under this chapter regardless of the sex of each person. The application must include a signed certification that the information recorded on the application is correct and that the applicant is free to marry according to the laws of this State. The applicant's signature must be acknowledged before an official authorized to take oaths. Applications recording notice of intentions to marry must be open for public inspection in the office of the clerk. When the application is submitted, the applicant shall provide the clerk with the social security numbers of the parties. The application must include a statement that the social security numbers of the parties have been provided to the clerk. The clerk shall record the social security numbers provided by each applicant. The record of the social security numbers is confidential and is not open for public inspection.

Sec. 5. 19-A MRS §655, sub-§3 is enacted to read:

3. Affirmation of religious freedom. This Part does not authorize any court or other state or local governmental body, entity, agency or commission to compel, prevent or interfere in any way with any religious institution's religious doctrine, policy, teaching or solemnization of marriage within that particular religious faith's tradition as guaranteed by the Maine Constitution, Article 1, Section 3 or the First Amendment of the United States Constitution. A person authorized to join persons in marriage and who fails or refuses to join persons in marriage is not subject to any fine or other penalty for such failure or refusal.

Sec. 6. 19-A MRS §701, as amended by PL 2007, c. 695, Pt. C, §4, is further amended to read:

§701. Prohibited marriages; exceptions

~~1. Marriage out of State to evade law.~~ When residents of this State, with intent to evade this section and to return and reside here, go into another state or country to have their marriage solemnized there and afterwards return and reside here, that marriage is void in this State.

1-A. Certain marriages performed in another state not recognized in this State. Any marriage performed in another state that would violate any provisions of subsections 2 to § 4 if performed in this State is not recognized in this State and is considered void if the parties take up residence in this State.

2. Prohibitions based on degrees of consanguinity; exceptions. This subsection governs marriage between relatives.

A. ~~A man may not marry his mother, grandmother, daughter, granddaughter, sister, brother's daughter, sister's daughter, father's sister, mother's sister, the daughter of his father's brother or sister or the daughter of his mother's brother or sister. A woman may not marry her father, grandfather, son, grandson, brother, brother's son, sister's son, father's brother, mother's brother, the son of her father's brother or sister or the son of her mother's brother or sister person may not marry that person's parent, grandparent, child, grandchild, sibling, nephew, niece, aunt, uncle or first cousin.~~

B. Notwithstanding paragraph A, a ~~man~~ person may marry ~~the daughter of his father's brother or sister or the daughter of his mother's brother or sister, and a woman may marry the son of her father's brother or sister or the son of her mother's brother or sister~~ that person's first cousin as long as, pursuant to sections 651 and 652, the ~~man or woman~~ person provides the physician's certificate of genetic counseling.

3. Persons under disability. A person who is impaired by reason of mental illness or mental retardation to the extent that that person lacks sufficient understanding or capacity to make, communicate or implement responsible decisions concerning that person's property or person is not capable of contracting marriage. For the purposes of this section:

A. "Mental illness" means a psychiatric or other disease that substantially impairs a person's mental health; and

B. "Mental retardation" means a condition of significantly subaverage intellectual functioning resulting in or associated with concurrent impairments in adaptive behavior and manifested during the developmental period.

4. Polygamy. A marriage contracted while either party has a living wife or husband from whom the party is not divorced is void.

~~5. Same sex marriage prohibited.~~ Persons of the same sex may not contract marriage.

See title page for effective date.

**CHAPTER 83
S.P. 40 - L.D. 118**

**An Act To Further Facilitate
the Provision of Educational
Loans for Maine Students and
Families**

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 has been unprecedented turbulence in the capital markets that has made it necessary to replace existing auction rate bond financing for federally guaranteed student loans with financing supported by a capital reserve fund; and

Whereas, if financing supported by a capital reserve fund cannot be made available, the availability, rates and terms of federally guaranteed student loans to Maine borrowers may be adversely affected, resulting in increased costs to students and families or even unavailability of federally guaranteed student loans; 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 §11407, sub-§1, as amended by PL 2003, c. 112, §4, is further amended to read:

1. Origination of loans. Any entity acquiring student loan notes may not originate federally guaranteed loans, except as authorized in chapter 417-F. The entity may not discriminate against any financial institution or credit union authorized to do business in this State or any other entity with respect to the acquisition of loans. The entity shall adopt policies regarding conflict of interest.

Sec. 2. 20-A MRSA §11496-A, sub-§1, as enacted by PL 2007, c. 665, §1, is amended to read:

1. Capital reserve fund. The authority may create and establish one or more capital reserve funds and may pay into any 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 subsection after June 30, ~~2009~~ 2010.

Sec. 3. 20-A MRSA §11496-A, sub-§3, ¶A, as enacted by PL 2007, c. 665, §1, is amended to read:

A. The amount stated in the applicable trust agreement or other document used to establish the capital reserve fund, with respect to any capital reserve fund established before June 30, ~~2009~~ 2010; or

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

Effective May 6, 2009.

**CHAPTER 84
H.P. 280 - L.D. 373**

**An Act To Facilitate Lactation
at the Workplace by New
Mothers**

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

Sec. 1. 26 MRSA §604 is enacted to read:

§604. Nursing mothers in the workplace

An employer, as defined in section 603, subsection 1, paragraph A, shall provide adequate unpaid break time or permit an employee to use paid break time or meal time each day to express breast milk for her nursing child for up to 3 years following childbirth. The employer shall make reasonable efforts to provide a clean room or other location, other than a bathroom, where an employee may express breast milk in privacy. An employer may not discriminate in any way against an employee who chooses to express breast milk in the workplace.

See title page for effective date.

**CHAPTER 85
H.P. 384 - L.D. 539**

**An Act To Amend the Laws
Governing the Allowable Uses
of Tax Increment Financing
Funds**

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

Sec. 1. 30-A MRSA §5225, sub-§1, ¶C, as amended by PL 2007, c. 413, §6, is further amended to read:

C. Costs related to economic development, environmental improvements or employment training

within the municipality, including, but not limited to:

- (1) Costs of funding economic development programs or events developed by the municipality or funding the marketing of the municipality as a business or arts location;
- (2) Costs of funding environmental improvement projects developed by the municipality for commercial or arts district use or related to such activities;
- (3) Funding to establish permanent economic development revolving loan funds or investment funds;
- (4) Costs of services to provide skills development and training for residents of the municipality. These costs may not exceed 20% of the total project costs and must be designated as training funds in the development program; ~~and~~
- (5) Quality child care costs, including finance costs and construction, staffing, training, certification and accreditation costs related to child care; and
- (6) Costs relating to planning, design, construction, maintenance, grooming and improvements to new or existing recreational trails determined by the department to have significant potential to promote economic development, including bridges that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses; and

See title page for effective date.

CHAPTER 86

S.P. 390 - L.D. 1026

An Act Concerning Mercury-added Button Cell Batteries

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

Sec. 1. 38 MRSA §1661-C, sub-§9, as enacted by PL 2005, c. 509, §2, is repealed and the following enacted in its place:

9. Button cell batteries. This subsection governs the sale of mercury-added button cell batteries.

A. After June 30, 2011, a person may not sell or offer to sell or distribute for promotional purposes a mercury-added button cell battery identified in this paragraph or a product that contains a

mercury-added button cell battery identified in this paragraph:

- (1) A zinc-air button cell battery;
- (2) An alkaline manganese button cell battery; or
- (3) A silver oxide button cell battery stamped with the designation SR357, SR364, SR371, SR377 or SR395; and

B. After January 1, 2015, a person may not sell or offer to sell or distribute for promotional purposes a silver oxide mercury-added button cell battery or a product that contains a silver oxide mercury-added button cell battery.

Sec. 2. 38 MRSA §2165, sub-§6, ¶D, as enacted by PL 1991, c. 808, §2, is amended to read:

D. An alkaline manganese battery manufactured on or after January 1, 1996 that contains any added mercury except that, until June 30, 2011, any alkaline manganese battery resembling a button or coin in size and shape, may contain that contains no more than 25 milligrams of mercury may be sold.

See title page for effective date.

CHAPTER 87

S.P. 86 - L.D. 245

An Act To Calculate the School Year by Number of Hours

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

Whereas, weather, failure of heating systems or other extraordinary events may necessitate a school board to alter the school calendar; and

Whereas, allowing the Commissioner of Education to approve alternatives to the minimum number of school days offers a school board flexibility in adjusting the calendar to best meet students' 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 enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §4801, sub-§1, ¶A, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

A. The commissioner may reduce or waive the minimum number of days required on application from a school board. The commissioner may authorize an equivalent number of hours to be substituted for days for a limited time period upon application from a school board. The application must be supported in writing with a statement of the reasons for the request.

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

Effective May 8, 2009.

CHAPTER 88

S.P. 70 - L.D. 220

An Act To Increase the Availability of Solar and Wind Power

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

Whereas, promoting renewable energy and energy efficiency are significant priorities of the American Recovery and Reinvestment Act of 2009; and

Whereas, significant funding from the American Recovery and Reinvestment Act of 2009 will be disbursed to the Public Utilities Commission in the immediate future for energy initiatives, including renewable energy initiatives such as the solar and wind energy rebate program; 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. 35-A MRSA §3211-C, sub-§6, as amended by PL 2007, c. 661, Pt. D, §1, is further amended to read:

6. Limitation to residents of State; repeal. Participation in the solar and wind energy rebate program and fund established in this section is limited to residents of the State. This section is repealed December 31, ~~2010~~ 2015.

Sec. 2. Solar and wind energy rebate program; federal stimulus funds; report. The Public Utilities Commission, to the extent allowed, shall apply federal funds received by the commission under

the American Recovery and Reinvestment Act of 2009, Public Law 111-5, to increase funding for the solar and wind energy rebate program established in the Maine Revised Statutes, Title 35-A, section 3211-C by \$500,000 per year for the 2-year period during which the federal funds are available. In the solar and wind energy rebate program annual report for December 1, 2010 required by Title 35-A, section 3211-C, subsection 5, the commission shall report the results of the funding expansion to the solar and wind energy rebate program made possible by the American Recovery and Reinvestment Act of 2009 and make recommendations regarding future funding of the solar and wind energy rebate program, including, but not limited to, funding level and sources of funds.

Sec. 3. Solar and wind energy rebate program rules; performance standard; payback calculation. The Public Utilities Commission shall amend the rules governing the solar and wind energy rebate program adopted pursuant to the Maine Revised Statutes, Title 35-A, section 3211-C, subsection 4 to:

1. Establish performance standards for solar and wind energy systems. The purpose of the standards must be to inform rebate program applicants about relevant performance criteria and the relative performance of different solar and wind energy systems; and

2. Require each applicant, as part of the application form, to complete a simple payback period calculation for the applicant's solar or wind energy system. For the purposes of this subsection, "simple payback period" is the estimated amount of time it will take to recover the initial investment through energy savings, determined by dividing the initial installed cost by the estimated annual energy cost savings.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Solar Rebate Program Fund Z012

Initiative: Allocates funds to the solar and wind energy rebate program now continued beyond its original sunset date of December 31, 2010 until the new sunset of December 31, 2015.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$250,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$250,000

Solar Rebate Program Fund Z012

Initiative: Allocates American Recovery and Reinvestment Act of 2009 funds for 2 years to increase the funding for the solar and wind energy rebate program.

FEDERAL EXPENDITURES	2009-10	2010-11
FUND ARRA		
All Other	\$500,000	\$500,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES	\$500,000	\$500,000
FUND ARRA TOTAL		
PUBLIC UTILITIES		
COMMISSION		
DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL	\$0	\$250,000
REVENUE FUNDS		
FEDERAL	\$500,000	\$500,000
EXPENDITURES FUND		
ARRA		
	<hr/>	<hr/>
DEPARTMENT TOTAL -	\$500,000	\$750,000
ALL FUNDS		

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

Effective May 8, 2009.

CHAPTER 89

S.P. 181 - L.D. 478

An Act To Ensure That the Membership of the State Board of Corrections Includes a Representative with Expertise in Issues Regarding Mental Illness

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

Sec. 1. 34-A MRSA §1802, sub-§1, as enacted by PL 2007, c. 653, Pt. A, §30, is amended to read:

1. Appointments. The board consists of 9 members who are appointed by the Governor. Each appointment is subject to review by the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters and to confirmation by the Senate, except those members appointed pursuant to paragraph C. The following provisions govern member qualifications:

A. One member must be a sitting sheriff selected from a list of 3 nominations submitted to the Governor by a statewide organization representing sheriffs;

B. One member must be a sitting county commissioner selected from a list of 3 nominations submitted to the Governor by a statewide organization representing county commissioners;

C. Two members must be representatives of the executive branch and at least one of the 2 must be from the department;

D. One member must be a municipal official selected from a list of 3 nominations submitted to the Governor by a statewide organization representing elected and appointed municipal officers and officials; and

E. ~~The remaining 4~~ Four members must be broadly representative of the public and the geographical regions of the State. One of the 4 members appointed under this paragraph must be selected from a list of 3 nominations submitted to the Governor by a statewide organization representing county commissioners. A member appointed under this paragraph may not be an elected state or county official or municipal officer and may not derive income in substantial portion from work as an employee of a state, county or municipal government or in the field of corrections.

Of the 9 members, one must be a person with expertise in issues relating to mental illness.

See title page for effective date.

CHAPTER 90

S.P. 342 - L.D. 892

An Act To Improve Assistance for Technology-based Entrepreneurs

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

Sec. 1. 5 MRSA §12004-G, sub-§33-E, as amended by PL 2005, c. 19, §1, is repealed.

Sec. 2. 5 MRSA §15321, as amended by PL 2007, c. 597, §7, is further amended to read:

§15321. Technology centers

1. Establishment; purpose. The technology centers, referred to in this section as the "centers," are established. The purpose of the centers is to ~~permit support~~ support early-stage development of technology-based businesses ~~while minimizing or eliminating debilitating overhead expenses.~~ The self-managed, state-

coordinated centers, strategically placed throughout the State, are an integral component of the State's efforts to foster new technology-based businesses. The goals of the centers include the following:

- A. The retention of successful start-up businesses in the State;
- B. The improvement of opportunities for workers through the creation of technologically advanced jobs; and
- C. The encouragement of private-sector initiatives; ;
- ~~D. The renovation and utilization of vacant commercial real estate; and~~
- ~~E. The generation of new sources of revenue for local and state tax bases.~~

2. Administration. The following provisions govern the administration of the centers.

~~B. The Department of Economic and Community Development shall establish a Technology Center Coordinating Board that consists of interested parties in the State to coordinate center activities. The Technology Center Coordinating Board consists of at least the following members:~~

- ~~(1) The Commissioner of Economic and Community Development or the commissioner's designee;~~
- ~~(3) A representative from each technology center, chosen by that center;~~
- ~~(4) A representative from the University of Maine System, chosen by the Chancellor of the University of Maine System;~~
- ~~(5) A representative of the Maine Community College System, chosen by the President of the Maine Community College System;~~
- ~~(6) A representative of a nonprofit organization that is funded by the State and promotes the State to business entities, chosen by that organization;~~
- ~~(7) An attorney, chosen by the Commissioner of Economic and Community Development;~~
- ~~(8) A financial expert, chosen by the Commissioner of Economic and Community Development; and~~
- ~~(9) A representative of the institute.~~

C. Each technology center is governed by its own board of directors. Each board of directors shall establish standards for the selection of tenants determine services to be provided pursuant to subsection 3, paragraph E.

~~D. The Department of Economic and Community Development shall determine where the technology centers are to be located.~~

E. The Department of Economic and Community Development shall determine assistance criteria and desired program outcomes and establish an application process so that technology centers possessing personnel with applicable skills can be chosen to best deliver services to technology-based entrepreneurs within a respective area.

3. Technology centers. The following provisions govern technology centers.

A. A technology center may be incorporated as a nonprofit organization, be part of a nonprofit organization, be incorporated as a for-profit organization or be part of a for-profit organization. The following provisions govern a for-profit technology center.

- (1) Services made available to a technology center by the center director must be made available to all ~~tenants~~ clients of a for-profit center.
- (2) A for-profit center in a targeted technology may apply for available funding. A for-profit center selected for funding shall accept the funding as a loan that may be paid back in the form of cash, equity or royalties as agreed upon by the for-profit center and the Department of Economic and Community Development.

~~C. Each technology center shall provide shared, low-cost space to selected tenants and be designed to be self-sufficient with regard to operational costs and structural maintenance. Existing real estate must be considered where suitable. Specific business support tailored to each tenant must be provided by existing organizations such as the small business development centers and regional economic development districts. Each technology center must have simultaneous-broadcast or interactive-television capability or access to these capabilities nearby to facilitate common training for the system.~~

D. The records and proceedings of the technology centers are public for the purposes of Title 1, chapter 13 except that the following records are designated as confidential for the purposes of Title 1, section 402, subsection 3, paragraph A:

- (1) A record obtained or developed by a technology center prior to receipt of a written application or proposal in a form acceptable to the technology center for assistance from the technology center. After receipt by the technology center of the application or proposal, a record pertaining to the application or pro-

posal may not be considered confidential unless it is confidential under another provision of this paragraph;

(2) A peer review or analysis or other document related to the evaluation of a grant application or proposal;

(3) A record that the person, including the technology center, to whom the record belongs or pertains has requested be designated confidential and that the technology center has determined contains proprietary information, trade secrets or commercial or financial information, the release of which could be competitively harmful to the submitter of the information, could impair the technology center's ability in the future to obtain similar necessary information solely through the voluntary provision of such information and could affect other technology center interests, such as program effectiveness and compliance. For purposes of this subparagraph, the following terms have the following meanings.

(a) "Commercial or financial information" means information related to businesses, commerce, trade, employment, profits or finances, including personal finances.

(b) "Trade secret" means a secret, commercially valuable plan, formula, process or device that is used for the making, preparing, compounding or processing of trade commodities and that can be said to be the end product of either innovation or substantial effort. There must be a direct relationship between the trade secret and the productive process;

(4) A financial statement, credit report or tax return of an individual or other record obtained or developed by the technology center, the disclosure of which would constitute an invasion of personal privacy as determined by the technology center;

(5) A record, including a financial statement or tax return obtained or developed by the technology center in connection with a monitoring or servicing activity of the technology center, pertaining to financial assistance provided or to be provided by or with the assistance of the technology center;

(6) A record obtained or developed by the technology center that contains an assessment by a person who is not employed by the technology center of the creditworthiness or financial condition of a person or project;

(7) A financial statement or business and marketing plan in connection with a project receiving or to receive financial or other assistance from the technology center, if the person to whom the statement or plan belongs or pertains has requested that the record be designated confidential; and

(8) Those employee personnel records made confidential pursuant to section 957, subsection 5 and section 17057.

E. The technology centers shall provide support for early-stage technology-based businesses in the State through at least one of the following mechanisms:

(1) One-on-one sessions;

(2) Peer networks;

(3) Classroom training on subjects unique to technology commercialization and the management of high-growth enterprises;

(4) Mentor programs that link senior technology executives with entrepreneurs; and

(5) Networking opportunities.

4. Funding. The following provisions govern funding for technology centers.

~~A. An applicant may not receive more than \$750,000 in an initial funding for a technology center.~~

C. Funding for the technology centers must be commensurate with the level of assistance provided.

D. All funding must be provided on a competitive basis.

5. Relationship with academic institution. A technology center shall establish a relationship with at least one academic institution in this State. ~~The Technology Center Coordinating Board~~ Department of Economic and Community Development shall establish guidelines for such a relationship and determine whether a technology center has met the requirements of this subsection.

6. Rule-making authority. The Department of Economic and Community Development may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 91
H.P. 593 - L.D. 862**

**An Act To Improve the Health
of Maine Citizens and Safety of
Pedestrians**

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

Sec. 1. 29-A MRSA §2056, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Pedestrian on way. Where sidewalks are not provided, a pedestrian shall walk facing approaching traffic on the left side of the public way or the way's shoulder when practicable. An operator of a motor vehicle who is passing a pedestrian on a public way or the way's shoulder shall exercise due care by leaving a distance between the motor vehicle and the pedestrian of not less than 3 feet while the motor vehicle is passing the pedestrian. A motor vehicle operator may pass a pedestrian in a no-passing zone only when it is safe to do so.

See title page for effective date.

**CHAPTER 92
H.P. 343 - L.D. 481**

**An Act To Allow the
Department of Corrections To
Certify Community
Intervention Programs**

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

Sec. 1. 34-A MRSA §1206-A is enacted to read:

§1206-A. Certification of community intervention programs

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

A. "Community agency" means a person, a public or private nonprofit organization or a firm, partnership or business corporation operated for profit that:

- (1) Operates a community intervention program; and
- (2) Is not an administrative unit of the Federal Government or State Government.

B. "Community intervention program" means a program operated at the community level provid-

ing services designed to intervene in the risk factors for reoffending, including, but not limited to, mental health, sex offender treatment, social service and substance abuse treatment programs, but not including a batterers' intervention program under Title 19-A, section 4014.

C. "Nonprofit organization" means any agency, institution or organization that is, or is owned and operated by, one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual, and that has a territory of operations that extends to a neighborhood, community or region of the State.

2. Rules establishing standards and procedures for certification. The department may adopt rules in consultation with other appropriate state agencies that establish standards and procedures for certification of community intervention programs. The department may review and certify programs that meet the standards and may require certification of programs providing services to clients of the department, regardless of whether the department disburses funds to the community agency. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 93
H.P. 542 - L.D. 793**

**An Act To Improve Juvenile
Correctional Services**

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

Sec. 1. 15 MRSA §712, sub-§2, ¶A, as amended by PL 1997, c. 361, §3, is further amended to read:

A. Either the sender or receiver of that communication is a person residing in an adult or juvenile correctional facility administered by the Department of Corrections; and

Sec. 2. 15 MRSA §3103, sub-§1, ¶D, as amended by PL 1995, c. 470, §3, is repealed.

Sec. 3. 15 MRSA §3105-A, sub-§2, ¶C, as amended by PL 2005, c. 87, §2, is further amended to read:

C. A prosecution for conduct specified in section 3103, subsection 1, paragraph B, C, D, E, F or H must be commenced within one year after it is committed.

Sec. 4. 15 MRSA §3201, sub-§1, as amended by PL 2005, c. 328, §6, is further amended to read:

1. Warrantless arrests. Arrests without warrants of juveniles for juvenile crimes defined by section 3103, subsection 1, paragraphs A, ~~D~~, E, F, G and H by law enforcement officers or private persons must be made pursuant to the provisions of Title 17-A, sections 15 and 16. For purposes of this section, a juvenile crime defined under section 3103, subsection 1, paragraph ~~D~~ or H is deemed a Class D or Class E crime. A law enforcement officer or private person may not arrest a juvenile for a juvenile crime defined by section 3103, subsection 1, paragraph B or C.

Sec. 5. 15 MRSA §3203-A, sub-§7, ¶A, as amended by PL 2005, c. 507, §5, is further amended to read:

A. A juvenile may be detained in a jail or other secure detention facility intended for use or primarily used for the detention of adults only when the serving facility:

- (1) Contains an area where juveniles are under direct staff observation at all times, in a separate section for juveniles that complies with mandatory sight and sound separation standards established by the Department of Corrections pursuant to Title 34-A, section 1208;
- (2) Provides for no regular contact between the juveniles with the adult detainees or inmates; and
- (3) Has an adequate staff to provide direct observation and supervise the juvenile's activities at all times during emergency detention.

Juveniles detained in adult-serving facilities may be placed only in the separate juvenile sections that comply with mandatory separation standards established by the Department of Corrections pursuant to Title 34-A, section 1208, ~~unless the detainee must be detained with adults as a result of having attained 21 years of age or unless the court orders that the person be detained with adults for any period of detention occurring after the detainee has attained 18 years of age or unless the juvenile is held in an adult section of a facility under section 3205, subsection 2 or is bound over as an adult and held in an adult section of a facility pursuant to court order.~~

Sec. 6. 15 MRSA §3203-A, sub-§7, ¶B-4, as amended by PL 1999, c. 624, Pt. A, §4, is further amended to read:

B-4. The State is responsible for all physically restrictive juvenile detention statewide, except that the detention for up to 6 hours provided under subsection 1 remains the responsibility of the

counties. At the discretion of the sheriff, if the requirements of paragraph B-5 are met, a county may assume responsibility for the detention of a juvenile for up to 24 ~~48~~ hours, excluding Saturdays, Sundays and legal holidays. Upon mutual agreement of the Commissioner of Corrections and the sheriff and upon terms mutually agreeable to them, a juvenile may be detained by a county for a longer period of time in an approved detention facility or temporary holding resource complying with paragraph B. Any detention of a juvenile by a county must be in a section of a jail or other secure detention facility in compliance with paragraph A or in an approved detention facility or temporary holding resource in compliance with paragraph B. This paragraph does not apply to a juvenile who is held in an adult section of a jail pursuant to court order under paragraph C or D; section 3101, subsection 4, paragraph E-1; or section 3205, subsection 2.

Sec. 7. 15 MRSA §3203-A, sub-§7, ¶B-5, as amended by PL 2005, c. 328, §11, is further amended to read:

B-5. If the juvenile community corrections officer who ordered the detention or the attorney for the State who ordered the detention determines there is no reasonable alternative, a juvenile may be detained in a jail or other secure detention facility intended or primarily used for the detention of adults for up to 48 hours, excluding Saturday, Sunday and legal holidays, if:

- (1) The facility meets the requirements of paragraph A;
- (2) The facility is not located in a standard metropolitan statistical area and meets the statutory criteria contained in the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 United States Code, Section 5601; and
- (3) The juvenile is detained only to await a detention hearing pursuant to subsection 5 or section 3314, subsection 2, ~~transfer to an appropriate juvenile facility, or transport to another jurisdiction.~~

Sec. 8. 15 MRSA §3205, sub-§2, as amended by PL 2007, c. 196, §1, is repealed and the following enacted in its place:

2. Exception. Subsection 1 applies to any person who has not attained 18 years of age or is considered a juvenile by virtue of section 3101, subsection 2, paragraph D except that:

A. If the person has attained 18 years of age, or has been convicted as an adult in another jurisdiction, any detention pursuant to section 3203-A and any confinement pursuant to section 3314,

subsection 1, paragraph H or section 3314, subsection 7 may be, upon the order of a court, in an adult section of a jail or other secure detention facility intended or primarily used for the detention of adults and may extend beyond the time limits set out in section 3203-A; and

B. If the person has attained 21 years of age or has been convicted as an adult in another jurisdiction and has attained 18 years and 6 months of age, any detention pursuant to section 3203-A and any confinement pursuant to section 3314, subsection 1, paragraph H or section 3314, subsection 7 must be in an adult section of a jail or other secure detention facility intended or primarily used for the detention of adults and may extend beyond the time limits set out in section 3203-A.

Sec. 9. 15 MRSA §3307, sub-§2, ¶B, as amended by PL 1995, c. 470, §7, is further amended to read:

B. The general public is excluded from all other juvenile hearings and proceedings, except that a juvenile charged with a juvenile crime that would constitute murder or a Class A, Class B or Class C offense and with a juvenile crime that would constitute a juvenile's first Class D offense or Class E offense or with conduct described in section 3103, subsection 1, paragraph B, C, D or E, arising from the same underlying transaction may elect to have all charges adjudicated in one hearing, and, when a juvenile does so elect, the general public is not excluded from that hearing.

Sec. 10. 15 MRSA §3310, sub-§4, as amended by PL 2005, c. 87, §3, is further amended to read:

4. Standard of proof. If the court finds that the elements of the juvenile crime as defined in section 3103, subsection 1, paragraph A, D, E, F, G or H are not supported by evidence beyond a reasonable doubt or that the elements of a juvenile crime as defined in section 3103, subsection 1, paragraph B or C are not supported by a preponderance of the evidence, the court shall order the petition dismissed and the juvenile discharged from any detention or restriction previously ordered. The juvenile's parents, guardian or other legal custodian must also be discharged from any restriction or other temporary order.

Sec. 11. 15 MRSA §3310, sub-§5, ¶A, as amended by PL 2005, c. 87, §4, is further amended to read:

A. If the court finds that the allegations of the petition alleging a juvenile crime as defined in section 3103, subsection 1, paragraph A, D, E, F, G or H are supported by evidence beyond a reasonable doubt or that the allegations of a petition alleging a juvenile crime as defined in section 3103, subsection 1, paragraph B or C are sup-

ported by a preponderance of the evidence, the court shall adjudge that the juvenile committed a juvenile crime and shall, in all such adjudications, issue an order of adjudication.

Sec. 12. 15 MRSA §3314, sub-§1, ¶G, as amended by PL 2005, c. 507, §11, is further amended to read:

G. Except for a violation of section 3103, subsection 1, paragraph D or H, the court may impose a fine, subject to Title 17-A, sections 1301 to 1304, except that there is no mandatory minimum fine amount. For the purpose of this section, juvenile offenses defined in section 3103, subsection 1, paragraphs B and C are deemed Class E crimes.

Sec. 13. 15 MRSA §3314-A, as amended by PL 1993, c. 354, §10, is further amended to read:

§3314-A. Period of probation; modification and discharge

The period of probation of a juvenile, its modification and discharge, is as provided by Title 17-A, section 1202, except that the period of probation of a juvenile convicted of a juvenile crime as defined by section 3103, subsection 1, paragraph B, C, D or E may not exceed one year. The period of probation may extend beyond the juvenile's 21st birthday.

Sec. 14. 30 MRSA §6209-A, sub-§1, ¶B, as enacted by PL 1995, c. 388, §6 and affected by §8, is amended to read:

B. Juvenile crimes against a person or property involving conduct that, if committed by an adult, would fall within the exclusive jurisdiction of the Passamaquoddy Tribe under paragraph A, and juvenile crimes, as defined in Title 15, section 3103, subsection 1, paragraphs B to D and C, committed by a juvenile member of either the Passamaquoddy Tribe or the Penobscot Nation on the reservation of the Passamaquoddy Tribe;

See title page for effective date.

CHAPTER 94

H.P. 345 - L.D. 483

An Act To Improve the Service of Protection from Harassment and Protection from Abuse Orders and the Collection of Restitution by the Department of Corrections

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

Sec. 1. 5 MRSA §4654, sub-§5, as amended by PL 2003, c. 658, §7, is further amended to read:

5. Service of order. If the court issues a temporary order or orders emergency or interim relief, the court shall order a law enforcement agency or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15 or, if the defendant is in the custody of the Department of Corrections, the Department of Corrections to serve the defendant personally with the order, the complaint and the summons. The court shall cause the order to be delivered to the law enforcement agency, the court security officer or the correctional facility in which the defendant is incarcerated as soon as practicable following the issuance of the order, and the law enforcement agency, court security officer or chief administrative officer of the correctional facility or the chief administrative officer's designee shall make a good faith effort to serve process expeditiously.

Sec. 2. 5 MRSA §4655, sub-§6, as amended by PL 1999, c. 542, §2, is further amended to read:

6. Service of order or consent decree. The court shall order a law enforcement agency; or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15; or, if the defendant is in the custody of the Department of Corrections, the chief administrative officer or the chief administrative officer's designee at the correctional facility, to serve the defendant personally with ~~any~~ a protective order or consent decree.

Sec. 3. 17-A MRSA §1326-A, as enacted by PL 1999, c. 469, §1, is 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 or 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. ~~Except when the offender is placed on probation, 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 ~~placed on~~ committed to the Department of Corrections or receives a sentence that includes a period of probation, ~~the monetary compensation may~~ must be ordered 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. 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 1329, including a specification by the court of the time and method of payment of monetary compensation upon a finding of excusable default. 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. 4. 17-A MRSA §1328-A, as enacted by PL 1997, c. 413, §5, is amended to read:

§1328-A. Modification of restitution

A convicted person who can not make restitution payments in the manner ordered by the court or determined by the Department of Corrections pursuant to section 1326-A shall move the court for a modification of the time or method of payment or service to avoid a default. The court may modify its prior order or the determination of the Department of Corrections to reduce the amount of each installment or to allow additional time for payment or service.

Sec. 5. 19-A MRSA §4006, sub-§6, as amended by PL 2001, c. 134, §5, is further amended to read:

6. Service of order. If the court issues a temporary order or orders emergency or interim relief, the court shall order an appropriate law enforcement agency or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15 or, if the defendant is in the custody of the Department of Corrections, the Department of Corrections to serve the defendant personally with the order, the complaint and the summons. The court shall cause the order to be delivered to the law enforcement agency ~~or,~~ court security officer or the correctional facility in which the defendant is incarcerated as soon as practicable following the issuance of the order and the law enforcement agency ~~or,~~ court security officer or chief administrative officer of a correctional facility or the chief administrative officer's designee shall make a good faith effort to serve process expeditiously.

Sec. 6. 19-A MRSA §4007, sub-§6, as amended by PL 1999, c. 67, §2, is further amended to read:

6. Service of order or consent decree. The court shall order a law enforcement agency; or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15; or, if the defendant is in the custody of the Department of Corrections, the chief administrative officer or the chief administrative officer's designee at the correctional facility, to serve the defendant personally with a protective order or consent decree.

See title page for effective date.

CHAPTER 95
S.P. 164 - L.D. 461

**An Act To Adopt Amendments
to the Uniform Interstate
Family Support Act**

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

Sec. 1. 19-A MRSA §2802, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. Child support order. "Child support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

Sec. 2. 19-A MRSA §2802, sub-§2-A is enacted to read:

2-A. Convention. "Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded at The Hague on November 23, 2007.

Sec. 3. 19-A MRSA §2802, sub-§3-A is enacted to read:

3-A. Foreign country. "Foreign country" means a country, including a political subdivision thereof, other than the United States, that under its law authorizes the issuance of support orders and:

A. Has been declared under the law of the United States to be a foreign reciprocating country;

B. Has established a reciprocal arrangement for child support with this State as provided in section 3008-A;

C. Has enacted a law or established procedures for the issuance and enforcement of support orders that are substantially similar to the procedures under this chapter; or

D. In which the Convention is in force with respect to the United States.

Sec. 4. 19-A MRSA §2802, sub-§3-B is enacted to read:

3-B. Foreign support order. "Foreign support order" means a support order issued by a foreign tribunal.

Sec. 5. 19-A MRSA §2802, sub-§3-C is enacted to read:

3-C. Foreign tribunal. "Foreign tribunal" means a court, administrative agency or quasi-judicial entity of a foreign country authorized to establish, enforce or modify support orders or to determine parentage of a child. "Foreign tribunal" includes a competent authority under the Convention.

Sec. 6. 19-A MRSA §2802, sub-§4, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

4. Home state. "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than 6 months old, the state or foreign country in which the child lived from birth with a parent or a person acting as parent. A period of temporary absence of a parent or a person acting as parent is counted as part of the 6-month or other period.

Sec. 7. 19-A MRSA §2802, sub-§8, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

8. Initiating tribunal. "Initiating tribunal" means the ~~authorized~~ tribunal in an initiating of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

Sec. 8. 19-A MRSA §2802, sub-§8-A is enacted to read:

8-A. Issuing foreign country. "Issuing foreign country" means the foreign country in which a tribunal issues a support order or judgment determining parentage.

Sec. 9. 19-A MRSA §2802, sub-§9, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

9. Issuing state. "Issuing state" means the state in which a tribunal issues a support order or enters a judgment determining parentage of a child.

Sec. 10. 19-A MRSA §2802, sub-§10, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

10. Issuing tribunal. "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or enters a judgment determining parentage of a child.

Sec. 11. 19-A MRSA §2802, sub-§11-A is enacted to read:

11-A. Outside this State. "Outside this State" means a location in another state or a country other than the United States, whether or not the country meets the definition of "foreign country" under subsection 3-A.

Sec. 12. 19-A MRSA §2802, sub-§12, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

12. Obligee. "Obligee" means:

A. An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order ~~has been issued~~ or a judgment determining parentage of a child has been ~~entered~~ issued;

B. A foreign country or a state or a political subdivision of a state to which the rights under a duty of support or support order have been assigned or that has independent claims based on financial assistance provided to an individual obligee in place of child support; ~~or~~

C. An individual seeking a judgment determining parentage of the individual's child; ~~or~~

D. A person that is a creditor in a proceeding subject to subchapter 7-A.

Sec. 13. 19-A MRSA §2802, sub-§13, as amended by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

13. Obligor. "Obligor" means an individual or the estate of a decedent:

A. Who owes or is alleged to owe a duty of support;

B. Who is alleged but has not been adjudicated to be a parent of a child; ~~or~~

C. Who is liable under a support order; ~~or~~

D. Who is a debtor in a proceeding under subchapter 7-A.

Sec. 14. 19-A MRSA §2802, sub-§13-A, as amended by PL 2003, c. 436, §2, is amended to read:

13-A. Person. "Person" means an individual; corporation; business trust; estate; trust; partnership; limited liability company; association; joint venture; public corporation; government; or governmental subdivision, agency or instrumentality; ~~public corporation~~; or any other legal or commercial entity.

Sec. 15. 19-A MRSA §2802, sub-§14, as amended by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

14. Register. "Register" means to file in a tribunal of this State a support order or judgment determining parentage ~~in the registry of foreign support orders of a child issued in another state or foreign country~~.

Sec. 16. 19-A MRSA §2802, sub-§15, as amended by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

15. Registering tribunal. "Registering tribunal" means a tribunal in which a support order or judgment determining parentage of a child is registered.

Sec. 17. 19-A MRSA §2802, sub-§16, as amended by PL 2003, c. 436, §3, is further amended to read:

16. Responding state. "Responding state" means a state in which a ~~proceeding petition or comparable pleading for support or to determine parentage of a child is filed or to which a proceeding petition or comparable pleading is forwarded for filing from an initiating another state under this chapter or a law or procedure substantially similar to this chapter or a foreign country~~.

Sec. 18. 19-A MRSA §2802, sub-§17, as amended by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

17. Responding tribunal. "Responding tribunal" means the authorized tribunal in a responding state or foreign country.

Sec. 19. 19-A MRSA §2802, sub-§19, as amended by PL 2003, c. 436, §4, is amended to read:

19. State. "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States. The term "state" includes: an Indian nation or tribe.

A. ~~An Indian tribe~~; and

B. ~~A foreign country or political subdivision that:~~

(1) ~~Has been declared to be a foreign reciprocating country or political subdivision under federal law;~~

(2) ~~Has established a reciprocal arrangement for child support with this State as provided in section 3008-A; or~~

(3) ~~Has enacted a law or established procedures for issuance and enforcement of support orders that are substantially similar to the procedures under this chapter.~~

Sec. 20. 19-A MRSA §2802, sub-§21, as amended by PL 2003, c. 436, §§5 and 6 and c. 689, Pt. B, §6, is further amended to read:

21. Support enforcement agency. "Support enforcement agency" means a public official or agency authorized to seek:

A. ~~Enforcement~~ Seek enforcement of support orders or laws relating to the duty of support;

B. ~~Establishment~~ Seek establishment or modification of child support;

C. ~~Determination~~ Request determination of parentage;

D. ~~The location of~~ Attempt to locate obligors or their assets; or

E. ~~Determination~~ Request determination of the controlling child support order.

The support enforcement agency in this State is the Department of Health and Human Services.

Sec. 21. 19-A MRSA §2802, sub-§22, as amended by PL 2003, c. 436, §7, is further amended to read:

22. Support order. "Support order" means a judgment, decree, order, decision or directive, whether temporary, final or subject to modification, issued by a tribunal in a state or foreign country for the benefit of a child, a spouse or a former spouse, that provides for monetary support, health care, arrearages, retroactive support or reimbursement for financial assistance provided to an individual obligee in place of child support. "Support order" may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees and other relief.

Sec. 22. 19-A MRSA §2802-A is enacted to read:

§2802-A. State tribunal and support enforcement agency

1. State tribunals. The District Court and the Department of Health and Human Services are tribunals of this State.

2. State support enforcement agency. The Department of Health and Human Services is the support enforcement agency of this State.

Sec. 23. 19-A MRSA §2803, sub-§1, as enacted by PL 2003, c. 436, §8, is amended to read:

1. Remedies cumulative. Remedies provided by this chapter are cumulative and do not affect the availability of remedies under other law, including or the recognition of a support order of a foreign country or political subdivision on the basis of comity.

Sec. 24. 19-A MRSA §2804 is enacted to read:

§2804. Application of chapter to resident of foreign country and foreign support proceeding

1. Support proceeding. A tribunal of this State shall apply this subchapter, subchapters 2 to 6 and, as applicable, subchapter 7-A to a support proceeding involving:

- A. A foreign support order;
- B. A foreign tribunal; or
- C. An obligee, obligor or child residing in a foreign country.

2. Comity. A tribunal of this State that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of this subchapter and subchapters 2 to 6.

3. Proceeding subject to the Convention. Subchapter 7-A applies only to a support proceeding under the Convention. In such a proceeding, if a provision of subchapter 7-A is inconsistent with a provision of this subchapter or subchapters 2 to 6, subchapter 7-A controls.

Sec. 25. 19-A MRSA §2961, sub-§2, as enacted by PL 2003, c. 436, §10, is amended to read:

2. Use of bases to establish personal jurisdiction. The bases of personal jurisdiction set forth in subsection 1 or in any other law of this State may not be used to acquire personal jurisdiction for a tribunal of the this State to modify a child support order of another state unless the requirements of section 3253 or 3257 are met or, in the case of a foreign support order, unless the requirements of section 3261 are met.

Sec. 26. 19-A MRSA §2963, as enacted by PL 2003, c. 436, §10, is amended to read:

§2963. Initiating and responding tribunal of this State

Under this chapter, a tribunal of this State may serve as an initiating tribunal to forward proceedings to a tribunal of another state and as a responding tribunal for proceedings initiated in another state or foreign country.

Sec. 27. 19-A MRSA §2964, as enacted by PL 2003, c. 436, §10, is amended to read:

§2964. Simultaneous proceedings

1. Exercise of jurisdiction when filed in another state. A tribunal of this State may exercise jurisdiction to establish a support order when the petition or comparable pleading is filed after a petition or comparable pleading is filed in another state or a foreign country only if:

- A. The petition or comparable pleading in this State is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;
- B. The contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and
- C. ~~When relevant, this~~ This State is the home state of the child, if that is a relevant factor.

2. Jurisdiction may not be exercised when filed in another state. A tribunal of this State may not exercise jurisdiction to establish a support order when the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

- A. The petition or comparable pleading in the other state or the foreign country is filed before

the expiration of the time allowed in this State for filing a responsive pleading challenging the exercise of jurisdiction by this State;

B. The contesting party timely challenges the exercise of jurisdiction in this State; and

C. ~~When relevant, the~~ The other state or the foreign country is the home state of the child, if that is a relevant factor.

Sec. 28. 19-A MRSA §2966, sub-§1, ¶B, as enacted by PL 2003, c. 436, §10, is amended to read:

B. A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

Sec. 29. 19-A MRSA §2967, sub-§2, as enacted by PL 2003, c. 436, §10, is amended to read:

2. Recognition of orders; 2 or more tribunals. If a proceeding is brought under this chapter and 2 or more child support orders have been issued by tribunals of this State or another state or a foreign country with regard to the same obligor and same child, a tribunal of this State having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized.

A. If only one of the tribunals has continuing, exclusive jurisdiction under this chapter, the order of that tribunal controls ~~and must be so recognized~~.

B. If more than one of the tribunals has continuing, exclusive jurisdiction under this chapter:

- (1) An order issued by a tribunal in the current home state of the child controls; or
- (2) If an order has not been issued in the current home state of the child, the order most recently issued controls.

C. If none of the tribunals have continuing, exclusive jurisdiction under this chapter, the tribunal of this State shall issue a child support order, which controls.

Sec. 30. 19-A MRSA §2967, sub-§3, as enacted by PL 2003, c. 436, §10, is amended to read:

3. Request for order. If 2 or more child support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of this State having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection 2. The request may be filed with a registration for enforcement or registration for modification pursuant to subchapter 6 or may be filed as a separate proceeding.

Sec. 31. 19-A MRSA §2968, as enacted by PL 2003, c. 436, §10, is amended to read:

§2968. Child support orders for 2 or more obligees

In responding to registrations or petitions for enforcement of 2 or more child support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of this State shall enforce those orders in the same manner as if the orders had been issued by a tribunal of this State.

Sec. 32. 19-A MRSA §2969, as enacted by PL 2003, c. 436, §10, is amended to read:

§2969. Credit for payments

A tribunal of this State shall credit amounts collected for a particular period pursuant to any child support order against the amounts owed for the same period under any other child support order for support of the same child issued by a tribunal of this State or another state or a foreign country.

Sec. 33. 19-A MRSA §2970, as enacted by PL 2003, c. 436, §10, is amended to read:

§2970. Application of chapter to nonresident subject to personal jurisdiction

A tribunal of this State exercising personal jurisdiction over a nonresident in a proceeding under this chapter or under other laws of this State relating to a support order or recognizing a foreign support order of a foreign country or political subdivision on the basis of comity may receive evidence from another state outside this State pursuant to section 3016, communicate with a tribunal of another state outside this State pursuant to section 3017 and obtain discovery through a tribunal of another state outside this State pursuant to section 3018. In all other respects, subchapters 3 to 7-A do not apply and the tribunal shall apply the procedural and substantive law of this State.

Sec. 34. 19-A MRSA §2971, sub-§2, as enacted by PL 2003, c. 436, §10, is amended to read:

2. Spousal support issued by another state or foreign country. A tribunal of this State may not modify a spousal support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

Sec. 35. 19-A MRSA §3001, sub-§1-A, as enacted by PL 2003, c. 436, §11, is amended to read:

1-A. Initiation of proceedings. An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this chapter by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state

or a foreign country that has or can obtain personal jurisdiction over the respondent.

Sec. 36. 19-A MRSA §3004-A, sub-§2, as enacted by PL 2003, c. 436, §14, is amended to read:

2. Issue certificate or document; make findings; specify amount. If requested by the responding tribunal, a tribunal of this State shall issue a certificate or other document and make findings required by the law of the responding state. If the responding state tribunal is in a foreign country or political subdivision, upon request the tribunal of this State shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under the applicable official or market exchange rate as publicly reported and provide any other documents necessary to satisfy the requirements of the responding state foreign tribunal.

Sec. 37. 19-A MRSA §3005, sub-§2, ¶A, as amended by PL 2003, c. 436, §15, is further amended to read:

A. ~~Issue~~ Establish or enforce a support order, modify a child support order, determine the controlling child support order or render a judgment to determine parentage of a child;

Sec. 38. 19-A MRSA §3005, sub-§2, ¶H, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

H. Order an obligor to keep the tribunal informed of the obligor's current residential address, e-mail address, telephone number, employer, address of employment and telephone number at the place of employment;

Sec. 39. 19-A MRSA §3007, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Services to petitioner. The department, upon application and request by an individual or upon request of the support enforcement agency of another state, shall provide services to a petitioner in a proceeding under this chapter.

Sec. 40. 19-A MRSA §3007, sub-§2, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

A. Take all steps necessary to enable an appropriate tribunal in of this State or another state or a foreign country to obtain jurisdiction over the respondent;

Sec. 41. 19-A MRSA §3007, sub-§2-C, as enacted by PL 2003, c. 436, §18, is amended to read:

2-C. Issuance upon request. The department shall issue or request a tribunal of this State to issue a child support order and an income-withholding order that redirect payment of current support, arrears and

interest if requested to do so by a support enforcement agency of another state pursuant to Section 319 of the Uniform Interstate Family Support Act section 3019.

Sec. 42. 19-A MRSA §3008-A, 2nd ¶, as enacted by PL 2003, c. 436, §19, is amended to read:

The Attorney General may determine that a foreign country or political subdivision has established a reciprocal arrangement for child support with this State and take appropriate action for notification of the determination.

Sec. 43. 19-A MRSA §3010, as amended by PL 2003, c. 436, §20, is repealed.

Sec. 44. 19-A MRSA §3010-A is enacted to read:

§3010-A. Duties of the department as the state information agency

1. State information agency. The department is the state information agency.

2. Duties. The state information agency shall:

A. Compile and maintain a current list, including addresses, of the tribunals in this State that have jurisdiction under this chapter and the department and transmit a copy to the state information agency of every other state;

B. Maintain a register of the names and addresses of tribunals and support enforcement agencies received from other states;

C. Forward to the appropriate tribunal in the state in which the obligee who is an individual or the obligor resides, or in which the obligor's property is believed to be located, all documents concerning a proceeding under this chapter received from another state or a foreign country; and

D. Obtain information concerning the location of the obligor and the obligor's property within this State not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses and social security.

Sec. 45. 19-A MRSA §3011, sub-§1, as enacted by PL 2003, c. 436, §21, is further amended to read:

1. Petition; contents. In a proceeding under this chapter, a petitioner seeking to establish a support order, to determine parentage of a child or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under section 3012, the petition or accompa-

nying documents must provide, so far as known, the names, residential addresses and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

Sec. 46. 19-A MRSA §3013, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. Fees and costs if obligee prevails. If an obligee prevails, a responding tribunal of this State may assess against an obligor filing fees, reasonable attorney's fees, other costs and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs or expenses against the obligee or the support enforcement agency of either the initiating or the responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs and expenses.

Sec. 47. 19-A MRSA §3016, sub-§1, as amended by PL 2003, c. 436, §24, is further amended to read:

1. Physical presence not required. The physical presence of a nonresident party who is an individual in a tribunal of this State is not required for the establishment, enforcement or modification of a support order or the rendition of a judgment determining parentage of a child.

Sec. 48. 19-A MRSA §3016, sub-§2, as amended by PL 2003, c. 436, §24, is further amended to read:

2. Admissible evidence. An affidavit, a document substantially complying with federally mandated forms or a document incorporated by reference in any of them that would not be excluded under the hearsay rule if given in person is admissible in evidence if given under penalty of perjury by a party or witness residing ~~in another state outside this State~~.

Sec. 49. 19-A MRSA §3016, sub-§4, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

4. Copies of bills admissible. Copies of bills for testing for parentage of a child and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 10 days before trial,

are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary and customary.

Sec. 50. 19-A MRSA §3016, sub-§5, as amended by PL 2003, c. 436, §24, is further amended to read:

5. No objection based on means of transmission. Documentary evidence transmitted from ~~another state~~ outside this State to a tribunal of this State by telephone, telecopier or other electronic means that does not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

Sec. 51. 19-A MRSA §3016, sub-§6, as amended by PL 2003, c. 436, §24, is further amended to read:

6. Testimony not in person. In a proceeding under this chapter, a tribunal of this State shall permit a party or witness residing ~~in another state~~ outside this State to be deposed or to testify by telephone, audio-visual means or other electronic means at a designated tribunal or other location ~~in that state~~. A tribunal of this State shall cooperate with other tribunals ~~of other states~~ in designating an appropriate location for the deposition or testimony.

Sec. 52. 19-A MRSA §3017, as amended by PL 2003, c. 436, §26, is further amended to read:

§3017. Communications between tribunals

A tribunal of this State may communicate with a tribunal ~~of another state or foreign country or political subdivision outside this State~~ in a record, in an e-mail or by telephone or other means to obtain information concerning the laws; the legal effect of a judgment, decree or order of that tribunal; and the status of a proceeding ~~in the other state or foreign country or political subdivision~~. A tribunal of this State may furnish similar information by similar means to a tribunal ~~of another state or foreign country or political subdivision outside this State~~.

Sec. 53. 19-A MRSA §3018, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§3018. Assistance with discovery

A tribunal of this State may:

1. Request a tribunal outside this State. Request a tribunal ~~of another state~~ outside this State to assist in obtaining discovery; and

2. Compel response. Upon request, compel a person over whom it has jurisdiction to respond to a discovery order issued by a tribunal ~~of another state~~ outside this State.

Sec. 54. 19-A MRSA §3019, sub-§1, as enacted by PL 2003, c. 436, §27, is amended to read:

1. **Disburse promptly.** The department shall disburse promptly any amounts received pursuant to a support order as directed by the order. The department shall furnish to a requesting party or tribunal of another state or foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

Sec. 55. 19-A MRSA §3051, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. **Responding tribunal may issue support order.** If a support order entitled to recognition under this chapter has not been issued, a responding tribunal of this State with personal jurisdiction over the parties may issue a support order if:

- A. The individual seeking the order resides ~~in another state~~ outside this State; or
- B. The support enforcement agency seeking the order is located ~~in another state~~ outside this State.

Sec. 56. 19-A MRSA §3052 is enacted to read:

§3052. Proceeding to determine parentage

A tribunal of this State authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this chapter or a law or procedure substantially similar to this chapter.

Sec. 57. 19-A MRSA §3101-C, as enacted by PL 1997, c. 669, §21, is amended to read:

§3101-C. Immunity from civil liability

An employer ~~who that~~ who complies with an income-withholding order issued in another state in accordance with this subchapter is not subject to civil liability to an individual or support enforcement agency with regard to the employer's withholding of child support payments from the obligor's income.

Sec. 58. 19-A MRSA §3101-D, as enacted by PL 1997, c. 669, §21, is amended to read:

§3101-D. Penalties for noncompliance

An employer ~~who that~~ who willfully fails to comply with an income-withholding order issued by ~~in~~ another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of this State.

Sec. 59. 19-A MRSA §3102, as amended by PL 2003, c. 436, §34, is further amended to read:

§3102. Administrative enforcement of orders

1. **Documents to state information agency.** A party residing in another state or a support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued ~~by a tribu-~~

~~nal of in~~ another state or a foreign support order shall send the documents required for registering the order to the department.

2. **Consider and enforce.** Upon receipt of the documents, the department, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this State to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this chapter.

Sec. 60. 19-A MRSA §3150 is enacted to read:

§3150. Registration of order for enforcement

A support order or income-withholding order issued in another state or a foreign country may be registered in this State for enforcement.

Sec. 61. 19-A MRSA §3151, sub-§1, as amended by PL 2003, c. 436, §36, is further amended to read:

1. **Required documents and information.** ~~The department may register~~ Except as otherwise provided in section 3316, a support order or an income-withholding order of another state or a foreign support order may be registered in this State by forwarding sending the following records and information to the appropriate court tribunal in this State for registration in this State for enforcement:

- A. A letter of transmittal to the tribunal requesting registration and enforcement;
- B. Two copies, including one certified copy, of the order to be registered, including any modification of an order;
- C. A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearages;
- D. The name of the obligor and, if known:
 - (1) The obligor's address and social security number;
 - (2) The name and address of the obligor's employer and any other source of income of the obligor; and
 - (3) A description and the location of property of the obligor in this State not exempt from execution; and
- E. Except as otherwise provided in section 3012, the name and address of the obligee and, if

applicable, the agency or person to whom support payments are to be remitted.

Sec. 62. 19-A MRSA §3151, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. File as foreign judgment. ~~Upon~~ On receipt of a request for registration, the registering tribunal shall ~~file cause the order to be filed as a foreign judgment~~ an order of another state or foreign country, together with one copy of the documents and information, regardless of their form.

Sec. 63. 19-A MRSA §3152, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§3152. Effect of registration for enforcement

1. Registered when filed. A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of this State.

2. Enforceability of registered order. A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this State.

3. Recognition and enforcement of registered order; no modification. Except as otherwise provided in this ~~article~~ chapter, a tribunal of this State shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had jurisdiction.

Sec. 64. 19-A MRSA §3153, as repealed and replaced by PL 2003, c. 436, §37, is amended to read:

§3153. Choice of law

1. Current payments, other obligations and arrearages under order. Except as otherwise provided in subsection 4, the law of the issuing state or foreign country governs:

A. The nature, extent, amount and duration of current payments under a registered support order;

B. The computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

C. The existence and satisfaction of other obligations under the support order.

2. Proceeding for arrearages. In a proceeding for arrearages under a registered support order, the statute of limitation of this State or of the issuing state or foreign country, whichever is for a longer period of time, applies.

3. Procedures and remedies of this State. A responding tribunal of this State shall apply the procedures and remedies of this State to enforce current

support and collect arrearages and interest due on a support order of another state or a foreign country registered in this State.

4. Application of law of state issuing controlling order. After a tribunal of this State or another state determines which order is the controlling order and issues an order consolidating arrearages, if any, a tribunal of this State shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrearages, on current and future support and on consolidated arrearages.

Sec. 65. 19-A MRSA §3201, sub-§1, as amended by PL 2003, c. 436, §38, is further amended to read:

1. Time and method of notice. When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of this State shall notify the nonregistering party. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

Sec. 66. 19-A MRSA §3201, sub-§2, ¶B, as amended by PL 2003, c. 436, §38, is further amended to read:

B. That a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after notice unless the registered order is subject to section 3317;

Sec. 67. 19-A MRSA §3201, sub-§3, ¶A, as enacted by PL 2003, c. 436, §38, is amended to read:

A. Identify the 2 or more orders and the order alleged by the registering ~~person~~ party to be the controlling order and the consolidated arrearages, if any;

Sec. 68. 19-A MRSA §3201, sub-§4, as enacted by PL 2003, c. 436, §38, is amended to read:

4. Notice of income-withholding order. Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to chapter 65, subchapter 4.

Sec. 69. 19-A MRSA §3202, sub-§1, as amended by PL 2003, c. 436, §39, is further amended to read:

1. Timing and remedies. A nonregistering party seeking to contest the validity or enforcement of a registered support order in this State ~~must~~ shall request a hearing within 20 days after the date of mailing notice of the registration the time required by section 3201. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 3203.

Sec. 70. 19-A MRSA §3202, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. Order confirmed if contest not timely. If the nonregistering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law.

Sec. 71. 19-A MRSA §3202, sub-§3, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

3. Notice of hearing to the parties. If a nonregistering party requests a hearing to contest the validity or enforcement of the registered support order, the registering tribunal shall schedule the matter for hearing and give notice to the parties by first class mail of the date, time and place of the hearing.

Sec. 72. 19-A MRSA §3203, as amended by PL 2003, c. 436, §§40 and 41, is further amended to read:

§3203. Contest of registration or enforcement

1. Defenses to contest validity or enforcement. A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

- A. The issuing tribunal lacked personal jurisdiction over the contesting party;
- B. The order was obtained by fraud;
- C. The order has been vacated, suspended or modified by a later order;
- D. The issuing tribunal has stayed the order pending appeal;
- E. There is a defense under the laws of this State to the remedy sought;
- F. Full or partial payment has been made;
- G. The statute of limitation under section 3153 precludes enforcement of some or all of the alleged arrearages; or
- H. The alleged controlling order is not the controlling order.

2. Full or partial defense. If a party presents evidence establishing a full or partial defense under subsection 1, a tribunal may stay enforcement of the registered support order, continue the proceeding to permit production of additional relevant evidence and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the laws of this State.

3. Confirmation of order. If the contesting party does not establish a defense under subsection 1 to the validity or enforcement of ~~the~~ a registered sup-

port order, the registering tribunal shall issue an order confirming the order.

Sec. 73. 19-A MRSA §3204, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§3204. Confirmed order

Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

Sec. 74. 19-A MRSA §3251, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§3251. Procedure to register child support order of another state for modification

A party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another state shall register that order in this State in the same manner provided in ~~article 1~~ sections 3150 to 3204 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 75. 19-A MRSA §3252, as amended by PL 2003, c. 436, §42, is further amended to read:

§3252. Effect of registration for modification

A tribunal of this State may enforce a child support order of another state registered for purposes of modification in the same manner as if the order had been issued by a tribunal of this State, but the registered support order may be modified only if the requirements of section 3253, or 3255 or 3257 have been met.

Sec. 76. 19-A MRSA §3253, sub-§1, as repealed and replaced by PL 2003, c. 436, §43, is amended to read:

1. Modification of child support order of another state. If section 3255 does not apply, ~~except as otherwise provided in section 3257,~~ upon petition a tribunal of this State ~~upon petition~~ may modify a child support order issued in another state that has been registered in this State if, after notice and hearing, the tribunal finds that:

- A. The following requirements are met:
 - (1) Neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;
 - (2) A petitioner who is a nonresident of this State seeks modification; and
 - (3) The respondent is subject to the personal jurisdiction of the tribunal of this State; or

B. This State is the ~~state~~ of residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of this State to modify the support order and assume continuing, exclusive jurisdiction.

Sec. 77. 19-A MRSA §3253, sub-§3, as repealed and replaced by PL 2003, c. 436, §43, is amended to read:

3. No modification. ~~Except as provided in section 3257, a~~ A tribunal of this State may not modify any aspect of a child support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If 2 or more tribunals have issued child support orders for the same obligor and same child, the order that controls and must be recognized under section 2967 establishes the aspects of the child support order that are nonmodifiable.

Sec. 78. 19-A MRSA §3253, sub-§6 is enacted to read:

6. Retained jurisdiction to modify an order issued in this State. Notwithstanding subsections 1 to 4 and section 2961, subsection 2, a tribunal of this State retains jurisdiction to modify an order issued by a tribunal of this State if:

- A. One party resides in another state; and
- B. The other party resides outside the United States.

Sec. 79. 19-A MRSA §3255, sub-§2, as enacted by PL 2003, c. 436, §45, is amended to read:

2. Application of laws. A tribunal of this State exercising jurisdiction under this section shall apply the provisions of subchapters 1 and 2-A, this subchapter and the procedural and substantive law of this State to the proceeding for enforcement or modification. Subchapters 3, 4, 5, ~~7 7-A~~ and 8 do not apply.

Sec. 80. 19-A MRSA §3257, as enacted by PL 2003, c. 436, §45, is repealed.

Sec. 81. 19-A MRSA c. 67, sub-c. 6, art. 4 is enacted to read:

ARTICLE 4

REGISTRATION AND MODIFICATION OF FOREIGN CHILD SUPPORT ORDER

§3261. Jurisdiction to modify child support order of foreign country

1. Assumption of jurisdiction. Except as otherwise provided in section 3321, if a foreign country lacks or refuses to exercise jurisdiction to modify its child support order pursuant to its laws, a tribunal of this State may assume jurisdiction to modify the child

support order and bind all individuals subject to the personal jurisdiction of the tribunal whether the consent to modification of a child support order otherwise required of the individual pursuant to section 3253 has been given or whether the individual seeking modification is a resident of this State or of the foreign country.

2. Controlling order. An order issued by a tribunal of this State modifying a foreign child support order pursuant to this section is the controlling order.

§3262. Procedure to register child support order of foreign country for modification

A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child support order not under the Convention may register that order in this State as provided in sections 3150 to 3204 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration or at another time. The petition must specify the grounds for modification.

Sec. 82. 19-A MRSA c. 67, sub-c. 7, as amended, is repealed.

Sec. 83. 19-A MRSA c. 67, sub-c. 7-A is enacted to read:

SUBCHAPTER 7-A

SUPPORT PROCEEDINGS SUBJECT TO CONVENTION

§3311. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Application. "Application" means a request under the Convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

2. Central authority. "Central authority" means the entity designated by the United States or a foreign country described in section 2802, subsection 3-A to perform the functions specified in the Convention.

3. Convention support order. "Convention support order" means a support order of a tribunal of a foreign country described in section 2802, subsection 3-A.

4. Direct request. "Direct request" means a petition filed by an individual in a tribunal of this State in a proceeding involving an obligee, obligor or child residing outside the United States.

5. Foreign support agreement. "Foreign support agreement" means an agreement for support in a record that:

- A. Is enforceable as a support order in the country of origin;

B. Has been formally drawn up or registered as an authentic instrument by a foreign tribunal or authenticated by or concluded, registered or filed with a foreign tribunal; and

C. May be reviewed and modified by a foreign tribunal.

"Foreign support agreement" includes a maintenance arrangement or authentic instrument under the Convention.

6. United States central authority. "United States central authority" means the Secretary of the United States Department of Health and Human Services.

§3312. Applicability

This subchapter applies only to a support proceeding under the Convention. In such a proceeding, if a provision of this subchapter is inconsistent with a provision in subchapters 1 to 6, this subchapter controls.

§3313. Relationship of the department to United States central authority

The Department of Health and Human Services of this State is recognized as the agency designated by the United States central authority to perform specific functions under the Convention.

§3314. Initiation by department of support proceedings

1. Duty of department. In a proceeding pursuant to this subchapter, the department shall:

- A. Transmit and receive applications; and
- B. Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of this State.

2. Proceedings available to obligee. The following support proceedings are available to an obligee under the Convention:

- A. Recognition or recognition and enforcement of a foreign support order;
- B. Enforcement of a support order issued or recognized in this State;
- C. Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;
- D. Establishment of a support order if recognition of a foreign support order is refused under section 3318;
- E. Modification of a support order of a tribunal of this State; and
- F. Modification of a support order of a tribunal of another state or a foreign country.

3. Proceedings available to obligor. The following support proceedings are available under the Convention to an obligor against whom there is an existing support order:

- A. Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of this State;
- B. Modification of a support order of a tribunal of this State; and
- C. Modification of a support order of a tribunal of another state or a foreign country.

4. Tribunal may not require guarantee of payment of costs and expenses. A tribunal of this State may not require security, bond or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

§3315. Direct request

1. Establishment or modification of support or determination of parentage. A petitioner may file a direct request seeking the establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of this State applies.

2. Recognition and enforcement of support order or agreement. A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, the provisions of sections 3316 to 3323 apply.

3. Guarantee of payment of costs may not be required; free legal assistance. In a direct request seeking recognition and enforcement of a Convention support order or foreign support agreement:

- A. A security, bond or deposit is not required to guarantee the payment of costs and expenses; and
- B. An obligee or obligor who in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the laws of this State under the same circumstances.

4. No assistance from the department. A petitioner filing a direct request is not entitled to receive assistance from the department.

5. Application of laws of this State. This subchapter does not prevent the application of laws of this State that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

§3316. Registration of Convention support order

1. General requirement. Except as otherwise provided in this subchapter, a party who is an individual or a support enforcement agency seeking recogni-

tion of a Convention support order shall register the order in this State as provided in subchapter 6.

2. Additional requirements. Notwithstanding section 3011 and section 3151, subsection 1, a request for registration of a Convention support order must be accompanied by:

A. A complete text of the support order, or an abstract or extract of the support order drawn up by the issuing foreign tribunal, which may be in the form recommended by the Hague Conference on Private International Law;

B. A record stating that the support order is enforceable in the issuing country;

C. If the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard, or that the respondent had proper notice of the support order and an opportunity to challenge or appeal it on fact or law before a tribunal;

D. A record showing the amount of arrears, if any, and the date the amount was calculated;

E. A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

F. If necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

3. Recognition and partial enforcement. A request for registration of a Convention support order may seek recognition and partial enforcement of the order.

4. Refusal to register. A tribunal of this State may vacate the registration of a Convention support order, without the filing of a contest under section 3317, only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

5. Notice. A tribunal of this State shall promptly notify the parties to a foreign support order of the registration or the order vacating the registration of a Convention support order.

§3317. Contest of registered Convention support order

1. General requirements. Except as otherwise provided in this subchapter, sections 3201 to 3204 apply to a contest of a registered Convention support order.

2. Additional requirements. A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registra-

tion, except that if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

3. Enforceable by operation of law. If the non-registering party fails to contest the registered Convention support order by the time specified in subsection 2, the order is enforceable.

4. Basis. A contest of a registered convention support order may be based only on grounds set forth in section 3318. The contesting party bears the burden of proof.

5. Limitations. In a contest of a registered Convention support order, a tribunal of this State:

A. Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

B. May not review the merits of the support order.

6. Notice of decision. A tribunal of this State deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

7. No stay on appeal. A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

§3318. Recognition and enforcement of registered Convention support order

1. Recognition and enforcement. Except as otherwise provided in subsection 2, a tribunal of this State shall recognize and enforce a registered Convention support order.

2. Exceptions. The following grounds are the only grounds on which a tribunal of this State may refuse recognition and enforcement of a registered Convention support order.

A. Recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

B. The issuing tribunal lacked personal jurisdiction consistent with section 2961;

C. The order is not enforceable in the issuing country;

D. The order was obtained by fraud in connection with a matter of procedure;

E. A record transmitted in accordance with section 3316 lacks authenticity or integrity;

F. A proceeding between the same parties and having the same purpose is pending before a tribunal of this State and that proceeding was the first to be filed;

G. The order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this chapter in this State;

H. The payment of arrears, to the extent alleged arrears have been paid in whole or in part;

I. In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(1) If the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(2) If the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

J. The order was made in violation of section 3321.

3. Convention support orders not recognized.

If a tribunal of this State does not recognize a Convention support order under subsection 2, paragraph B, D, F or I:

A. The tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

B. The department shall take all appropriate measures to request a child support order for the obligee if the application for recognition and enforcement was received under section 3314.

§3319. Partial enforcement

If a tribunal of this State does not recognize and enforce a Convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a Convention support order.

§3320. Foreign support agreement

1. Recognition. Except as provided in subsections 3 and 4, a tribunal of this State shall recognize and enforce a foreign support agreement registered in this State.

2. Requirements. An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

A. A complete text of the foreign support agreement; and

B. A record stating that the foreign support agreement is enforceable as a decision in the issuing foreign country.

3. Vacate registration. A tribunal of this State may vacate the registration of a foreign support agreement only if, acting on its motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

4. Refusal of recognition and enforcement. In a contest of a foreign support agreement, a tribunal of this State may refuse recognition and enforcement of the agreement if it finds:

A. Recognition and enforcement of the agreement is manifestly incompatible with public policy;

B. The agreement was obtained by fraud or falsification;

C. The agreement is incompatible with a support order involving the same parties and having the same purpose in this State, another state or a foreign country if the support order is entitled to recognition and enforcement under this chapter in this State; or

D. The record submitted under subsection 2, paragraph B lacks authenticity or integrity.

5. Suspension of proceeding. A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

§3321. Modification of child support order subject to Convention

1. Obligor resident of the foreign country. A tribunal of this State may not modify a Convention child support order if the obligor remains a resident of the foreign country where the support order was issued unless:

A. The obligor submits to the jurisdiction of a tribunal of this State, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

B. The foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

2. Application of section 3318. If a tribunal of this State cannot modify the foreign child support order because the order is unable to be recognized in this State, the provisions of section 3318, subsection 3 apply.

§3322. Personal information; limit on use

Personal information gathered or transmitted under this subchapter may be used only for the purposes for which it was gathered or transmitted.

§3323. Record in original language; English translation

A record filed with a tribunal of this State under this subchapter must be in the original language and, if not in English, must be accompanied by an English translation.

Sec. 84. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 19-A, chapter 67, subchapter 4, in the subchapter headnote, the words "establishment of support order" are amended to read "establishment of support order or determination of parentage" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 85. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 19-A, chapter 67, subchapter 5, in the subchapter headnote, the words "enforcement of order of another state without registration" are amended to read "enforcement of support order without registration" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 86. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 19-A, chapter 67, subchapter 6, article 3, in the article headnote, the words "registration and modification of child support order" are amended to read "registration and modification of child support order of another state" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 87. Contingent effective date. This Act takes effect upon the ratification by the United States of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007. The Commissioner of Health and Human Services shall notify the joint standing committee of the Legislature having jurisdiction over judiciary matters and the Revisor of Statutes when the United States has ratified the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.

See title page for effective date, unless otherwise indicated.

CHAPTER 96

H.P. 418 - L.D. 580

An Act Concerning the Automatic Dissolution of Certain Marriages

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 19-A, section 751, subsection 2 provides for the dissolution of a marriage when there is a final entry of a criminal judgment sentencing either spouse to a term of life imprisonment; and

Whereas, this practice is not followed by either the Department of Health and Human Services or the Department of Corrections; and

Whereas, some families do not want the marriage to be dissolved; 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. 19-A MRSA §751, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§751. Certain marriages void without process

The following marriages are void and dissolved without legal process:

1. Solemnized in State. A marriage prohibited in section 701, if solemnized in this State; or,

~~**2. Final judgment.** A marriage when there is an entry of a final judgment sentencing either party to imprisonment for life.~~

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

Effective May 8, 2009.

CHAPTER 97

H.P. 198 - L.D. 252

An Act Regarding the Transfer of Nursing Facilities

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

Sec. 1. 22 MRSA §3175-D is enacted to read:
§3175-D. Nursing facility depreciation

1. Depreciation. For sales of nursing facilities, as defined in section 1812-A, that occur on or after October 1, 2009, the department shall either:

A. At the time of the sale, recapture depreciation paid by the department under the MaineCare program, from the proceeds of the sale; or

B. At the election of the buyer and seller, waive the recapture of depreciation at the time of the sale and allow the asset to transfer at the historical cost of the seller less depreciation allowed under the MaineCare program to the buyer for reimbursement purposes.

See title page for effective date.

CHAPTER 98

H.P. 481 - L.D. 698

An Act To Allow School Budget Validation Referenda To Be Held on a Saturday

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

Whereas, current law prohibits a municipality from conducting a school budget validation referendum on a Saturday; and

Whereas, many municipalities schedule and hold referendum questions on a Saturday as a matter of custom or historical tradition; and

Whereas, the residents of a municipality and their elected leaders are most qualified to determine which day of the week may be best suited for holding any referendum; and

Whereas, in some cases the provisions of a municipal charter may effectively require a municipal referendum to be conducted on a Saturday; and

Whereas, the 2009 school budget validation referenda around the State will be conducted prior to the adjournment of this 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 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 §1486, sub-§2, as amended by PL 2007, c. 668, §19, is further amended to read:

2. Validation referendum procedures. The budget validation referendum must be held on or before the 14th calendar day following the scheduled date of the regional school unit budget meeting. The referendum may not be held on a ~~Saturday~~, Sunday or legal holiday. The vote at referendum is for the purpose of approving or rejecting the total regional school unit budget approved at the regional school unit budget meeting. The regional school unit board shall provide printed information to be displayed at polling places to assist voters in voting. That information is limited to the total amounts proposed by the regional school unit board for each cost center summary budget category article, the amount approved at the regional school unit budget meeting, a summary of the total authorized expenditures and, if applicable because of action on an article under section 15690, subsection 3, paragraph A, a statement that the amount approved at the regional school unit budget meeting includes locally raised funds that exceed the maximum state and local spending target pursuant to section 15671-A, subsection 5.

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

Effective May 8, 2009.

CHAPTER 99

H.P. 356 - L.D. 511

An Act To Support Pretrial Diversion Programs for Issuers of Worthless Checks

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

Sec. 1. 32 MRSA §11003, sub-§7, ¶D, as enacted by PL 1985, c. 702, §2, is amended to read:

D. Concerns a debt obtained by that person as a secured party in a commercial credit transaction involving the creditor; ~~and~~

Sec. 2. 32 MRSA §11003, sub-§8, as enacted by PL 1985, c. 702, §2, is amended to read:

8. Collection activities related to the operation of a business. Any person whose collection activities are confined to and directly related to the operation of a business other than that of a debt collector, such as, but not limited to, financial institutions regulated under Title 9-B; ~~and~~

Sec. 3. 32 MRSA §11003, sub-§9 is enacted to read:

9. Certain pretrial diversion programs for issuers of worthless checks. A private entity operating a worthless check enforcement program that meets the conditions set forth in section 11013-A, subsection 3.

Sec. 4. 32 MRSA §11013-A is enacted to read:

§11013-A. Exception for certain pretrial diversion programs for issuers of worthless checks operated by private entities

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

A. "Check" has the same meaning as in Title 14, section 6071, subsection 4.

B. "State or district attorney" means the chief elected or appointed prosecuting attorney in a district, county, municipality or comparable jurisdiction, including the Attorney General acting as chief elected or appointed prosecuting attorney in a district, county, municipality or comparable jurisdiction, who is responsible for the prosecution of state crimes and violations of jurisdiction-specific local ordinances.

C. "Worthless check violation" means a violation of Title 17-A, section 708, subsection 1, paragraph A.

2. Pretrial diversion program for issuers of worthless checks. If a state or district attorney wants to be excluded from consideration as a debt collector as provided in section 11003, subsection 9, that state or district attorney shall establish, within the jurisdiction of that state or district attorney and with respect to alleged worthless check violations that do not involve a check described in subsection 4, a pretrial diversion program for issuers of worthless checks who agree to participate voluntarily in that program to avoid criminal prosecution.

3. Conditions for exception. A private entity operating a pretrial diversion program for issuers of worthless checks that meets the following requirements is excluded from being considered a debt collector.

A. The private entity must operate the pretrial diversion program for issuers of worthless checks described in subsection 2 subject to an administrative support services contract with the state or district attorney and under the direction, supervision and control of that state or district attorney.

B. In the course of performing duties delegated to it by a state or district attorney under an administrative support services contract, the private entity referred to in paragraph A:

(1) Shall comply with the criminal laws of the State;

(2) Shall conform with the terms of the administrative support services contract and directives of the state or district attorney;

(3) May not exercise independent prosecutorial discretion;

(4) Shall contact any issuer of an alleged worthless check for the purposes of participating in a pretrial diversion program for issuers of worthless checks as described in subsection 2:

(a) Only as a result of a determination by the state or district attorney that probable cause of a worthless check violation under state criminal law exists, and that contact with the issuer of an alleged worthless check for purposes of participation in the program is appropriate; and

(b) Only if the issuer of an alleged worthless check has failed to pay the worthless check after demand for payment is made for the check amount pursuant to state law;

(5) Shall include as part of an initial written communication with an issuer of an alleged worthless check a clear and conspicuous statement that:

(a) The issuer of an alleged worthless check may dispute the validity of any alleged worthless check violation;

(b) When the issuer of an alleged worthless check knows, or has reasonable cause to believe, that the alleged worthless check violation is the result of theft or forgery of the check, identity theft or other fraud that is not the result of the conduct of the issuer of an alleged worthless check, the issuer of the alleged worthless check may file a crime report with the appropriate law enforcement agency; and

(c) If the issuer of an alleged worthless check notifies the private entity or the state or district attorney in writing, not later than 30 days after being contacted for the first time pursuant to subparagraph (4), that there is a dispute pursuant to this subsection, before further restitution efforts are pursued, the state or district attorney or an employee of that state or district attorney must make a determination that there is probable cause to believe that a crime has been committed; and

(6) May charge fees only in connection with services under the administrative support services contract under paragraph A that have been authorized by the contract with the state or district attorney.

4. Certain checks excluded. A check described in this subsection is not considered a worthless check eligible for the pretrial diversion program for issuers of worthless checks described in subsection 2 if the check involves or is subsequently found to involve:

A. A postdated check presented in connection with a payday loan or other similar transaction when the payee of the check knew that the issuer had insufficient funds at the time the check was made, drawn or delivered;

B. A stop payment order when the issuer acted in good faith and with reasonable cause in stopping payment on the check;

C. A check dishonored because of an adjustment to the issuer's account by the financial institution holding that account without providing notice to the person at the time the check was made, drawn or delivered;

D. A check for partial payment of a debt where the payee had previously accepted partial payment for that debt;

E. A check issued by a person who was not competent or was not of legal age to enter into a legal contractual obligation at the time the check was made, drawn or delivered;

F. A check issued to pay an obligation arising from a transaction that was illegal in the jurisdiction of the state or district attorney at the time the check was made, drawn or delivered; or

G. A check that is the result of theft or forgery of the check, identity theft or other fraud that is not the result of the conduct of the alleged worthless check offender.

5. Registration. Notwithstanding the exemptions in subsections 3 and 4, a private entity that operates a pretrial diversion program for issuers of worthless checks pursuant to this section shall register with the administrator on forms acceptable to the administrator and in a manner consistent with section 11031, subsection 2. Before granting a registration pursuant to this subsection, the administrator shall:

A. Review the administrative support services contract under subsection 3, paragraph A between the private entity and the state or district attorney;

B. Review all form communications to issuers of alleged worthless checks that will be used as part of the pretrial diversion program for issuers of worthless checks; and

C. Review the quality controls to be implemented by the state or district attorney and the private entity to ensure continued compliance with this section and to maintain the exemption granted in section 11003, subsection 9.

6. Enforcement. To ensure compliance with this section, the administrator may receive and act on complaints in accordance with Title 9-A, section 6-104, conduct compliance examinations pursuant to Title 9-A, section 6-106 and exercise regulatory and remedial authority pursuant to Title 9-A, Article 6.

Sec. 5. 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 funds for the one-time costs to establish a new registration category in the agency's licensing system.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500	\$0

See title page for effective date.

**CHAPTER 100
H.P. 311 - L.D. 423**

An Act To Provide a Safe Sleeping Environment for Children with Disabilities To Enable Them To Remain in Their Homes

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

Sec. 1. 34-B MRSA §5605, sub-§14-D is enacted to read:

14-D. Reimbursement provided. Notwithstanding any other provision of law, the department shall provide reimbursement within available resources for durable medical equipment that provides a safe sleeping environment for individuals under 16 years of age if:

A. The durable medical equipment is necessary to correct or ameliorate a behavioral health condition;

B. The durable medical equipment is the least restrictive alternative for the treatment of the behavioral health condition:

C. The durable medical equipment is approved on a case-by-case basis by a review team composed of the same representatives as the team conducting children's behavioral treatment reviews under subsection 13, paragraph B, subparagraph (3); and

D. The department determines that the durable medical equipment is cost-effective in comparison to the provision of other covered services or equipment that can sufficiently correct or ameliorate the behavioral health condition.

The department may adopt rules as necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 101

H.P. 688 - L.D. 1000

An Act To Amend the Provision Creating the Long-term Care Partnership Program

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

Whereas, compliance with Section 6021 of the federal Deficit Reduction Act of 2005 is required before the Long-term Care Partnership Program may begin operation; and

Whereas, rules for the proper operation of the Long-term Care Partnership Program within the MaineCare program have been proposed and must be finally adopted before the Long-term Care Partnership Program may begin operation; and

Whereas, affording residents of the State the opportunity to purchase long-term care insurance policies that qualify for the Long-term Care Partnership Program will encourage the private payment of long-term care costs, delay or avoid MaineCare payments for these costs and help to avoid the financial exploitation of elderly people who otherwise may be unduly influenced to transfer their property; 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 §3174-GG, first ¶, as enacted by PL 2005, c. 12, Pt. DDD, §10, is amended to read:

There is established within the department the Long-term Care Partnership Program pursuant to Section 6021 of the federal Deficit Reduction Act of 2005, Public Law 109-171, 120 Stat. 4 (2006), referred to in this section as "the program," to provide incentives for persons to insure the costs of their own long-term care and to alleviate some of the costs of long-term care being paid by MaineCare. The department shall administer the program as a part of MaineCare, ~~contingent upon federal Medicaid participation, beginning 3 months after the federal Omnibus Budget Reconciliation Act of 1993 is amended to allow new state partnership programs.~~

Sec. 2. 22 MRSA §3174-GG, sub-§1, as enacted by PL 2005, c. 12, Pt. DDD, §10, is amended to read:

1. Eligibility. A person is eligible for the program if that person ~~has purchased~~ is insured under a policy of long-term care insurance qualified pursuant to the federal Deficit Reduction Act of 2005 and approved for the purpose of the program and ~~then~~ has used the policy alone or in combination with private resources to pay for long-term care costs ~~at the nursing facility level of care, without resort to MaineCare coverage, for a period of time specified by the program.~~ In order to qualify for benefits under the program, a person must be eligible under this subsection and meet the other criteria required for long-term care benefits under the MaineCare program as provided in this chapter and in rules adopted by the department.

Sec. 3. 22 MRSA §3174-GG, sub-§2, as enacted by PL 2005, c. 12, Pt. DDD, §10, is amended to read:

2. Benefits. The benefits of the program include coverage for long-term care services under MaineCare ~~for long-term care at the nursing facility level of care~~ after the person participating in the program has ~~exhausted~~ used the available coverage and benefits purchased under the approved long-term care policy.

Sec. 4. 22 MRSA §3174-GG, sub-§3, as enacted by PL 2005, c. 12, Pt. DDD, §10, is amended to read:

3. Disregard. In addition to assets disregarded or exempt under MaineCare program rules, in determining eligibility for MaineCare and the amount of MaineCare benefits and in estate recovery pursuant to section 14, subsection 2-I, the program must disregard assets of an eligible person that are disclosed to the department in the application or posteligibility process in an amount equal to the benefits paid by the ap-

proved long-term care insurance policy for nursing facility level of care.

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

Effective May 8, 2009.

**CHAPTER 102
H.P. 377 - L.D. 532**

**An Act Regarding Liquor
Licenses Issued to
Incorporated Civic
Organizations**

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

Sec. 1. 28-A MRSA §1071, sub-§6 is enacted to read:

6. Server requirements. An incorporated civic organization issued a license in accordance with this section shall provide the names of those who will be serving alcoholic beverages at the public event or gathering being sponsored. In the event that a server from that list is unavailable, a licensed manufacturer, distributor, wholesaler, farm winery or small brewery that has provided alcoholic beverages to be served at the event may provide serving assistance.

See title page for effective date.

**CHAPTER 103
H.P. 635 - L.D. 917**

**An Act To Prevent the
Unauthorized or Deceptive Use
of the Names of Financial
Institutions**

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

Sec. 1. 9-B MRSA §241, sub-§15 is enacted to read:

15. Deceptive use of names. A person may not use in an unauthorized or deceptive manner the name, abbreviated name or title of any financial institution authorized to do business in this State, credit union authorized to do business in this State, financial institution holding company or their affiliates or subsidiaries in any written or oral advertisement or solicitation. Use of a name, abbreviated name or title is not unauthorized or deceptive if the person using the name, abbreviated name or title has obtained written authorization for such use from the financial institution, credit

union, holding company, affiliate or subsidiary or if the use is limited solely to a truthful written advertisement or solicitation comparing the relative attributes of similar products or services offered by the financial institution, credit union, holding company, affiliate or subsidiary and the person using the name, abbreviated name or title.

The superintendent may, through the Attorney General, bring a civil action against any person who willfully violates any provision of this subsection. The penalty for violation of this subsection may not exceed \$5,000 for each violation.

Any financial institution, credit union, holding company, affiliate or subsidiary whose name, abbreviated name or title is used by any person in violation of this subsection may, in addition to any other remedy available under the laws of this State, bring an action to enjoin such use and recover damages. The court shall award actual damages or \$5,000 for each violation, whichever is greater, plus attorney's fees and costs, upon a finding that a violation has occurred.

See title page for effective date.

**CHAPTER 104
S.P. 314 - L.D. 806**

**An Act To Authorize Fuel Cost
Stabilization Funds To Be
Established in School
Administrative Units**

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

Sec. 1. 20-A MRSA §15008 is enacted to read:

§15008. Fuel cost stabilization fund

A school administrative unit may establish and expend a fuel cost stabilization fund as provided in this section.

1. Establishment and funding. The voters or other legislative body of a school administrative unit may establish a fuel cost stabilization fund and may raise and appropriate funds for that purpose in addition to the school operating budget. A separate warrant article for that purpose must be approved at the budget meeting and at the budget validation referendum. If a school administrative unit has discontinued the budget validation referendum process, the article must be approved by the voters or other legislative body using the same process as for approval of the school budget. If a school administrative unit has available fund balances at the end of a fiscal year, the transfer of those funds to the fuel cost stabilization fund may be authorized at a budget meeting or other meeting of the voters

or other legislative body. An article authorizing an appropriation or transfer to the fuel cost stabilization fund must be accompanied by a statement that includes the balance in the fuel cost stabilization fund before and after the proposed appropriation or transfer, the amounts expended from the fund in each of the 2 prior fiscal years and, in the case of a transfer, the amount expended from the fund in the current fiscal year.

2. Fund limit. An appropriation or transfer may not cause the aggregate amount in the fuel cost stabilization fund to exceed the school administrative unit's highest annual total cost for heating and transportation fuel in the 3 completed fiscal years prior to the authorization of that proposed funding amount. During the first 3 years of operation of a new or reorganized school administrative unit, the fuel costs of the original school administrative units may be aggregated for purposes of determining the total amount that may not be exceeded due to an appropriation or transfer.

3. Expenditures. In addition to its approved operating budget, a school board may expend funds in the fuel cost stabilization fund to offset fuel costs for heating and transportation that exceed budgeted amounts. A school board may transfer funds from the fuel cost stabilization fund for another purpose only when authorized to do so at a budget meeting or other meeting of the voters or other legislative body.

4. Investment. The money in the fuel cost stabilization fund may be invested as provided by law for school reserve funds with the earnings to be credited to that fund.

5. Fund not to lapse. A balance in the fuel cost stabilization fund at the end of a fiscal year does not lapse.

See title page for effective date.

CHAPTER 105

H.P. 530 - L.D. 779

An Act To Require Closed-captioning for Certain Political Advertisements

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

Sec. 1. 21-A MRSA §1125, sub-§6, as amended by PL 2007, c. 443, Pt. B, §6, 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.

See title page for effective date.

CHAPTER 106

H.P. 297 - L.D. 401

An Act Creating a Probationary Period for County Corrections Officials

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

Sec. 1. 30-A MRSA §501, sub-§2-A is enacted to read:

2-A. Probationary period for corrections officials. Beginning October 1, 2009, a person who is hired as jailer, master, keeper or a subordinate assistant or employee under section 1501 must complete an employment probationary period that lasts for one year.

Sec. 2. 30-A MRSA §501, sub-§3, as amended by PL 2001, c. 349, §5, is further amended to read:

3. Dismissal, suspension, discipline. Following a reasonable probationary period consistent with the provisions of subsection 2-A and section 2701, a county officer or department head may dismiss, suspend or otherwise discipline a department employee only for cause, except as provided in paragraph A. Cause for dismissal, suspension or disciplinary action must be a just, reasonable, appropriate and substantial reason for the action taken that relates to or affects the ability, performance of duties, authority or actions of the employee or the public's rights or interests.

A. An employee may be dismissed by a county officer or department head only for cause and only with the prior approval of the county commissioners or personnel board, except that county employees may be laid off or dismissed, with the approval of the county commissioners or personnel

board, to meet the requirements of budget reductions or governmental reorganization.

B. In every case of suspension or disciplinary action other than dismissal, at the employee's request, the county commissioners or personnel board shall investigate the circumstances and fairness of the action and, if they find the charges unwarranted, shall order the employee's reinstatement to the employee's former position with no loss of pay, rights or benefits resulting from the suspension or disciplinary action.

See title page for effective date.

CHAPTER 107

H.P. 565 - L.D. 829

An Act To Clarify the Right of Public School Employees To Engage in Collective Bargaining

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 clarifies the ability of public school employees to engage in collective bargaining prior to July 1, 2009; 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 §1461, sub-§8 is enacted to read:

8. Retention of duties pending referendum. Until the approval of a proposed school administrative reorganization plan at a referendum under subsection 5, each participating school administrative unit retains all authority, duties and obligations of the public employer of the employees of the school administrative unit pursuant to Title 26, chapter 9-A, including but not limited to the authority and duty to negotiate a successor collective bargaining agreement that will take effect on or after the operational date of the proposed regional school unit.

Sec. 2. 20-A MRSA §1461-A, sub-§3, as enacted by PL 2007, c. 668, §5, is amended to read:

3. Authorization. The regional school unit board is authorized to take all other actions provided

under state law to prepare the regional school unit to become operational on July 1st for the first operational year, including the authority to open and maintain accounts, to incur expenses to be allocated among the regional school unit's member school administrative units in accordance with the reorganization plan for the regional school unit and to file applications for school construction projects and revolving renovation fund loans and other available funding.

Prior to the operational date of the regional school unit, the regional school unit board shall take measures necessary to prepare to meet its obligations as a public employer on and after the operational date pursuant to Title 26, chapter 9-A, including but not limited to negotiating a successor collective bargaining agreement that will take effect on or after the operational date. Until the operational date of the regional school unit, each participating school administrative unit retains all other authority, duties and obligations of the public employer of the employees of the school administrative unit pursuant to Title 26, chapter 9-A.

Sec. 3. 20-A MRSA §1464, sub-§2, ¶E, as enacted by PL 2007, c. 240, Pt. XXXX, §13, is amended to read:

E. When all bargaining units that will be merged into a regional school unit-wide bargaining unit are represented by separate local affiliates of the same state labor organization, the units must be merged as of the operational date established pursuant to section 1463, subsection 1. The identity of the single affiliate that will be designated the bargaining agent for the merged unit must be selected by the existing bargaining agents and the state labor organization. Upon completion of the merger and designation of the bargaining agent and notification by the state labor organization to the regional school unit, the regional school unit shall recognize the designated bargaining agent as the representative of employees in the merged unit. If necessary, the parties will then execute a written amendment to any collective bargaining agreement then in effect to change the name of the bargaining agent to reflect the merger.

Prior to the operational date of the regional school unit, the single affiliate that is designated as the bargaining agent for the merged unit shall take measures necessary to prepare to meet its obligations as the bargaining agent on and after the operational date pursuant to Title 26, chapter 9-A, including, but not limited to, the authority and duty to negotiate a successor collective bargaining agreement that will take effect on or after the operational date. Until the operational date of the regional school unit, each existing bargaining agent retains all other authority, duties and obligations of the bargaining agent of the employees of

the school administrative unit pursuant to Title 26, chapter 9-A.

Sec. 4. 20-A MRSA §1464, sub-§2, ¶H, as amended by PL 2007, c. 566, §3, is further amended to read:

H. When bargaining units with different bargaining agents must be merged into a single regional school unit-wide bargaining unit pursuant to this section, the bargaining agent of the merged bargaining unit must be selected in accordance with Title 26, section 967 except as modified in this section.

- (1) A petition for an election to determine the bargaining agent must be filed with the Maine Labor Relations Board by any of the current bargaining agents or the regional school unit.
- (2) The petition must be filed not more than 90 days prior to August 31, 2012.
- (3) The election ballot may contain only the names of the bargaining agents of bargaining units that will be merged into the regional school unit-wide bargaining unit and the choice of "no representative," but no other choices. No showing of interest is required from any such bargaining agent other than its current status as representative.
- (4) The obligation to bargain with existing bargaining agents continues from the operational date established pursuant to section 1463, subsection 1 until the determination of the bargaining agent of the regional school unit-wide bargaining unit under this section; but in no event may any collective bargaining agreement that is executed after the operational date extend beyond August 31, 2012.
- (5) The Maine Labor Relations Board shall expedite to the extent practicable all petitions for determination of the bargaining agent in the regional school unit-wide bargaining unit filed pursuant to this section.
- (6) The bargaining units must be merged into a regional school unit-wide bargaining unit as of the date of certification of the results of the election by the Maine Labor Relations Board or the expiration of the collective bargaining agreements in the unit, whichever occurs later.
- (7) Until August 31, 2012, existing bargaining agents shall continue to represent the bargaining units that they represented on the day prior to the operational date of the regional school unit. If necessary, each bargaining agent and the regional school unit must negotiate an interim collective bargaining agreement to expire on August 31, 2012.

(8) When there are 2 or more bargaining units in which there are employees who are represented either by the same bargaining agent or by separate local affiliates of the same state labor organization that will be merged into a regional school unit-wide bargaining unit with one or more other bargaining units pursuant to the election procedures described in this paragraph, the bargaining units that are represented either by the same bargaining agent or by separate local affiliates of the same state labor organization must merge as of the operational date. The procedures for merger of separate local affiliates of the same state labor organization described in paragraph E must be followed if applicable.

Sec. 5. 26 MRSA §965, sub-§1, as amended by PL 1985, c. 46, is further amended to read:

1. Negotiations. It ~~shall be~~ is the obligation of the public employer and the bargaining agent to bargain collectively. "Collective bargaining" means, for the purposes of this chapter, their mutual obligation:

- A. To meet at reasonable times;
- B. To meet within 10 days after receipt of written notice from the other party requesting a meeting for collective bargaining purposes, provided as long as the parties have not otherwise agreed in a prior written contract. This obligation is suspended during the period between a referendum approving a new regional school unit and the operational date of the regional school unit, as long as the parties meet at reasonable times during that period;
- C. To confer and negotiate in good faith with respect to wages, hours, working conditions and contract grievance arbitration, except that by such obligation neither party ~~shall~~ may be compelled to agree to a proposal or be required to make a concession and except that public employers of teachers shall meet and consult but not negotiate with respect to educational policies; for the purpose of this paragraph, educational policies ~~shall~~ may not include wages, hours, working conditions or contract grievance arbitration;
- D. To execute in writing any agreements arrived at, the term of any such agreement to be subject to negotiation but ~~shall~~ may not exceed 3 years; and
- E. To participate in good faith in the mediation, fact-finding and arbitration procedures required by this section.

Whenever wages, rates of pay or any other matter requiring appropriation of money by any municipality or county are included as a matter of collective bargaining conducted pursuant to this chapter, it is the obligation of the bargaining agent to serve written notice of

request for collective bargaining on the public employer at least 120 days before the conclusion of the current fiscal operating budget, except that this requirement is waived in the event that a bargaining agent of a newly formed bargaining unit is recognized or certified during the period not more than 120 days nor less than 30 days prior to the end of the fiscal period. The 120-day notice requirement is also waived with respect to regional school units formed pursuant to Title 20-A, chapter 103-A, subchapter 2 prior to their first year of operation.

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

Effective May 8, 2009.

CHAPTER 108
H.P. 580 - L.D. 844

**An Act To Reduce Costs for
Customers of Northern Maine
Consumer-owned Utilities**

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

Sec. 1. 35-A MRSA §3207, sub-§1-A is enacted to read:

1-A. Consumer-owned utilities in the northern Maine independent system administrator's area. Notwithstanding subsection 1, a consumer-owned transmission and distribution utility with service territory within an area administered as of January 1, 2009 by the independent system administrator for northern Maine or any successor of the independent system administrator for northern Maine:

A. May sell retail generation service only within its service territory and is authorized to purchase electric power and energy at wholesale, as long as the consumer-owned transmission and distribution utility complies with the requirements of section 3203, subsection 3 and section 3210, subsection 3, and to purchase such transmission and related services as may be required to effect the delivery of such power and energy to its service territory; and

B. May sell wholesale generation service in excess of its retail generation service as part of providing retail service in accordance with paragraph A.

See title page for effective date.

CHAPTER 109
S.P. 62 - L.D. 176

**An Act To Equitably Adjust
the Workers' Compensation
Board's Assessment**

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

Sec. 1. 39-A MRSA §154, sub-§6, ¶A, as enacted by PL 2007, c. 240, Pt. LL, §1, is amended to read:

A. The assessments levied under this section may not be designed to produce more than ~~\$6,000,000 in revenues annually beginning in the 1995-96 fiscal year, more than \$6,600,000 annually beginning in the 1997-98 fiscal year, more than \$6,735,000 beginning in the 1999-00 fiscal year, more than \$7,035,000 in the 2001-02 fiscal year, more than \$6,860,000 beginning in the 2002-03 fiscal year, more than \$8,390,000 beginning in the 2003-04 fiscal year, more than \$8,565,000 beginning in the 2004-05 fiscal year, more than \$8,525,000 beginning in the 2005-06 fiscal year, more than \$9,820,178 beginning in the 2007-08 fiscal year, more than \$10,000,000 beginning in the 2008-09 fiscal year, more than \$10,400,000 beginning in the 2009-10 fiscal year, more than \$10,800,000 beginning in the 2010-11 fiscal year or more than \$11,200,000 beginning in the 2011-12 fiscal year.~~ Assessments collected that exceed ~~\$6,000,000 beginning in the 1995-96 fiscal year, \$6,600,000 beginning in the 1997-98 fiscal year, \$6,735,000 beginning in the 1999-00 fiscal year, \$7,035,000 in fiscal year 2001-02, \$6,860,000 beginning in the 2002-03 fiscal year, \$8,390,000 beginning in the 2003-04 fiscal year, \$8,565,000 beginning in the 2004-05 fiscal year, \$8,525,000 beginning in the 2005-06 fiscal year, \$9,820,178 beginning in the 2007-08 fiscal year, \$10,000,000 beginning in the 2008-09 fiscal year, \$10,400,000 beginning in the 2009-10 fiscal year, \$10,800,000 beginning in the 2010-11 fiscal year or \$11,200,000 beginning in the 2011-12 fiscal year~~ the applicable limit by a margin of more than 10% must be refunded to those who paid used to reduce the assessment that is paid by insured employers pursuant to subsection 3. Any amount collected above the board's allocated budget and within the 10% margin must be used to create a reserve of up to 1/4 of the board's annual budget.

Sec. 2. Retroactivity. This Act applies retroactively to July 1, 2005.

See title page for effective date.

CHAPTER 110
H.P. 43 - L.D. 50

**An Act To Clarify the
Definition of Hard Cider for
the Purposes of the Returnable
Container Law**

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

Sec. 1. 32 MRSA §1862, sub-§1, as amended by PL 1993, c. 77, §1, is further amended to read:

1. Beverage. "Beverage" means beer, ale or other drink produced by fermenting malt, spirits, wine, hard cider, wine coolers, soda or noncarbonated water and all nonalcoholic carbonated or noncarbonated drinks in liquid form and intended for internal human consumption, except for unflavored rice milk, unflavored soymilk, milk and dairy-derived products.

Sec. 2. 32 MRSA §1862, sub-§7-A is enacted to read:

7-A. Hard cider. "Hard cider" means a beverage produced by fermentation of the juice of fruit, including, but not limited to, flavored, sparkling or carbonated cider that contains not less than 1/2 of 1% alcohol by volume and not more than 7% alcohol by volume.

See title page for effective date.

CHAPTER 111
S.P. 67 - L.D. 181

**An Act To Conform Building
Standards in the Unorganized
Territories with Federal
Emergency Management
Agency Requirements**

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

Sec. 1. 12 MRSA §685-A, sub-§5, as amended by PL 2001, c. 402, §3, is further amended to read:

5. Considerations, application and exemptions. A land use standard may not deprive an owner or lessee or subsequent owner or lessee of any interest in real estate of the use to which it is lawfully devoted at the time of adoption of that standard. Year-round and seasonal single residences and operating farms in existence and use as of September 23, 1971, while so used, and new accessory buildings or structures or renovations of the buildings or structures that are or may be necessary to the satisfactory and comfortable continuation of these residential and farm uses, except for those located in areas of special flood hazard as defined in

the commission's rules, are exempt from the requirements of section 685-B, subsection 1.

Land use standards adopted pursuant to this chapter for management districts may not limit the right, method or manner of cutting or removing timber or crops, the construction and maintenance of hauling roads, the operation of machinery or the erection of buildings, including buildings to store equipment and materials for maintaining roads, and other structures used primarily for agricultural or commercial forest product purposes, including tree farms. The commission may not require a permit for such activities in a management district. Notwithstanding this subsection, a permit from the commission is required for roads covering a ground area of 3 acres or more constructed in management districts, unless those roads are constructed and maintained in accordance with the guidelines of the commission's Land Use Handbook, Section 6, "Erosion Control on Logging Jobs," or as revised. The commission may require a person constructing a road to notify the commission of the location of the road within 21 days.

Land use standards adopted pursuant to this chapter must establish a minimum setback of 100 feet for all structures within a commercial sporting camp complex that are constructed solely for the housing of guests, including structures within a main sporting camp complex and an outpost camp. The standards must establish a minimum setback of 150 feet for all other structures within a sporting camp complex, including, but not limited to, a main lodge, a dining area, a workshop and a parking area.

In adopting district boundaries and land use standards, the commission shall give consideration to public and private planning reports and other data available to it, and shall give weight to existing uses of land and to any reasonable plan of its owner as to its future use.

A permit from the commission is not required for the repair or maintenance of county-owned roads, bridges or culverts as long as the repair or maintenance is conducted in accordance with commission standards that pertain to these activities.

Sec. 2. 12 MRSA §685-B, sub-§1, ¶A, as repealed and replaced by PL 1999, c. 333, §12, is amended to read:

A. A structure or part of a structure may not be erected, changed, converted or wholly or partly altered or enlarged in its use or structural form ~~other than for normal maintenance or repair~~ without a permit issued by the commission. Normal maintenance or repair may be made to a structure or part of a structure without a permit issued by the commission in locations other than areas of special flood hazard as defined in the commission's rules;

Sec. 3. Report; legislation. No later than January 15, 2010, the Director of the Maine Land Use Regulation Commission shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry on revisions to the commission's rules to implement permitting for normal maintenance and repair of structures located in areas of special flood hazard. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation pertaining to the permitting of structures in flood hazard areas within the jurisdiction of the commission to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 112

H.P. 444 - L.D. 630

An Act To Update and Streamline State Licensing Laws and Clarify the Process for Appealing Final Decisions of Certain Licensing Entities

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

PART A

Sec. A-1. 9 MRSA §5004, sub-§1, ¶C, as amended by PL 2007, c. 402, Pt. A, §3, is further amended to read:

C. Before issuance of a license by the office in accordance with section 5008, a charitable organization that is required to file an initial license application or annual renewal application may not solicit, accept or obtain contributions or have contributions solicited, accepted or obtained on its behalf by any other person, charitable organization, commercial co-venturer or professional solicitor, or participate in charitable sales promotion.

Sec. A-2. 10 MRSA §8003, sub-§8, as amended by PL 1995, c. 502, Pt. H, §10, is repealed.

Sec. A-3. 32 MRSA §554, as amended by PL 2007, c. 402, Pt. H, §12, is further amended to read:

§554. Display of license; rights

When the board grants to an individual the license mentioned in section 552, the license must designate the holder as a doctor of chiropractic or a chiropractor and must be publicly displayed at the individual's principal place of business so long as that individual continues to practice chiropractic for gain or hire. The license entitles the individual to whom it is granted to practice chiropractic in this State in all of its branches of discipline, except obstetrics, so far as the same relates to parturition, the administering of drugs and the

performance of surgical operations with the use of instruments, except as allowed by law. This section may not be construed to prohibit a legally licensed doctor of chiropractic in this State from practicing surgery after having passed a satisfactory examination before the State Board of Licensure in Medicine.

Sec. A-4. 32 MRSA §1104, as amended by PL 1999, c. 657, §14, is repealed and the following enacted in its place:

§1104. State electrical inspectors

1. Inspection. State electrical inspectors, upon an oral complaint of imminent danger or upon written complaint of any owner, lessee or tenant of a building, state fire inspector, fire chief, fire department inspector, personnel of a transmission and distribution utility or local electrical inspector or whenever they determine it necessary at all reasonable hours, for purposes of examination, may enter into and upon all buildings or premises within their jurisdiction and inspect the same. They may enter any building only with the permission of the person having control thereof or, after hearing, upon order of court. Whenever any state electrical inspector finds any electrical installation in any building or structure that does not comply with this chapter, that inspector shall order the same to be removed or remedied and the order must forthwith be complied with by the owner or occupant of the premises or buildings or the electrician that performed the work. Whenever any state electrical inspector finds any electrical installation in any building or structure that creates a danger to other property or to the public, the inspector may forbid use of the building or structure by serving a written order upon the owner and the occupant, if any, to vacate within a reasonable period of time to be stated in the order.

2. Order to correct deficiency; appeal. Any person ordered by a state electrical inspector to correct an electrical deficiency or to vacate a building or structure may appeal the order to the Electricians' Examining Board by filing with that board within 30 days of receipt of the order a written notice of appeal. The board shall review that appeal and issue its written decision thereof within a reasonable time after receipt of the notice of appeal. If the board upholds the inspector's order, it shall prescribe the time period for the requisite correction specified in its written decision or the time within which that person must vacate the building or structure. The decision must be complied with unless appealed as provided. Any person ordered by the board to correct an electrical deficiency or to vacate a building or structure may appeal the order to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 by filing a petition for review within 48 hours of receipt of the order. The court shall issue its written decision within 20 days after receipt of the petition for review.

The decision of the Superior Court on an appeal as provided is final. An order by a state electrical inspector or an order by the Electricians' Examining Board is final and subject to no further appeal upon failure to file a timely, written appeal therefrom as provided.

Upon the failure of any person to carry out a final order as provided, the Electricians' Examining Board may petition the Superior Court for the county in which the building or premises are located for an injunction to enforce that order. If the court determines upon hearing the petition that a lawful final order was issued, it shall order compliance.

Sec. A-5. 32 MRSA §1202, sub-§1, ¶C, as amended by PL 1999, c. 386, Pt. F, §14 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

C. For a limited electrician's license, a person must meet the following requirements.

- (1) A limited electrician in water pumps must have 135 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 2,000 hours of experience. The privileges of practice are restricted to electrical work between the branch circuits and power supplies.
- (2) A limited electrician in outdoor signs, including sign lighting, must have 135 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 2,000 hours of experience. The privileges of practice do not include branch circuit wiring.
- (3) A limited electrician in gasoline dispensing must have 135 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 2,000 hours of experience. The privileges of practice are restricted to electrical work between the branch circuit and the power supply.
- (4) A limited electrician in traffic signals, including outdoor lighting of traffic signals, must have 135 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 2,000 hours of experience.
- (5) A limited electrician in house wiring must have 225 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 4,000 hours of experience. Privileges of practice are restricted to one-family and 2-family dwellings, including modular and mobile homes. Any person having a limited license

in mobile homes prior to the effective date of this section is automatically licensed as a limited electrician in house wiring.

(6) A limited electrician in refrigeration must have 270 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 6,000 hours of experience. Graduates of a Maine community college electrical program in refrigeration approved by the Electricians' Examining Board or from an accredited institution are credited with 4,000 hours of experience upon graduation. Privileges of practice are restricted to all associated wire from the loadside of distribution.

(7) A limited electrician in low energy, including fire alarms, must have 270 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 4,000 hours of experience. Any person having a limited license in fire alarms or experience in the installation of low-energy electronics, ~~as defined by the National Electrical Code~~, prior to the effective date of this section, qualifies to be licensed as a limited electrician in low energy.

(8) A crane technician must have 135 hours of electrical education as approved by the Electricians' Examining Board or from an accredited institution and 2,000 hours of experience. Any person having work experience in the installation of cranes and hoists, as defined by the National Electrical Code, prior to the effective date of this subparagraph, qualifies to be licensed as a crane technician. This covers the installation of electrical equipment and wiring used in connection with cranes, monorail hoists, hoists and runways.

Sec. A-6. 32 MRSA §1524-B, sub-§1, as enacted by PL 1999, c. 399, §11 and affected by §20, is amended to read:

1. High school diploma. Proof of a high school diploma or the equivalent; and

Sec. A-7. 32 MRSA §1524-B, sub-§2, as enacted by PL 1999, c. 399, §11 and affected by §20, is repealed.

Sec. A-8. 32 MRSA §3115, as amended by PL 2007, c. 402, Pt. N, §7, is further amended to read:

§3115. Licensure

The board shall license an applicant who meets the requirements of this chapter and pays the biennial licensure fee as set under section 3116-A. ~~The license must be conspicuously displayed by the licensee at the place of employment.~~ Licensure as a physical therapist entitles the person to whom it is granted to engage

in the practice of physical therapy anywhere in this State and to use the words "physical therapist" or letters "P.T." to indicate that the person is licensed in this State. Licensure as a physical therapist assistant entitles the person to whom it is granted to act as a physical therapist assistant and to use the words "physical therapist assistant" or letters "P.T.A." to indicate that the person is licensed in this State.

Sec. A-9. 32 MRSA §3552-A, sub-§1, as enacted by PL 2005, c. 77, §1, is amended to read:

1. Podiatric assistants permitted. ~~This chapter may not be construed to prohibit a podiatric assistant from rendering podiatric medical services if these services are rendered under the supervision and control of a podiatrist and if that podiatric assistant is in a training program approved by the board or has satisfactorily completed training and a competency evaluation approved by the board. "Supervision and control" may not be construed to require the personal presence of the supervising and controlling podiatrist at the place where these services are rendered, unless a physical presence is necessary to provide patient care of the same quality as provided by the podiatrist.~~ This chapter may not be construed to prohibit a podiatrist from delegating to a podiatric assistant certain activities relating to medical care and treatment that are delegated by custom and usage, as long as those activities are under the supervision or control of the podiatrist, who must be present on the premises at the time the activities are performed. This section may not be construed to require the presence of the supervising and controlling podiatrist during the rendering of nondiagnostic or nontherapeutic services.

Sec. A-10. 32 MRSA §3653, as amended by PL 1993, c. 600, Pt. A, §246, is further amended to read:

§3653. Use of title

An applicant who satisfactorily meets the requirements for license to practice podiatry, as provided in this chapter, may be granted a license by the board ~~signed by the chair, which that~~ entitles the individual to whom it is granted to practice podiatry in this State. ~~The license must be conspicuously displayed at the place of practice of the podiatrist.~~ A podiatrist licensed in accordance with this chapter may use the word "Doctor" or the letters "Dr." when followed by the word "Podiatrist" or "Chiropracist," or the designation of the degree "D.P.M."

Sec. A-11. 32 MRSA §3812-A is enacted to read:

§3812-A. Delegation authorized

1. Delegation authorized. This chapter may not be construed to prohibit a psychologist from delegating to an individual the administration and observation of tests and certain activities relating to the practice of

psychology, as long as those activities are under the supervision and control of the psychologist. "Supervision and control" may not be construed to require the personal presence of the supervising and controlling psychologist at the place where those activities take place, unless a physical presence is necessary to provide patient care of the same quality as provided by the psychologist. The board may adopt rules identifying delegated activities and appropriate levels of supervision in the practice setting. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. The activities delegated by a psychologist under this subsection may not include the interpretation of test results and diagnosing and treating mental, emotional and psychological illnesses and disorders.

2. Responsibility. A psychologist who delegates activities as described in subsection 1 to an individual is legally and ethically responsible for all of the professional activities of that individual, and the individual in this relationship is considered the psychologist's agent. This subsection may not be construed to apply to an individual acting under a separate license accepted by the State to render services independently.

Sec. A-12. 32 MRSA §6210, as amended by PL 2007, c. 402, Pt. U, §6, is further amended to read:

§6210. Meetings; chair; quorum

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Six~~ Five members of the board constitute a quorum.

Sec. A-13. 32 MRSA §7053, sub-§3, ¶A, as amended by PL 2001, c. 316, §2, is further amended to read:

A. The applicant must have received a bachelor's degree or higher in social work or social welfare from an accredited educational institution; demonstrated to the satisfaction of the board adherence to the ethics of the social worker profession; and successfully completed the examination prescribed by the board; or

Sec. A-14. 32 MRSA §7053, sub-§3-B, ¶A, as enacted by PL 2003, c. 429, §4 and affected by §7, is amended to read:

A. Documented proof of a bachelor's degree or higher in a field that is sufficiently related to social work or social welfare, as determined by the board; and

Sec. A-15. 32 MRSA §9854, sub-§1, as amended by PL 2005, c. 511, §5, is further amended to read:

1. License required. A person may not practice or profess to be authorized to practice after September 1, 1984, as a radiographer, a nuclear medicine technologist or a radiation therapist unless that person is licensed in accordance with the provisions of this chapter. ~~A license issued by the board must be displayed conspicuously in each place of regular employment of the licensee.~~

Sec. A-16. 32 MRSA §9855, sub-§3, ¶C, as amended by PL 2007, c. 402, Pt. X, §2, is further amended to read:

C. Either have successfully completed a course in radiologic radiation therapy technology and an examination that is approved by the board or possess valid certification and current registration from the American Registry of Radiologic Technologists or its successor or other organization or another certification program approved by the board to practice as a radiation therapist.

Sec. A-17. 32 MRSA §13198, sub-§2, as enacted by PL 1987, c. 395, Pt. A, §212, is repealed and the following enacted in its place:

2. Professional qualifications. An applicant for a broker license must meet the qualifications under paragraphs A and B.

A. The applicant must have been licensed as an associate broker affiliated with a real estate brokerage agency for 2 years within the 5 years immediately preceding the date of application.

B. The applicant must satisfactorily complete the course of study meeting guidelines established by the commission.

Sec. A-18. 32 MRSA §13199, sub-§2-A, as enacted by PL 2005, c. 378, §10 and affected by §29, is amended to read:

2-A. Professional qualifications. An applicant for an associate broker license must have ~~practiced~~ been licensed as a real estate sales agent affiliated with a real estate brokerage agency for 2 years within the 5 years immediately preceding the date of application and satisfactorily completed a course of study meeting guidelines established by the commission. The commission may not issue a license under this section until an individual has completed 2 years as a licensed real estate sales agent.

Sec. A-19. 32 MRSA §13852, sub-§7, as amended by PL 2007, c. 621, §15, is further amended to read:

7. Meetings; chair; quorum. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority

of the board members. ~~Four~~ Five members of the board constitute a quorum.

Sec. A-20. 32 MRSA §14002, sub-§9, as enacted by PL 1999, c. 185, §5, is repealed and the following enacted in its place:

9. Federally related transaction. "Federally related transaction" means any financial transaction related to real estate that:

A. A federal financial institution's regulatory agency or the Resolution Trust Corporation or its successor agency engages in, contracts for or regulates; and

B. Requires the services of a real estate appraiser.

Sec. A-21. 32 MRSA §14022, as enacted by PL 1999, c. 185, §5, is amended to read:

§14022. Place of business

A licensee shall designate and maintain a principal place of business where real estate appraisal records may be inspected for purposes consistent with this chapter ~~and shall conspicuously display the license in the principal place of business.~~ A nonresident is not required to maintain a place of business in this State if the nonresident maintains an active place of business in the state of domicile.

Sec. A-22. 32 MRSA §14036, sub-§2, ¶D, as enacted by PL 2005, c. 518, §7, is amended to read:

D. Hold a valid license under this chapter and demonstrate 2,500 hours of appraisal experience obtained during no fewer than 24 months, including complex residential property appraisals completed under the supervision of a certified residential real property appraiser or a certified general real property appraiser under section 14035.

Sec. A-23. 32 MRSA §17104-A is enacted to read:

§17104-A. Delegation authorized

1. Delegation authorized. This chapter may not be construed to prohibit an audiologist from delegating to an individual certain activities relating to the practice of audiology, as long as those activities are under the supervision and control of the audiologist. "Supervision and control" may not be construed to require the personal presence of the supervising and controlling audiologist at the place where those activities take place, unless a physical presence is necessary to provide patient care of the same quality as provided by the audiologist. The board may adopt rules identifying delegated activities and appropriate levels of supervision in the practice setting. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. The activities delegated by an audiologist under this subsection may not include the assessment and treatment of hearing

and balance disorders or the dispensing of hearing aids.

2. Responsibility. An audiologist who delegates activities as described in subsection 1 to an individual is legally and ethically responsible for all of the professional activities of that individual, and the individual in this relationship is considered the audiologist's agent. This subsection may not be construed to apply to an individual acting under a separate license accepted by the State to render services independently.

PART B

Sec. B-1. 4 MRSA §152, sub-§9, as amended by PL 2005, c. 65, Pt. C, §1, is further amended to read:

9. Licensing jurisdiction. Except as provided in Title 5, section 10004; Title 8, section 279-B; Title 10, section 8003, ~~subsection 5~~; Title 20-A, sections 10712 and 10713; Title 29-A; Title 32, chapters 2-B, 114 and 135; and Title 35-A, section 3132, exclusive jurisdiction upon complaint of an agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General to revoke or suspend licenses issued by the agency. The District Court has original jurisdiction upon complaint of a licensing agency to determine whether renewal or reissuance of a license of that agency may be refused. The District Court has original concurrent jurisdiction to grant equitable relief in proceedings initiated by an agency or the Department of the Attorney General alleging any violation of a license or licensing laws or rules.

Notwithstanding any other provisions of law, a licensing agency may not reinstate or otherwise affect a license suspended, revoked or modified by the District Court pursuant to a complaint filed by the Attorney General without the approval of the Attorney General;

Sec. B-2. 4 MRSA §152, sub-§10, as amended by PL 1999, c. 731, Pt. ZZZ, §4 and affected by §42, is repealed.

Sec. B-3. 5 MRSA §10051, sub-§3, as amended by PL 2003, c. 451, Pt. T, §3, is further amended to read:

3. Appellate jurisdiction. The District Court has exclusive jurisdiction to review ~~disciplinary decisions of occupational licensing boards and commissions taken pursuant to Title 10, section 8003 and licensing decisions of the Department of Public Safety taken pursuant to Title 28-A, sections 453-A, 458 and 653. Chapter 375, subchapter 7 governs these proceedings as far as applicable, substituting "District Court" for "Superior Court."~~

Sec. B-4. 10 MRSA §8003, sub-§5-A, as amended by PL 2007, c. 621, §§2 and 3, is further amended to read:

5-A. Authority of Office of Licensing and Registration. In addition to authority otherwise conferred, unless expressly precluded by language of denial in its own governing law, the Office of Licensing and Registration, referred to in this subsection as "the office," including the licensing boards and commissions and regulatory functions within the office, have the following authority.

A. The office, board or commission may deny or refuse to renew a license, may suspend or revoke a license and may impose other discipline as authorized in this subsection for any of the following reasons:

- (1) The practice of fraud, deceit or misrepresentation in obtaining a license from a bureau, office, board or commission, or in connection with services rendered while engaged in the occupation or profession for which the person is licensed;
- (2) Any gross negligence, incompetence, misconduct or violation of an applicable code of ethics or standard of practice while engaged in the occupation or profession for which the person is licensed;
- (3) ~~Subject to the limitations of Title 5, chapter 341, conviction of a Class A, B or C crime or Conviction of a crime that bears directly on the licensed profession or occupation to the extent permitted by Title 5, chapter 341;~~
- (4) Any violation of the governing law of an office, board or commission;
- (5) Any violation of the rules of an office, board or commission;
- (6) Engaging in any activity requiring a license under the governing law of an office, board or commission that is beyond the scope of acts authorized by the license held;
- (7) Continuing to act in a capacity requiring a license under the governing law of an office, board or commission after expiration, suspension or revocation of that license;
- (8) Aiding or abetting unlicensed practice by a person who is not licensed as required by the governing law of an office, board or commission;
- (9) Noncompliance with an order or consent agreement of an office, board or commission;
- (10) Failure to produce any requested documents in the licensee's possession or under the licensee's control concerning a pending complaint or proceeding or any matter under investigation; or

(11) Any violation of a requirement imposed pursuant to section 8003-G.

B. The office, board or commission may impose the following forms of discipline upon a licensee or applicant for licensure:

(1) Denial or refusal to renew a license, or issuance of a license in conjunction with the imposition of other discipline;

(2) Issuance of warning, censure or reprimand. Each warning, censure or reprimand issued must be based upon violation of a single applicable law, rules or condition of licensure or must be based upon a single instance of actionable conduct or activity;

(3) Suspension of a license for up to 90 days for each violation of applicable laws, rules or conditions of licensure or for each instance of actionable conduct or activity. Suspensions may be set to run concurrently or consecutively. Execution of all or any portion of a term of suspension may be stayed pending successful completion of conditions of probation, although the suspension remains part of the licensee's record;

(4) Revocation of a license;

(5) Imposition of civil penalties of up to \$1,500, or such greater amount as may be authorized by statute, for each violation of applicable laws, rules or conditions of licensure or for each instance of actionable conduct or activity; or

(6) Imposition of conditions of probation upon an applicant or licensee. Probation may run for such time period as the office, board or commission determines appropriate. Probation may include conditions such as: additional continuing education; medical, psychiatric or mental health consultations or evaluations; mandatory professional or occupational supervision of the applicant or licensee; practice restrictions; and other conditions as the office, board or commission determines appropriate. Costs incurred in the performance of terms of probation are borne by the applicant or licensee. Failure to comply with the conditions of probation is a ground for disciplinary action against a licensee.

C. The office, board or commission may execute a consent agreement that resolves a complaint or investigation without further proceedings. Consent agreements may be entered into only with the consent of the applicant or licensee; the office, board or commission; and the Department of the Attorney General. Any remedy, penalty or fine that is otherwise available by law, even if only in

the jurisdiction of the Superior Court, may be achieved by consent agreement, including long-term suspension and permanent revocation of a professional or occupational license. A consent agreement is not subject to review or appeal and may be modified only by a writing executed by all parties to the original consent agreement. A consent agreement is enforceable by an action in Superior Court.

D. The office, board or commission may:

(3) Except as provided in Title 37-B, section 390-A, adopt rules requiring continuing professional or occupational education and require applicants for license renewal to present proof of satisfactory completion of continuing professional or occupational education in accordance with such rules. Failure to comply with the continuing education rules is punishable by nonrenewal of the license and other discipline authorized by this subsection. Notwithstanding any contrary provision set forth in the governing law of an office, board or commission, continuing education requirements may coincide with the license renewal period. Rules adopted pursuant to this subparagraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A;

(4) Issue continuing education deferments in cases of undue hardship;

(5) Grant inactive status licenses to licensees in accordance with rules that may be adopted by each office, board or commission. The fee for an inactive status license may not exceed the statutory fee cap for license renewal set forth in the governing law of the office, board or commission. Licensees in inactive status are required to pay license renewal fees for renewal of an inactive status license and may be required to pay a reinstatement fee as set by the Director of the Office of Licensing and Registration if the license is reactivated on a date other than the ordinary renewal date of the license. Any rules of an office, board or commission regulating inactive status licensure must describe the obligations of an inactive status licensee with respect to any ongoing continuing education requirement in effect for licensees of the office, board or commission and must set forth any requirements for reinstatement to active status, which requirements may include continuing education. Rules adopted pursuant to this subparagraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A; and

(6) Delegate to staff the authority to review and approve applications for licensure pursuant to procedures and criteria established by rule. Rules adopted pursuant to this subparagraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

E. The office, board or commission may require surrender of licenses. In order for a licensee's surrender of a license to be effective, a surrender must first be accepted by vote of the office, board or commission. The office, board or commission may refuse to accept surrender of a license if the licensee is under investigation or is the subject of a pending complaint or proceeding, unless a consent agreement is first entered into pursuant to this subsection. The consent agreement may include terms and conditions for reinstatement.

F. The office, board or commission may issue a letter of guidance or concern to a licensee. A letter of guidance or concern may be used to educate, reinforce knowledge regarding legal or professional obligations or express concern over action or inaction by the licensee that does not rise to the level of misconduct sufficient to merit disciplinary action. The issuance of a letter of guidance or concern is not a formal proceeding and does not constitute an adverse disciplinary action of any form. Notwithstanding any other provision of law, letters of guidance or concern are not confidential. The office, board or commission may place letters of guidance or concern, together with any underlying complaint, report and investigation materials, in a licensee's file for a specified period of time, not to exceed 10 years. Any letters, complaints and materials placed on file may be accessed and considered by the office, board or commission in any subsequent action commenced against the licensee within the specified time frame. Complaints, reports and investigation materials placed on file are confidential only to the extent that confidentiality is required pursuant to Title 24, chapter 21.

G. The office, board or commission may establish, by rule, procedures for licensees in another state to be licensed in this State by written agreement with another state, by entering into written licensing compacts with other states or by any other method of license recognition considered appropriate that ensures the health, safety and welfare of the public. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

The jurisdiction to suspend and revoke impose discipline against occupational and professional licenses conferred by this subsection is concurrent with that of the District Court. Civil penalties must be paid to the Treasurer of State.

Any nonconsensual disciplinary action taken under authority of this subsection other than denial or nonrenewal of a license may be imposed only after a hearing conforming to the requirements of Title 5, chapter 375, subchapter 4, and, ~~except for revocation actions,~~ is subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7.

The office, board or commission shall hold a hearing conforming to the requirements of Title 5, chapter 375, subchapter 4 at the written request of any person who is denied an initial or renewal license without a hearing for any reason other than failure to pay a fee, provided that the request for hearing is received by the office, board or commission within 30 days of the applicant's receipt of written notice of the denial of the application, the reasons for the denial and the applicant's right to request a hearing.

The office, board or commission may subpoena witnesses, records and documents in any adjudicatory hearing it conducts.

~~Any nonconsensual revocation of a professional or occupational license taken under authority of this subsection is subject to, upon appeal within the time frames provided in Title 5, section 11002, subsection 3, de novo judicial review exclusively in District Court.~~ Rules adopted to govern judicial appeals from agency action apply to cases brought under this subsection.

See title page for effective date.

CHAPTER 113
H.P. 498 - L.D. 715

**An Act To Enable the Use of
Credit Cards for
Governmental Transactions**

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

Sec. 1. 9-A MRSA §8-303, sub-§2-A is enacted to read:

2-A. Notwithstanding subsection 2, 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" means 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 or the Judicial Department as described in Title 4.

See title page for effective date.

CHAPTER 114
S.P. 94 - L.D. 277

An Act To Clarify the Income-producing Requirement for Land in the Farm and Open Space Tax Program

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

Sec. 1. 36 MRSA §1102, sub-§4, as amended by PL 1999, c. 731, Pt. Y, §1, is further amended to read:

4. Farmland. "Farmland" means any tract or tracts of land, including woodland and wasteland, of at least 5 contiguous acres on which farming or agricultural activities have contributed to a gross annual farming income of at least \$2,000 per year from the sales value of agricultural products as defined in Title 7, section 152, subsection 2 in one of the 2, or 3 of the 5, calendar years preceding the date of application for classification. The farming or agricultural activity and income derived from that activity may be achieved by either the owner or a lessee of the land.

Gross income as used in this ~~section~~ subsection includes the value of commodities produced for consumption by the farm household. Any applicant for assessment under this subchapter bears the burden of proof as to the applicant's qualification.

See title page for effective date.

CHAPTER 115
S.P. 298 - L.D. 771

An Act Regarding Raffles Conducted by Nonprofit Organizations

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

Sec. 1. 17 MRSA §331, sub-§8-B is enacted to read:

8-B. Raffle tickets sold by volunteers. Notwithstanding section 332, subsection 2, tickets for raffles licensed in accordance with subsection 7 or 8-A may be sold by persons other than members of the licensed organization as long as the persons selling the tickets are uncompensated volunteers for the organization and the names of the volunteers who sell the tickets are provided to the Chief of the State Police within 10 days of issuance of the raffle license.

See title page for effective date.

CHAPTER 116
S.P. 231 - L.D. 616

An Act To Strengthen the Board of the Maine Insurance Guaranty Association

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

Sec. 1. 24-A MRSA §4437, first ¶, as amended by PL 1985, c. 279, §3, is further amended to read:

The board of directors of the association ~~shall~~ must consist of not less than 7 persons serving terms as established in the plan of operation, and not less than 3 of the persons must represent members of the association that are domiciled in the State. The members of the board ~~shall~~ must be selected by member insurers subject to the approval of the superintendent. A member insurer serving on the board must resign if the member insurer ceases writing new insurance business in the State. Vacancies on the board ~~shall~~ must be filled for the remaining period of the term by a majority vote of the remaining board members, subject to the approval of the superintendent.

See title page for effective date.

**CHAPTER 117
S.P. 480 - L.D. 1334**

**An Act To Ensure Continued
Access to Emergency
Information in the State by
Allowing Governments To
Build Federally Licensed
Television Translators**

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

Sec. 1. 30-A MRSA §910 is enacted to read:
§910. Broadcast television translator stations

A county may receive federal grants or contribu-
tions for the construction and operation of a broadcast
television translator station as described in 47 Code of
Federal Regulations, Section 74.732 (2008). Two or
more counties may act jointly in performing the opera-
tions authorized by this section.

Sec. 2. 30-A MRSA §3109 is enacted to read:
§3109. Broadcast television translator stations

A municipality may receive federal grants or con-
tributions for the construction and operation of a
broadcast television translator station as described in
47 Code of Federal Regulations, Section 74.732
(2008). Two or more municipalities may act jointly in
performing the operations authorized by this section.

See title page for effective date.

**CHAPTER 118
S.P. 132 - L.D. 390**

**An Act To Clarify Guaranteed
Fund Protection for Deferred
Compensation Accounts**

Emergency preamble. **Whereas**, acts and re-
solves of the Legislature do not become effective until
90 days after adjournment unless enacted as emergen-
cies; and

Whereas, current financial and economic condi-
tions have raised concerns about the financial health of
certain insurance companies that provide deferred
compensation plans to State employees and other gov-
ernment employees; and

Whereas, this bill clarifies that individual de-
ferred compensation accounts are protected through
the Maine Life and Health Insurance Guaranty Asso-
ciation if a deferred compensation provider becomes
insolvent; and

Whereas, immediate enactment of this Act is
necessary for the protection of individuals with in-
vestments in governmental retirement benefit plans in
the event of an insolvency; 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, there-
fore,

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

Sec. 1. 24-A MRSA §4603, sub-§2, ¶L, as
enacted by PL 2005, c. 346, §2 and affected by §16, is
amended to read:

L. Any unallocated annuity contract, except any
annuity, whether allocated or unallocated, issued
to a governmental retirement benefit plan estab-
lished under the United States Internal Revenue
Code, 26 United States Code, Section 401, 403(b)
or 457; and

Sec. 2. 24-A MRSA §4603, sub-§3, ¶B, as
enacted by PL 2005, c. 346, §2 and affected by §16, is
amended to read:

B. With respect to one life, regardless of the
number of policies or contracts:

(1) Three hundred thousand dollars in life in-
surance death benefits, but not more than
\$100,000 in net cash surrender and net cash
withdrawal values for life insurance;

(2) The following limits for health insurance
benefits:

(a) Three hundred thousand dollars for
coverages not defined as disability insur-
ance or basic hospital, medical and sur-
gical insurance or major medical insur-
ance, including any net cash surrender
and net cash withdrawal values;

(b) Three hundred thousand dollars for
disability and long-term care insurance;
or

(c) Five hundred thousand dollars for
basic hospital, medical and surgical in-
surance or major medical insurance; or

(3) One hundred thousand dollars in the
present value of annuity benefits, including
net cash surrender and net cash withdrawal
values; ~~or~~

Sec. 3. 24-A MRSA §4603, sub-§3, ¶C, as
enacted by PL 2005, c. 346, §2 and affected by §16, is
amended to read:

C. With respect to each payee of a structured settlement annuity, or beneficiary or beneficiaries of the payee if deceased, \$100,000 in present value annuity benefits, in the aggregate, including net cash surrender and net cash withdrawal values; and

Sec. 4. 24-A MRSA §4603, sub-§3, ¶D is enacted to read:

D. With respect to each individual participating in a governmental retirement benefit plan established under the United States Internal Revenue Code, 26 United States Code, Section 401, 403(b) or 457, or the beneficiaries of each individual if deceased, the financial interest of such participant allocated to an annuity contract by either the member insurer that issued the annuity or the plan, but not to exceed in the aggregate \$250,000 in present value of annuity benefits, including net cash surrender and net cash withdrawal values under all such annuities issued by the same member insurer.

Sec. 5. Application. This Act applies with respect to an insolvency of an insurance company that is a member of the Maine Life and Health Insurance Guaranty Association that occurs on or after the effective date of this Act.

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

Effective May 11, 2009.

CHAPTER 119
H.P. 404 - L.D. 566

**An Act To Amend the
Petroleum Market Share Act**

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

Sec. 1. 10 MRSA §1677, as amended by PL 2005, c. 155, §6, is further amended to read:

§1677. Report by Attorney General to Legislature

Annually by December 31st Every 2 years beginning April 1, 2010, the Attorney General shall make a report to the Legislature describing the concentration of retail outlets in the State or in sections of the State without disclosing the name of any particular retailer or retail outlet. The Attorney General shall include in the ~~annual~~ report a recommendation to the Legislature as to whether additional legislation is needed to further limit or curtail the activity of refiners operating retail outlets. In formulating a legislative recommendation, the Attorney General shall consult with industry stakeholders; notwithstanding this consultation re-

quirement, the substance of the recommendation is a matter for the Attorney General's sole discretion. Annually, beginning April 1, 2010, the Attorney General shall post on the Attorney General's publicly accessible website the aggregate data collected pursuant to this chapter.

See title page for effective date.

CHAPTER 120

S.P. 260 - L.D. 685

**An Act To Clarify the
Minimum Wage Exemption for
Summer Camp Counselors
Working at Day Camps**

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

Whereas, it is necessary that this legislation be enacted for the upcoming summer camp season in order to avoid undue financial and administrative hardships for seasonal camps and nonprofit recreation programs; 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. 26 MRSA §663, sub-§3, ¶F, as repealed and replaced by PL 1975, c. 92, is repealed and the following enacted in its place:

F. Those employees who are counselors or junior counselors or counselors-in-training at organized camps licensed under Title 22, section 2495 and those employees of organized camps and similar seasonal recreation programs not requiring such licensure that are operated as or by nonprofit organizations who are under 18 years of age;

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

Effective May 11, 2009.

**CHAPTER 121
S.P. 179 - L.D. 476**

**An Act To Amend Certain
Laws Administered by the
Department of Environmental
Protection**

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

Sec. 1. 38 MRSA §341-D, sub-§4, as amended by PL 2007, c. 661, Pt. B, §§2 to 4, is further amended to read:

4. Appeal or review. The board shall review, may hold a hearing at its discretion on and may affirm, amend ~~or~~, reverse or remand to the commissioner for further proceedings any of the following:

A. Final license or permit decisions made by the commissioner when a person aggrieved by a decision of the commissioner appeals that decision to the board within 30 days of the filing of the decision with the board staff. The board staff shall give written notice to persons that have asked to be notified of the decision. The board may allow the record to be supplemented when it finds that the evidence offered is relevant and material and that:

- (1) An interested party seeking to supplement the record has shown due diligence in bringing the evidence to the licensing process at the earliest possible time; or
- (2) The evidence is newly discovered and could not, by the exercise of diligence, have been discovered in time to be presented earlier in the licensing process.

The board is not bound by the commissioner's findings of fact or conclusions of law but may adopt, modify or reverse findings of fact or conclusions of law established by the commissioner. Any changes made by the board under this paragraph must be based upon the board's review of the record, any supplemental evidence admitted by the board and any hearing held by the board;

B. License or permit decisions made by the commissioner that the board votes to review within 30 days of the next regularly scheduled board meeting following written notification to the board of the commissioner's decision. Except as provided in paragraph D, the procedures for review are the same as provided under paragraph A;

C. License or permit decisions appealed to the board under another law. Unless the law provides otherwise, the standard of review is the same as provided under paragraph A; and

D. License or permit decisions regarding an expedited wind energy development as defined in Title 35-A, section 3451, subsection 4. In reviewing an appeal of a license or permit decision by the commissioner on an application for an expedited wind energy development, the board shall base its decision on the administrative record of the department, including the record of any adjudicatory hearing held by the department, and any supplemental information allowed by the board using the standards contained in subsection 5 for supplementation of the record. The board may remand the decision to the department for further proceedings if appropriate. The chair of the Public Utilities Commission or the chair's designee shall serve as a nonvoting member of the board and is entitled to fully participate but is not required to attend hearings when the board considers an appeal pursuant to this paragraph. The chair's participation on the board pursuant to this paragraph does not affect the ability of the Public Utilities Commission to submit information to the department for inclusion in the record of any proceeding before the department.

Sec. 2. 38 MRSA §343-D, sub-§2, as enacted by PL 1991, c. 804, Pt. C, §3 and affected by §5, is amended to read:

2. Terms. Except for the commissioner, who shall serve a term coincident with that person's appointment as the commissioner, all members are appointed for staggered terms of ~~3~~ 4 years. A vacancy must be filled by the same appointing authority that made the original appointment. Appointed members may not serve more than 2, ~~3-year~~ 4-year terms.

Sec. 3. 38 MRSA §343-H, sub-§3, ¶B, as amended by PL 2001, c. 695, §1, is repealed.

Sec. 4. 38 MRSA §343-H, sub-§4, as amended by PL 2003, c. 551, §4, is further amended to read:

4. Reporting. The directors shall jointly report on the activities of all state agencies and state-supported institutions of higher learning under the initiative to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over state government matters. The directors must submit their report no later than January 1, 2006, and biennially thereafter. The report must identify the successes of and the obstacles to implementation of the initiative and may include recommendations for any statutory changes necessary to accomplish the initiative.

Sec. 5. 38 MRSA §344, sub-§10 is enacted to read:

10. Voluntary surrender. Unless otherwise provided in this Title or rules adopted pursuant to this

Title, a license may be voluntarily surrendered by the license holder upon department approval.

Sec. 6. 38 MRSA §361-A, sub-§1-J, as amended by PL 2007, c. 292, §16, is further amended to read:

1-J. Code of Federal Regulations. "Code of Federal Regulations" means the codification of regulations published in the Federal Register by the Federal Government, and includes those regulations effective on or before July 1, ~~2007~~ 2009.

Sec. 7. 38 MRSA §361-A, sub-§1-K, as amended by PL 2007, c. 292, §17, is further amended to read:

1-K. Federal Water Pollution Control Act. "Federal Water Pollution Control Act" means federal Public Law 92-500 or 33 United States Code, Sections 1251 et seq., including all amendments effective on or before July 1, ~~2007~~ 2009.

Sec. 8. 38 MRSA §552, sub-§2, as amended by PL 1997, c. 364, §30, is further amended to read:

2. State need not plead or prove negligence. The intent of this subchapter is to provide the means for rapid and effective cleanup and to minimize direct and indirect damages and the proliferation of 3rd-party claims. Accordingly, any person, vessel, licensee, agent or servant, including a carrier destined for or leaving a licensee's facility while within state waters, who permits or suffers a prohibited discharge or other polluting condition to take place is liable to the State for all disbursements made by it pursuant to section 551, subsection 5, paragraphs B, D, E, H and I, or other damage incurred by the State, including damage for injury to, destruction of, loss of, or loss of use of natural resources ~~and~~ the reasonable costs of assessing natural resources damage and the costs of preparing and implementing a natural resources restoration plan. In any suit to enforce claims of the State under this section, to establish liability, it is not necessary for the State to plead or prove negligence in any form or manner on the part of the person causing or suffering the discharge or licensee responsible for the discharge. The State need only plead and prove the fact of the prohibited discharge or other polluting condition and that the discharge occurred at facilities under the control of the licensee or was attributable to carriers or others for whom the licensee is responsible as provided in this subchapter or occurred at or involved any real property, structure, equipment or conveyance under the custody or control of the person causing or suffering the discharge.

Sec. 9. 38 MRSA §561, as amended by PL 1995, c. 399, §5 and affected by §21, is further amended to read:

§561. Findings; purpose

The Legislature finds that significant quantities of oil are being stored in aboveground and underground storage facilities; that leaks and unlicensed discharges from these facilities pose a significant threat to the quality of the waters of the State, including the ground water resources; that protection of the quality of these waters is of the highest importance; and that their protection requires proper design and installation of new and replacement underground oil storage facilities and aboveground oil storage facilities, as well as monitoring, maintenance and operating procedures for existing, new and replacement facilities.

The Legislature intends by the enactment of this subchapter to exercise the police power of the State through the department by conferring upon the department the power to deal with the hazards and threats of danger and damage posed by the storage and handling of oil ~~in underground facilities~~ and related activities; to require the prompt containment and removal of pollution occasioned thereby; to provide procedures whereby persons suffering damage from these occurrences may be promptly made whole; to establish a fund to provide for the investigation, mitigation and removal of discharges or threats of discharge of oil from ~~aboveground and underground~~ storage facilities, including the restoration of contaminated water supplies; and to guarantee the prompt payment of reasonable damage claims resulting therefrom.

The Legislature further finds that preservation of the ground water resources and of the public uses referred to in this subchapter is of grave public interest and concern to the State in promoting its general welfare, preventing disease, promoting health and providing for the public safety and that the State's interest in this preservation outweighs any burdens of absolute liability imposed by the Legislature in this subchapter upon those engaged in the storage of oil, petroleum products and their by-products ~~in underground storage facilities~~.

Sec. 10. 38 MRSA §563, sub-§4, as amended by PL 2007, c. 655, §4, is further amended to read:

4. Registration fees. The owner or operator of an underground oil storage facility shall pay a fee to the department of \$100 for each tank registered under this section located at the facility, except that single family homeowners are not required to pay a fee for a tank at their personal residence. The fee must be paid at the time the tank is first registered and every 3 years thereafter upon receipt of a bill from the department. The department may prorate the fee ~~for new installations to put all tank owners and operators on the same billing cycle~~ as appropriate.

Sec. 11. 38 MRSA §566-A, sub-§4, as amended by PL 1999, c. 334, §2, is further amended to read:

4. Commissioner role. If the owner of an underground oil storage facility or tank fails to properly abandon the facility or tank within a reasonable time period, the commissioner may undertake the abandonment. ~~The commissioner shall collect any reimbursement due the Ground Water Oil Clean-up Fund in accordance with section 569-A or 569-B. The commissioner shall seek recovery of costs incurred to undertake the abandonment, whether from state or federal funds, in accordance with the procedures set forth in section 569-A, subsection 10.~~ Costs incurred by the commissioner to undertake the abandonment are a lien against the real estate of the owner as provided under section 569-A, subsection 10-A and section 569-B, subsection 6-A.

Sec. 12. 38 MRSA §568, sub-§1, as amended by PL 2007, c. 655, §6, is further amended to read:

1. Removal. Any person discharging or suffering a discharge of oil ~~to groundwater from an underground oil storage facility or an aboveground oil storage facility~~ in the manner prohibited by section 543 and any other responsible party shall immediately undertake to remove that discharge to the commissioner's satisfaction. Notwithstanding this requirement, the commissioner may order the removal of that discharge pursuant to subsection 3 or may undertake the removal of that discharge and retain agents and contractors for that purpose, who shall operate under the direction of the commissioner. Any unexplained discharge of oil ~~to groundwater~~ within state jurisdiction must be removed by or under the direction of the commissioner. Any expenses involved in the removal of discharges, whether by the person causing the discharge, the person reporting the discharge, the commissioner or the commissioner's agents or contractors, may be paid in the first instance from the Ground Water Oil Clean-up Fund, including any expenses incurred by the State under subsection 3, and any reimbursements due that fund must be collected in accordance with section 569-A or 569-B.

Sec. 13. 38 MRSA §568, sub-§4, ¶A, as amended by PL 1991, c. 494, §9, is further amended to read:

A. Any person who causes, or is responsible for, a discharge ~~to groundwater from an underground oil storage facility or an aboveground oil storage facility~~ in violation of section 543 is not subject to any fines or penalties for a violation of section 543 for the discharge if that person promptly reports and removes that discharge in accordance with the rules and orders of the commissioner and the board.

Sec. 14. 38 MRSA §569-A, sub-§2, as amended by PL 2005, c. 330, §23, is further amended to read:

2. Third-party damages. Any person claiming to have suffered property damage or actual economic damages, including, but not limited to, loss of income and medical expenses directly or indirectly as a result of a discharge of oil ~~to groundwater prohibited by section 543 from an underground oil storage facility or an aboveground oil storage facility,~~ in this subsection called the "claimant," may apply to the commissioner within 2 years after the occurrence or discovery of the injury or damage, whichever date is later, stating the amount of damage alleged to have been suffered as a result of that discharge. The commissioner shall prescribe appropriate forms and details for the applications. The commissioner may contract with insurance professionals to process claims. The commissioner, upon petition and for good cause shown, may waive the 2-year limitation for filing damage claims.

All 3rd-party damage claims for which no determination of award has been made must be processed in accordance with the substantive and procedural provisions of this section.

A. When a responsible party is known, the commissioner shall send by certified mail to the responsible party notice of claim and written notice of the right to join the claims proceeding as an interested party. A responsible party shall provide written notification of intent to join to the department within 10 working days of receipt of this notice. If the responsible party joins as an interested party and formally agrees in writing to the amount of the damage claim, any determination of the amount of the claim and award is binding in any subsequent action for reimbursements to the fund. If a claimant is not compensated for 3rd-party damages by the responsible party or the expenses are above the applicant's deductible and the claimant, the responsible party and the commissioner agree as to the amount of the damage claim, or if the responsible party does not join as an interested party or when the responsible party is not known after the commissioner has exercised reasonable efforts to ascertain the responsible party, and the claimant and the commissioner agree as to the amount of the damage claim, the commissioner shall certify the amount of the claim and the name of the claimant to the Treasurer of State and the Treasurer of State shall pay the amount of the claim from the fund.

B. If the claimant, the responsible party and the commissioner are not able to agree as to the amount of the damage claim, or if the responsible party does not join as an interested party in a timely manner or when the responsible party is not known after the commissioner has exercised reasonable efforts to ascertain the responsible party, and the claimant and the commissioner are not able to agree as to the amount of the damage claim, the claim is subject to subsection 4.

C. A claimant shall take all reasonable measures to prevent and minimize damages suffered by the claimant as a result of a discharge of oil. Reasonable measures include title searches and site assessments for the acquisition of commercial or industrial properties.

D. Third-party damage claims must be stated in their entirety in one application. Damages omitted from any claim at the time the award is made are waived unless the damage or injury was not known at the time of the claim.

E. Damage claim awards paid from the fund to a claimant may not include any amount the claimant has recovered on account of the same damage by way of settlement with the responsible party or the responsible party's representative or judgment of a court of competent jurisdiction against the person causing or otherwise responsible for the discharge.

F. It is the intent of the Legislature that the remedies provided for 3rd-party damage claims compensated under this subchapter are nonexclusive. A court awarding damages to a claimant as a result of a discharge of oil to ground water prohibited by section 543 shall reduce damages awarded by any amounts received from the fund to the extent these amounts are duplicative.

G. Payments from the fund for 3rd-party damage claims may not exceed \$200,000 per claimant.

H. A 3rd-party damage claim for damages to real estate may not include the devaluation of the real estate associated with the loss of a water supply if the commissioner finds under section 568, subsection 2 that a public or private water supply is available and best meets the criteria of that subsection and the property owner did not agree to be served by that public or private water supply. If a water supply well is installed after October 1, 1994 to serve a location that immediately before the well installation was served by a viable community public water system, and the well is or becomes contaminated with oil:

(1) A 3rd party may not recover damages under this subchapter for the expenses of treatment or replacement of the well if the well is installed in an area delineated as contaminated as provided in section 548, subsection 1; and

(2) A 3rd-party damage claim under this subchapter with regard to treatment or replacement of the well is limited to reimbursement of the expense of installing the well and its proper abandonment if the well is installed in any other area.

For purposes of this paragraph, "viable community public water system" has the same meaning as in section 548.

I. A claimant is not eligible for compensation under this subsection for costs, expenses or damages related to a discharge if the commissioner determines that the claimant is a responsible party as defined under section 562-A, subsection 17.

J. Prior to forwarding a claim to the hearing examiner under subsection 4, the commissioner may require that the amount of the claim be finalized.

K. Third-party damage claims may not include expenditures for the preparation and prosecution of the damage claim such as legal fees or real estate appraisal fees.

L. The commissioner may dismiss a 3rd-party damage claim for untimely filing, for failure by the claimant to provide the information necessary to process the claim within 60 days after the claimant receives written notice that the claim is insufficient for processing or for ineligibility as determined by the commissioner under paragraph I. A dismissal may be appealed to Superior Court in accordance with Title 5, chapter 375, subchapter 7.

Sec. 15. 38 MRSA §584-A, sub-§1, as amended by PL 1999, c. 79, §1, is repealed and the following enacted in its place:

1. Particulate matter. For purposes of statutory interpretation, rules, licensing determinations, policy guidance and all other actions by the department or the board relating to the control of particulate matter, any reference to an ambient air quality standard is interpreted to refer to the national ambient air quality standard for particulate matter established pursuant to Section 109 of the federal Clean Air Act as amended, 42 United States Code, Section 7409.

Sec. 16. 38 MRSA §1367, first ¶, as amended by PL 2007, c. 655, §16, is further amended to read:

Each responsible party is jointly and severally liable for all costs incurred by the State resulting from hazardous substances at the site or from the acts or omissions of a responsible party with respect to those hazardous substances and for the abatement, cleanup or mitigation of the threats or hazards posed or potentially posed by an uncontrolled site, including, without limitation, all costs of acquiring property, ~~and for damages for injury to, destruction of, loss of or loss of use of natural resources of the State resulting from hazardous substances at the site or from the acts or omissions of a responsible party with respect to those hazardous substances and for.~~ Each responsible party also is jointly and severally liable for damages for injury to, destruction of, loss of or loss of use of natural

resources of the State, the reasonable costs of assessing natural resources damages and the costs of preparing and implementing a natural resources restoration plan. The commissioner shall demand reimbursement of costs, including interest, and payment of damages to be recovered under this section and payment. The interest rate charged may not exceed the prime rate of interest plus 4%. Interest must be computed beginning 60 days from the date of a payment demand by the commissioner. Payment must be made promptly by the responsible party or parties upon whom the demand is made. Requests for reimbursement to the Uncontrolled Sites Fund, if not paid within 30 days of demand, may be turned over to the Attorney General for collection or may be submitted to a collection agency or agent or an attorney retained by the department with the approval of the Attorney General pursuant to Title 5, section 191. The Attorney General or an attorney retained by the department may file suit in the Superior Court and, in addition to relief provided by other law, may seek punitive damages. Notwithstanding the time limits stated in this paragraph, neither a demand nor other recovery efforts against one responsible party may relieve any other responsible party of liability.

Sec. 17. 38 MRSA §1609, sub-§5, as enacted by PL 2007, c. 296, §1, is amended to read:

5. "Deca" mixture of polybrominated diphenyl ethers in electronics. Effective January 1, 2010, a person may not manufacture, sell or offer for sale or distribute for sale or use in the State a television or computer that has a plastic housing containing more than 0.1% of the "deca" mixture of polybrominated diphenyl ethers.

Sec. 18. 38 MRSA §1609, sub-§11, as enacted by PL 2007, c. 296, §1, is amended to read:

11. Application. This section does not apply to the sale of used products.:

A. Used products;

B. Products if the presence of polybrominated diphenyl ether is due solely to the use of recycled material; or

C. Replacement parts that contain the "octa" or "penta" mixtures of polybrominated diphenyl ether if the parts are for use in a product manufactured before January 1, 2006.

Sec. 19. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 38, chapter 3, subchapter 2-B, in the subchapter headnote, the words "underground oil storage facilities and ground water protection" are amended to read "oil storage facilities and ground water protection" and the Revisor of Statutes shall im-

plement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 122

H.P. 796 - L.D. 1152

**An Act To Amend the Laws
Governing Certain Reports
and Reviews Related to
Utilities and Energy and
Certain Positions at the Public
Utilities Commission**

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

Sec. 1. 2 MRSA §6-A, sub-§3, ¶B, as amended by PL 1981, c. 582, §1, is further amended to read:

B. Director of ~~finance~~ telephone and water utility industries;

Sec. 2. 2 MRSA §6-A, sub-§3, ¶D, as amended by PL 2005, c. 23, §1, is further amended to read:

D. Director of ~~technical analysis~~ electric and gas utility industries;

Sec. 3. 3 MRSA §959, sub-§1, ¶P, as amended by PL 2005, c. 605, §2, is further amended to read:

P. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall use the following list as a guideline for scheduling reviews:

(1) Public Advocate in 2005;

(2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in 2007;

(3) Public Utilities Commission, including the Emergency Services Communication Bureau, in 2007; and

~~(4) The Emergency Services Communication Bureau within the Public Utilities Commission in 2009; and~~

(5) Telecommunications Relay Services Advisory Council in 2013.

Sec. 4. 5 MRSA §949, sub-§1, ¶B, as enacted by PL 1983, c. 729, §4, is amended to read:

B. Director of ~~Finance~~ telephone and water utility industries;

Sec. 5. 5 MRSA §949, sub-§1, ¶D, as amended by PL 2007, c. 482, §3, is further amended to read:

D. Director of ~~Technical Analysis~~ electric and gas utility industries;

Sec. 6. 25 MRSA §2927, sub-§5, as amended by PL 1997, c. 409, §1, is further amended to read:

5. Legislative annual report. The bureau shall ~~report annually, before February 1st, include in the Public Utilities Commission's annual report pursuant to Title 35-A, section 120, subsection 7~~ to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters ~~on~~:

- A. The bureau's planned expenditures for the year and use of funds for the previous year;
- B. The statewide E-9-1-1 surcharge collected under this section;
- C. The bureau's recommended statewide E-9-1-1 surcharge for the coming year; and
- D. The bureau's recommendations for amending existing and enacting new law to improve the E-9-1-1 system.

Sec. 7. 35-A MRSA §107, as amended by PL 2007, c. 482, §5, is further amended to read:

§107. The Public Utilities Commission staff

The following provisions shall apply to the commission's staff.

- 1. Appointment.** The commission shall appoint:
 - A. An administrative director, a director of ~~finance~~ telephone and water utility industries, a director of ~~technical analysis~~ electric and gas utility industries, a director of energy programs and a director of consumer assistance;
 - B. With the approval of the Attorney General, a general counsel; and
 - C. An assistant administrative director.

2. Salary and conditions of employment. Salaries and conditions of employment of employees of the commission shall be are as follows.

- A. The general counsel, the administrative director, the assistant administrative director, the director of ~~finance~~ telephone and water utility industries, the director of ~~technical analysis~~ 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.
- B. The compensation of the staff attorney and utility analyst positions are fixed by the commission with the approval of the Governor, but the

compensation may not in the aggregate exceed the total amount appropriated or allocated in the commission's budget.

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 ~~finance~~ telephone and water utility industries, the director of ~~technical analysis~~ 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.

E. The commissioners and all employees shall receive actual expenses when traveling on official business.

3. Commission's access to staff. Each commissioner may have access to the Public Utilities Commission staff and to any information available to the commission, subject to ~~the Maine Administrative Procedure Act~~, Title 5, section 9055.

4. Delegation of powers and duties to the staff. The commission may delegate to its staff such powers and duties as the commission finds proper. All delegations existing as of the effective date of this section are valid.

5. Administrative director's duties. The administrative director:

- A. Shall keep a record of the proceedings of the commission, which shall must be open to inspection at all times; and
- B. May certify all official acts of the commission, administer oaths and issue subpoenas, processes, notices, orders and other documents necessary to the performance of the commission's duties.

6. Assistant administrative director's duties. The assistant administrative director shall assist the director in the performance of ~~his~~ the director's duties and in the absence of the director shall ~~have~~ has the same power as the director.

7. Commission counsel. The commission may employ counsel in any proceeding, investigation or trial.

8. Dismissal. After successful completion of a probationary period, the employees occupying the positions of staff attorney and utility analyst may be dismissed, suspended or otherwise disciplined only for cause.

Sec. 8. 35-A MRSA §120, sub-§4, as amended by PL 2001, c. 137, §1, is further amended to read:

4. Rural issues. The commission's efforts undertaken in accordance with its authority under this Title

to ensure that rural areas of this State are not disadvantaged as utility industries are restructured and competitive markets developed. The commission shall identify any rural issues that it has determined may require legislative action; and

Sec. 9. 35-A MRSA §120, sub-§5, as enacted by PL 2001, c. 137, §2, is amended to read:

5. Telephone exemptions. The commission's activities undertaken pursuant to its authority to grant exemptions to telephone utilities from certain portions of this Title;

Sec. 10. 35-A MRSA §120, sub-§6 is enacted to read:

6. Significant developments. Any significant developments in the utility sectors or other areas of commission oversight; and

Sec. 11. 35-A MRSA §120, sub-§7 is enacted to read:

7. Other. All other subjects that the commission is required to include in the annual report pursuant to law.

Sec. 12. 35-A MRSA §803, as enacted by PL 1991, c. 524, §6, is amended to read:

§803. Blocking service

Where facilities are available, a collecting utility shall provide all one-party residential and single-line business telephone subscribers with an opportunity to block the access of audiotext service providers to subscribers' telephone lines free of charge and with an opportunity to reopen such access. A utility may not charge for customers' first exercise of either option. Thereafter, collecting utilities shall continue to offer subscribers the ability to block and reopen such access, but may charge a fee for provision of this service, which may not exceed \$5 for each occasion on which the service is provided. Every 4 years, beginning on January 1, 1995, the commission shall review the appropriateness of this \$5 fee and shall report to the joint standing committee of the Legislature having jurisdiction over utility matters its recommendations for any change in the fee. The collecting utility may appeal to the commission for an extension to meet the requirements of this section. The commission may, for good cause shown, grant an extension.

Sec. 13. 35-A MRSA §3195, sub-§5, as enacted by PL 1991, c. 413, §1 and affected by §2, is amended to read:

5. Report. The commission shall submit to the joint standing committee of the Legislature having jurisdiction over utilities matters an annual report detailing include in its annual report pursuant to section 120, subsection 6 any significant developments with respect to any actions taken or proposed to be taken by the commission under this section, including actions or

~~proposed actions on mechanisms for protecting ratepayers from the transfer of risks associated with rate-adjustment mechanisms. The report must be submitted by December 31st of each year.~~

Sec. 14. 35-A MRSA §3214, sub-§6, as enacted by PL 2007, c. 97, §3, is amended to read:

6. Annual report. The commission shall include in its annual report pursuant to section 120, subsection 7 a report by November 1st of each year to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on low-income assistance programs established or approved under subsection 2 or 3 and any equitable-treatment program established pursuant to subsection 5. The report must, at a minimum, include:

A. For each month of the program year, the number of participants enrolled in low-income assistance programs, the number receiving oxygen pump benefits and the number receiving ventilator benefits;

B. For each month of the program year, the dollar amount of low-income assistance program benefits, the dollar amount of oxygen pump benefits and the dollar amount of ventilator benefits; and

C. An assessment of the effectiveness of the oxygen pump benefit and the ventilator benefit with regard to covering only those electric charges directly related to use of an oxygen pump or ventilator by the program participant.

Sec. 15. 35-A MRSA §3217, sub-§1, as amended by PL 2001, c. 528, §2, is further amended to read:

~~1. Annual restructuring report. On December 31st of each calendar year, the~~ The commission shall submit to the joint standing committee of the Legislature having jurisdiction over utility matters include in its annual report pursuant to section 120, subsection 7 a report describing the commission's activities in carrying out the requirements of this chapter and the activities relating to changes in the regulation of electric utilities in other states.

In its report the commission shall provide an accounting of the commission's actual and estimated future costs of enforcing and implementing the provisions of this chapter governing the relationship between a transmission and distribution utility and an affiliated competitive electricity provider and the costs incurred by transmission and distribution utilities in complying with those provisions. The commission shall also provide an assessment of the effects of imposing these costs on ratepayers and the potential effects of assessing transmission and distribution utilities for these costs and prohibiting the costs from being passed through to ratepayers.

No later than December 1, 2002, the commission shall submit to the joint standing committee of the Legislature having jurisdiction over utility matters the report required under section 3212, subsection 4, with recommendations for action by the Legislature.

Sec. 16. 35-A MRSA §4706, sub-§9, as enacted by PL 1997, c. 707, §10, is amended to read:

9. Report. The commission shall submit to the joint standing committee of the Legislature having jurisdiction over utilities matters an annual report detailing include in its annual report pursuant to section 120, subsection 6 any significant developments with respect to any actions taken or proposed to be taken by the commission under this section. The report must be submitted by December 31st of each year.

Sec. 17. 35-A MRSA §4711, sub-§5, as enacted by PL 2005, c. 110, §1, is repealed and the following enacted in its place:

5. Report. The commission shall include in its annual report pursuant to section 120, subsection 7 actions taken by gas utilities pursuant to this section, including descriptions of all conservation programs in effect, a description of how the commission determines the cost-effectiveness of each conservation program, total expenditures for each gas utility's conservation programs during the program year and any recommendations for changes to the laws relating to energy conservation by gas utilities.

Sec. 18. 35-A MRSA §7508, sub-§4, as enacted by PL 2005, c. 131, §2, is amended to read:

4. Annual report. Annually prior to February 1st, the The commission shall provide a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters include in its annual report pursuant to section 120, subsection 7 a report detailing activities undertaken pursuant to this section. The report must include information on the number of petitions for public-interest pay phones the commission has received, the number of such pay phones the commission has approved and the amount of available funds expended.

See title page for effective date.

CHAPTER 123

S.P. 427 - L.D. 1155

An Act To Make Certain Changes to the Laws Governing Approval for Transmission Lines

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

Sec. 1. 35-A MRSA §3132, sub-§2-A, as enacted by PL 2003, c. 506, §13, is repealed.

Sec. 2. 35-A MRSA §3132, sub-§2-B, as enacted by PL 2003, c. 506, §13, is repealed.

Sec. 3. 35-A MRSA §3132, sub-§3, as amended by PL 1999, c. 398, Pt. A, §46 and affected by §§104 and 105, is further amended to read:

3. Transmission line rebuilding or relocation projects. Each transmission and distribution utility shall file annually with the commission a schedule of transmission line rebuilding or relocation projects that it intends to carry out during the next 5 years concerning transmission lines that will become, or will remain at, voltages of 100 ~~69~~ kilovolts or more. The schedule must describe each project, showing the length, location and estimated cost.

If the commission determines that an investigation of any transmission line rebuilding or relocation project is warranted, it shall notify the transmission and distribution utility within 60 days of the annual filing and the transmission and distribution utility is then required to comply with the provisions of this section with respect to that project. The absence of commission notification requiring the utility to file a petition does not preclude such notification in subsequent years.

Sec. 4. 35-A MRSA §3132, sub-§3-A, as amended by PL 1999, c. 398, Pt. A, §46 and affected by §§104 and 105, is further amended to read:

3-A. Minor transmission line construction projects. Each domestic transmission and distribution utility shall file annually with the commission a schedule of minor transmission line construction projects that it intends to carry out during the next 5 years concerning transmission lines that will be capable of operating at 100 ~~69~~ kilovolts or more. A minor transmission line construction project is a transmission line construction project the cost of which does not exceed 25% of the utility's current annual transmission property depreciation charge. The schedule must describe each project, showing the length, location and estimated cost.

If the commission determines that an investigation of any minor transmission line construction project is warranted, it shall notify the transmission and distribution utility within 60 days of the annual filing and the utility must then comply with the provisions of this section with respect to that project. The absence of commission notification requiring the utility to file a petition does not preclude such notification in subsequent years.

Sec. 5. 35-A MRSA §3132, sub-§6, as amended by PL 2007, c. 148, §5, is further amended to read:

6. Commission order; certificate of public convenience. In its order, the commission shall make specific findings with regard to the need for the proposed transmission line. If the commission finds that a need exists, it shall issue a certificate of public convenience and necessity for the transmission line. If the commission orders or allows the erection of the transmission line, the order is subject to all other provisions of law and the right of any other agency to approve the transmission line. A person may submit a petition for and obtain approval of a proposed transmission line under this section before applying for approval under municipal ordinances adopted pursuant to Title 30-A, Part 2, Subpart 6-A; and Title 38, section 438-A and, except as provided in subsection 4, before identifying a specific route or route options for the proposed transmission line. Except as provided in subsection 4, the commission may not consider the petition insufficient for failure to provide identification of a route or route options for the proposed transmission line. The issuance of a certificate of public convenience and necessity establishes that, as of the date of issuance of the certificate, the decision by the person to erect or construct was prudent. At the time of its issuance of a certificate of public convenience and necessity, the commission shall send to each municipality through which a proposed corridor or corridors for a transmission line extends a separate notice that the issuance of the certificate does not override, supersede or otherwise affect municipal authority to regulate the siting of the proposed transmission line. The commission may deny a certificate of public convenience and necessity for a transmission line upon a finding that the transmission line is reasonably likely to adversely affect any transmission and distribution utility or its customers.

Sec. 6. 35-A MRSA §3132, sub-§13, as enacted by PL 2007, c. 148, §11, is amended to read:

13. Public lands. The State, any agency of the State or any political subdivision of the State may not sell, lease or otherwise convey any interest in public land, other than a future interest or option to purchase an interest in land that is conditioned on satisfaction of the terms of this subsection, to any person for the purpose of constructing a transmission line, unless the following conditions are met: person has received a certificate of public convenience and necessity from the commission pursuant to this section.

~~A. For a transmission line subject to the requirements of subsection 2, the person has received a certificate of public convenience and necessity from the commission pursuant to this section; or~~

~~B. For a transmission line capable of operating at 69 kilovolts or more but less than 100 kilovolts that is not subject to the requirements of subsection 2, the person has provided written notice of~~

~~the proposed transmission line to the commission and:~~

~~(1) Within 30 days of the filing of the notice, the commission has not acted to initiate an investigation of the proposed transmission line; or~~

~~(2) Within 30 days of the filing of the notice, the commission has initiated an investigation of the proposed transmission line and notified the person of the requirement to file a petition for approval of the proposed transmission line in accordance with subsection 2, and:~~

~~(a) The commission has, as a result of the investigation, issued a certificate of public convenience and necessity for the transmission line; or~~

~~(b) The commission has determined that an investigation is no longer needed in this instance and has terminated the investigation.~~

As used in this subsection, "public land" means land that is owned or controlled by the State, by an instrumentality of the State or by a political subdivision of the State.

As used in this subsection, "future interest or option to purchase an interest in land" includes an option, purchase and sale agreement or other equivalent legal instrument that conveys the intent to pursue a future sale, lease or other conveyance of land.

See title page for effective date.

CHAPTER 124

H.P. 296 - L.D. 389

An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels

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

Sec. 1. 10 MRSA §997-A, as amended by PL 2007, c. 395, §§5 and 6, is repealed.

Sec. 2. 10 MRSA §1023-K, as amended by PL 2003, c. 537, §§25 and 26 and affected by §53, is further amended to read:

§1023-K. Clean Fuel Vehicle Fund

1. Established; fund administration. The Clean Fuel Vehicle Fund, referred to in this section as the "fund," is established under the jurisdiction of the authority to support production, distribution and consumption of clean fuels and biofuels. In administering the fund, the authority shall consult and provide op-

portunity for input from the Governor's Office of Energy Independence and Security within the Executive Department.

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

A. "Clean fuel" has the same meaning as in section 963-A.

B. "Sustainable biofuel" means fuel that:

(1) Satisfies the definition of "biofuel" in Title 36, section 5219-X; and

(2) Is produced in a manner that relies on sustainable natural resource and use practices and, on a life-cycle basis, results in net reductions in greenhouse gas emissions.

2. Sources of money. The following money must be paid into the fund:

A. All money appropriated for inclusion in the fund;

B. Subject to any pledge, contract or other obligation, all interest, dividends or other pecuniary gains from investment of money from the fund;

C. Subject to any pledge, contract or other obligation, any money that the authority receives in repayment of advances from the fund;

D. Any sums designated for deposit into the fund from any source, public or private, including, but not limited to, grants, air pollution penalties and, bond issues and voluntary contributions; and

E. Any other money available to the authority and directed by the authority to be paid into the fund.

3. Application of fund. The fund may be applied to carry out any power of the authority under or in connection with section 1026-A, subsection 1, paragraph A, subparagraph (1), division (c), including, but not limited to, the pledge or transfer and deposit of money in the fund as security for and the application of the fund to pay principal, interest and other amounts due on insured loans. The fund may be used for direct loans to finance all or part of any clean fuel vehicle project when the authority determines that:

A. The applicant demonstrates a reasonable likelihood that the applicant will be able to repay the loan;

B. The applicant demonstrates a reasonable likelihood that the applicant will not be able to obtain the funds necessary to undertake all or any part of the project from any other source, including a loan insured under section 1026-A, subsection 1, paragraph A, subparagraph (1), division (c);

C. The project is technologically feasible; and

D. The project will contribute to a reduction of or more efficient use of fossil fuels.

The authority shall adopt rules for determining eligibility, project feasibility, terms, conditions and security for loans under this section. Rules adopted pursuant to this section are routine technical rules under Title 5, chapter 375, subchapter 2-A. Money in the fund not currently needed to meet the obligations of the authority as provided in this section may be invested in such a manner as permitted by law.

3-B. Application of fund. The fund may be used in accordance with this subsection.

A. The fund may be applied to carry out any power of the authority under or in connection with section 1026-A, subsection 1, paragraph A, subparagraph (1), division (c), including, but not limited to, the pledge or transfer and deposit of money in the fund as security for and the application of the fund to pay principal, interest and other amounts due on insured loans.

B. The fund may be used for direct loans to finance all or part of any clean fuel or sustainable biofuel vehicle project when the authority determines that:

(1) The applicant demonstrates a reasonable likelihood that the applicant will be able to repay the loan;

(2) The project is technologically feasible; and

(3) The project will contribute to a reduction of or more efficient use of fossil fuels.

C. The fund may be used for grants to support clean fuel and sustainable biofuel production, distribution and consumption. The authority, in consultation with the Governor's Office of Energy Independence and Security within the Executive Department, shall establish a formula and method for the awarding of grants under this paragraph.

D. The fund may be used for reasonable development and administration costs for an online contribution process, in accordance with subsection 6.

E. The fund may be used for reasonable initial and ongoing administrative costs of the authority to implement this section.

The authority, in consultation with the Governor's Office of Energy Independence and Security within the Executive Department, shall adopt rules for determining eligibility, project feasibility, terms, conditions and security for loans under this section. Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

4. **Accounts within fund.** The authority may divide the fund into separate accounts as it determines necessary or convenient for carrying out this section, including, but not limited to, accounts reserved for direct loan funds, accounts reserved for grants and accounts segmented to support production, distribution and supply of clean fuels and sustainable biofuels.

5. **Revolving fund.** The fund is a nonlapsing, revolving fund. The fund must be continuously applied by the authority to carry out this section and section 1026-A, subsection 1, paragraph A, subparagraph (1), division (c).

6. **Online voluntary contribution.** The Secretary of State, in consultation with the authority, may develop and administer a cost-effective method for a person to make a voluntary contribution to the fund through an online process. If such a method is developed, reasonable development and administration costs for the online contribution process must be deducted from contributions to the fund.

Sec. 3. 10 MRSA §1026-A, sub-§1, ¶A, as amended by PL 2003, c. 537, §30 and affected by §53, is further amended to read:

- A. Loan insurance may not exceed:
 - (1) One hundred percent of the principal amount of the loan made to any borrower including related entities for any of the following types of loans or projects:
 - (a) Loans to veterans and wartime veterans, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;
 - (b) Underground and aboveground oil storage facility projects and projects to install equipment related to the improvement of air quality pursuant to requirements for gasoline service station vapor control and petroleum liquids transfer vapor recovery, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;
 - (c) Clean fuel vehicle projects and sustainable biofuel vehicle projects, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;
 - (d) Waste oil disposal site clean-up projects, except that the authority may

not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$1,000,000; or

(e) The Plymouth waste oil remedial study, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$1,000,000; and

(2) Ninety percent of the principal amount of the loan made to any borrower, including related entities for any other manufacturing enterprise, industrial enterprise, recreational enterprise, fishing enterprise, agricultural enterprise, natural resource enterprise or any other eligible business enterprise;

See title page for effective date.

CHAPTER 125

S.P. 369 - L.D. 986

An Act To Protect the Public Health and the Environment by Prohibiting the Sale of Wheel Weights Containing Lead or Mercury

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

Sec. 1. 38 MRSA §1606-A is enacted to read:

§1606-A. Wheel weights

1. Tire service. Beginning January 1, 2011, when replacing or balancing a tire on a motor vehicle required to be registered under Title 29-A, chapter 5, a person may not use a wheel weight or other product for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

2. Sales ban. Except as provided in subsection 3, beginning January 1, 2011, a person may not sell or offer to sell or distribute weights or other products for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intentionally added during the manufacture of the product.

3. New motor vehicles. Beginning January 1, 2012, a person may not sell a new motor vehicle that is equipped with a weight or other product for balancing motor vehicle wheels if the weight or other balancing product contains lead or mercury that was intention-

ally added during the manufacture of the product. For purposes of this subsection, "new motor vehicle" means a motor vehicle that is required to be registered under Title 29-A, chapter 5 that has not been previously sold to any person except a distributor, wholesaler or motor vehicle dealer for resale.

See title page for effective date.

CHAPTER 126

S.P. 195 - L.D. 500

An Act To Include as Authorized Project Costs the Construction or Improvement of Buildings Used by Municipalities for Purposes of Designating Municipal Development Districts

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

Sec. 1. 30-A MRSA §5225, sub-§1, ¶D, as enacted by PL 2001, c. 669, §1, is amended to read:

D. Costs of constructing or improving facilities or buildings used leased by State Government or a municipal government that are located in approved downtown tax increment financing districts.

See title page for effective date.

CHAPTER 127

S.P. 385 - L.D. 1021

An Act To Prohibit Cruel Confinement of Calves Raised for Veal and Sows during Gestation

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

Sec. 1. 7 MRSA §4020 is enacted to read:

§4020. Cruel confinement of calves raised for veal and sows during gestation

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

A. "Calf raised for veal" means a calf of the bovine species kept for the purpose of producing the food product referred to as veal.

B. "Covered animal" means a sow during gestation or calf raised for veal that is kept on a farm.

C. "Enclosure" means a cage, crate or other structure used to confine a covered animal, including, but not limited to, what is commonly described as a "gestation crate" for sows or a "veal crate" for calves.

D. "Farm" has the same meaning as in section 152.

E. "Fully extending the animal's limbs" means fully extending all limbs without touching the side of an enclosure.

F. "Sow during gestation" means a pregnant pig of the porcine species kept for the primary purpose of breeding.

G. "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure.

2. Prohibition. A person may not tether or confine a covered animal for all or the majority of a day in a manner that prevents the animal from:

A. Lying down, standing up and fully extending the animal's limbs; and

B. Turning around freely.

3. Exceptions. Subsection 2 does not apply:

A. To an animal while it is the subject of scientific or agricultural research;

B. During examination, testing, individual treatment of or operation on an animal for veterinary purposes;

C. To an animal being transported;

D. To an animal at a rodeo exhibition or state or county fair exhibition;

E. To an animal at a 4-H event or similar exhibition;

F. To the slaughter of an animal in accordance with Title 22, chapter 562-A, subchapter 4 and rules pertaining to the slaughter of animals; and

G. To a sow during the 7-day period prior to the sow's expected date of giving birth and until the sow's litter is weaned.

4. Relation to other laws. The provisions of this section are in addition to, and not in lieu of, any other laws protecting animal welfare. This section may not be construed to limit any state law or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

The affirmative defense provisions in section 4016, subsection 3 do not apply to this section. It is not an affirmative defense to alleged violations of this section that the calf or sow was kept as part of an agricultural

operation and in compliance with best management practices for animal husbandry.

Sec. 2. 17 MRSA §1039 is enacted to read:

§1039. Cruel confinement of calves raised for veal and sows during gestation

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

A. "Calf raised for veal" means a calf of the bovine species kept for the purpose of producing the food product referred to as veal.

B. "Covered animal" means a sow during gestation or calf raised for veal that is kept on a farm.

C. "Enclosure" means a cage, crate or other structure used to confine a covered animal, including, but not limited to, what is commonly described as a "gestation crate" for sows or a "veal crate" for calves.

D. "Farm" has the same meaning as in section 152.

E. "Fully extending the animal's limbs" means fully extending all limbs without touching the side of an enclosure.

F. "Sow during gestation" means a pregnant pig of the porcine species kept for the primary purpose of breeding.

G. "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure.

2. Prohibition. A person may not tether or confine a covered animal for all or the majority of a day in a manner that prevents the animal from:

A. Lying down, standing up and fully extending the animal's limbs; and

B. Turning around freely.

3. Exceptions. Subsection 2 does not apply:

A. To an animal while it is the subject of scientific or agricultural research;

B. During examination, testing, individual treatment of or operation on an animal for veterinary purposes;

C. To an animal being transported;

D. To an animal at a rodeo exhibition or state or county fair exhibition;

E. To an animal at a 4-H event or similar exhibition;

F. To the slaughter of an animal in accordance with Title 22, chapter 562-A, subchapter 4 and rules pertaining to the slaughter of animals; and

G. To a sow during the 7-day period prior to the sow's expected date of giving birth and until the sow's litter is weaned.

4. Relation to other laws. The provisions of this section are in addition to, and not in lieu of, any other laws protecting animal welfare. This section may not be construed to limit any state law or rules protecting the welfare of animals or to prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations.

5. Penalty. A violation of subsection 2 is a Class D crime.

6. Criminal or civil prosecution. A person may be arrested or detained for a violation of subsection 2 in accordance with the rules of criminal procedure. A person may not be arrested or detained for the civil violation of cruel confinement under Title 7, section 1039. The attorney for the State may elect to charge a defendant with a criminal violation under this section or a civil violation under Title 7, section 4020. In making this election, the attorney for the State shall consider the severity of the cruelty displayed, the number of animals involved, any prior convictions or adjudications of animal cruelty entered against the defendant and such other factors as may be relevant to a determination of whether criminal or civil sanctions will best accomplish the goals of the animal welfare laws in the particular case before the attorney for the State. The election and determination required by this subsection are not subject to judicial review. The factors involved in the election and determination are not elements of the criminal offense or civil violation of cruel confinement and are not subject to proof or disproof as prerequisites or conditions for conviction under this section or adjudication under Title 7, section 4020.

It is not an affirmative defense to prosecution under this section that the sow or calf is kept as part of an agricultural operation and in compliance with best management practices for animal husbandry.

Sec. 3. Effective date. This Act takes effect January 1, 2011.

Effective January 1, 2011.

**CHAPTER 128
H.P. 24 - L.D. 29**

**An Act To Amend the
Landlord and Tenant Laws as
They Pertain to Interest Paid
on Mobile Home Park Tenant
Security Deposits**

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

Sec. 1. 10 MRSA §9098, sub-§2, ¶B, as enacted by PL 1987, c. 737, Pt. B, §1 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. A mobile home park operator shall return to a tenant the full security deposit deposited with the landlord by the tenant, ~~plus 4% annual interest with interest in accordance with subparagraph (4)~~ or, if there is actual cause for retaining the security deposit or any portion of it, the mobile home park operator shall provide the tenant with a written statement, itemizing the reasons for the retention of the security deposit or any portion of it, within 21 days after the termination of the tenancy or the surrender and acceptance of the premises, whichever occurs first.

(1) The written statement itemizing the reasons for the retention of any portion of the security deposit must be accompanied by a full payment of the difference between the security deposit and the amount retained.

(2) The mobile home park operator is deemed to have complied with this section if the operator mails the statement and any payment required to the tenant's last known address.

(3) Nothing in this section precludes the mobile home park operator from retaining the security deposit for nonpayment of rent or nonpayment of utility charges which the tenant was required to pay directly to the mobile home park operator.

(4) The amount of interest that must be returned to a tenant must be either the amount that the mobile home park operator has earned on the security deposit if deposited in an individual segregated bank savings account or a reasonable amount of annual interest. For purposes of this subsection, "a reasonable amount of annual interest" means interest calculated at the Federal Reserve Bank, secondary market, annual interest rate on a 6-month certificate of deposit for each year in which the deposit has been held calculated as of the first business day of each year.

Sec. 2. 10 MRSA §9098, sub-§5 is enacted to read:

5. Security deposits. During the term of a tenancy, a security deposit given to a mobile home park operator as part of a residential rental agreement may not be treated as an asset to be commingled with the assets of the landlord. All security deposits must be held in an account of a bank or other financial institution under terms that place the security deposit beyond the claim of creditors of the mobile home park operator, including a foreclosing mortgagee or trustee in bankruptcy, and that provide for transfer of the security deposit to a subsequent mobile home park operator. Upon the transfer of the mobile home park, the new operator shall assume all responsibility for maintaining and returning to tenants all security deposits accounted for and transferred. Upon request by a tenant, a landlord shall disclose the name of the financial institution and the account number where the security deposit is being held. A mobile home park operator may use a single escrow account to hold security deposits from all of the tenants of the mobile home park.

See title page for effective date.

**CHAPTER 129
S.P. 236 - L.D. 620**

**An Act To Ensure the
Workers' Compensation
Board's Regulatory Oversight
of the Maine Insurance
Guaranty Association**

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

Sec. 1. 24-A MRSA §4438, sub-§1, ¶A, as amended by PL 2005, c. 603, §1, is further amended to read:

A. Be obligated to pay covered claims existing prior to the determination of the insolvency or arising within 30 days after the determination of insolvency, or before the policy expiration date if less than 30 days after the determination of insolvency, or before the insured replaces the policy or causes its cancellation, if within 30 days of the determination. The obligation must be satisfied by paying to the claimant:

(1) Except as provided in this paragraph, the full amount of a covered claim for benefits, including interest and all penalties payable to a claimant under the Maine Workers' Compensation Act of 1992, or unearned premium under workers' compensation insurance coverage;

(2) An amount not exceeding \$25,000 per policy for a covered claim for the return of an unearned premium; or

(3) An amount not exceeding \$300,000 per claim for all other covered claims.

In no event is the association obligated to pay a claimant an amount in excess of the obligation of the insolvent insurer under the policy or coverage from which the claim arises. The association shall pay only that amount of unearned premium in excess of \$50. Notwithstanding any other provisions of this subchapter, a covered claim does not include any claim filed with the association after the earlier of 24 months after the date of the order of liquidation or the final date set by the court for the filing of claims against the liquidator or receiver of an insolvent insurer. The association, in its discretion, may accept a late filed claim as a covered claim when the claimant demonstrates good cause. The demonstration of good cause by a claimant includes showing that the existence of the claim was not known to the claimant prior to the bar date and that the claimant filed the claim within 60 days of learning of the claim;

Sec. 2. 24-A MRSA §4438, sub-§1, ¶F, as amended by PL 1973, c. 585, §12, is further amended to read:

F. Handle claims through its employees or through one or more insurers licensed in the State or other persons using employees licensed as adjusters in the State designated as servicing facilities. Designation of a servicing facility is subject to the approval of the superintendent, but designation of a member insurer as a servicing facility may be declined by such insurer;

Sec. 3. 24-A MRSA §4438, sub-§1, ¶H, as enacted by PL 1969, c. 561, is amended to read:

H. Pay the other expenses of the association authorized by this subchapter; and

Sec. 4. 24-A MRSA §4438, sub-§1, ¶I is enacted to read:

I. Pay all penalties, sanctions, forfeitures and fines provided for under the Maine Workers' Compensation Act of 1992 including penalties payable to the Workers' Compensation Board and the General Fund, except the penalty provided for in Title 39-A, section 359, subsection 2. No penalty, fine, forfeiture, attorney's fees or other sanction may be imposed on the association if:

(1) The Workers' Compensation Board finds that the association was prevented from complying with the Maine Workers' Compensation Act of 1992 because the association was unable in the exercise of reasonable diligence

to obtain the records of the insolvent insurer; or

(2) The Workers' Compensation Board finds that the association was prevented from complying with the Maine Workers' Compensation Act of 1992 because of circumstances beyond its reasonable control.

Sec. 5. 39-A MRSA §205, sub-§3, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

3. Penalty for delay. When there is not an ongoing dispute, if weekly compensation benefits or accrued weekly benefits are not paid by the employer or insurance carrier within 30 days after becoming due and payable, \$50 per day must be added and paid to the worker for each day over 30 days in which the benefits are not paid. Not more than \$1,500 in total may be added pursuant to this subsection. For purposes of ratemaking, daily charges paid under this subsection do not constitute elements of loss. For purposes of this subsection, "employer or insurance carrier" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 6. 39-A MRSA §205, sub-§4, as amended by PL 2007, c. 218, §1, is further amended to read:

4. Payment of bills for medical or health care services. When there is no ongoing dispute, if bills for medical or health care services are not paid within 30 days after the carrier has received notice of nonpayment by certified mail from the provider of the medical or health care services or, if the bill was paid by the employee, from the employee who paid for the medical or health care services, \$50 or the amount of the bill due, whichever is less, must be added and paid to the provider of the medical or health care services or, if the bill was paid by the employee, to the employee who paid for the medical or health care services for each day over 30 days in which the bills for medical or health care services are not paid. Not more than \$1,500 in total may be added pursuant to this subsection. For purposes of this subsection, "carrier" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 7. 39-A MRSA §313, sub-§4, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

4. Cooperation; sanctions. The parties shall cooperate with the mediator assigned to the case. The assigned mediator shall report to the board the failure of a party to cooperate or to produce requested material. The board may impose sanctions against a party who does not cooperate or produce requested materials, including the following:

A. Assessment of costs and attorney's fees;

- B. Reductions of attorney's fees; or
- C. If the party is the moving party, suspension of proceedings until the party has cooperated or produced the requested material.

For purposes of this subsection, "party" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 8. 39-A MRSA §313, sub-§5, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

5. Duties of employer or representative of the employee, employer or insurer. The employer or representative of the employee, employer or insurer who participates in mediation must be familiar with the employee's claim and has authority to make decisions regarding the claim. The board may assess a forfeiture in the amount of \$100 against any employer or representative of the employee, employer or insurer who participates in mediation without full authority to make decisions regarding the claim. If a representative of the employer, insurer or employee participates in mediation or any other proceeding of the board, the representative shall notify the employer, insurer or employee of all actions by the representative on behalf of the employer, insurer or employee and any other actions at the proceeding.

For purposes of this subsection, "employer or representative of the employee, employer or insurer" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 9. 39-A MRSA §324, sub-§1, as amended by PL 2007, c. 240, Pt. JJJ, §6 and c. 311, §3, is further amended to read:

1. Order or decision. The employer or insurance carrier shall make compensation payments within 10 days after the receipt of notice of an approved agreement for payment of compensation or within 10 days after any order or decision of the board awarding compensation. If the board enters a decision awarding compensation and an appeal is filed with the Law Court pursuant to section 322, payments may not be suspended while the appeal is pending. The employer or insurer may recover from an employee payments made pending appeal to the Law Court if and to the extent that the Law Court has decided that the employee was not entitled to the compensation paid. The board has full jurisdiction to determine the amount of overpayment, if any, and the amount and schedule of repayment, if any. The board, in determining whether or not repayment should be made and the extent and schedule of repayment, shall consider the financial situation of the employee and the employee's family and may not order repayment that would work hardship or injustice. The board shall notify the Commissioner of Health and Human Services within 10 days after the receipt of notice of an approved agreement

for payment of compensation or within 10 days after any order or decision of the board awarding compensation identifying the employee who is to receive the compensation. For purposes of this subsection, "employer or insurance carrier" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 10. 39-A MRSA §324, sub-§2, as amended by PL 2007, c. 265, §1, is further amended to read:

2. Failure to pay within time limits. An employer or insurance carrier who fails to pay compensation, as provided in this section, is penalized as follows. For purposes of this subsection, "employer or insurance carrier" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

A. Except as otherwise provided by section 205, if an employer or insurance carrier fails to pay compensation as provided in this section, the board may assess against the employer or insurance carrier a fine of up to \$200 for each day of noncompliance. If the board finds that the employer or insurance carrier was prevented from complying with this section because of circumstances beyond its control, a fine may not be assessed.

(1) The fine for each day of noncompliance must be divided as follows: Of each day's fine amount, the first \$50 is paid to the employee to whom compensation is due and the remainder must be paid to the board and be credited to the Workers' Compensation Board Administrative Fund.

(2) If a fine is assessed against any employer or insurance carrier under this subsection on petition by an employee, the employer or insurance carrier shall pay reasonable costs and attorney's fees related to the fine, as determined by the board, to the employee.

(3) Fines assessed under this subsection may be enforced by the Superior Court in the same manner as provided in section 323.

B. Payment of a fine assessed under this subsection is not considered an element of loss for the purpose of establishing rates for workers' compensation insurance.

Sec. 11. 39-A MRSA §359, sub-§1, as amended by PL 2005, c. 603, §4, is further amended to read:

1. Audits. The board shall audit claims, including insurer, self-insurer, Maine Insurance Guaranty Association and 3rd-party administrator claim files, on an ongoing basis to determine whether insurers, self-insured employers, the Maine Insurance Guaranty As-

sociation and 3rd-party administrators have met their obligations under this Act and to identify the disputes that arose, the reasons for the disputes, the method and manner of their resolution, the costs incurred, the reasons for attorney involvement and the services rendered by the attorneys.

If as a result of an examination and after providing the opportunity for a hearing the board determines that any compensation, interest, penalty or other obligation is due and unpaid to an employee, dependent or service provider or any other entity, the board shall issue a notice of assessment detailing the amounts due and unpaid in each case and shall order the amounts paid to the unpaid party or parties.

Sec. 12. 39-A MRSA §360, sub-§6 is enacted to read:

6. Maine Insurance Guaranty Association. The provisions of this section apply to the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 13. Application. This Act applies only to acts or omissions occurring on or after the effective date of this Act.

See title page for effective date.

CHAPTER 130

H.P. 669 - L.D. 967

An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee

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

Sec. 1. 23 MRSA §4209, sub-§1, as corrected by RR 2003, c. 2, §83, is amended to read:

1. Geographic regions. The Department of Transportation shall divide the State into a number of geographic regions for regional distribution of state-administered transportation funds. Upon designation of the geographic regions, a regional public transportation agency must be selected from each region to formulate a biennial regional operations plan. Selection of regional public transportation agencies must be by the Department of Transportation with the consent of the Department of Health and Human Services in collaboration with the committee established in subsection 1-A. The Department of Transportation shall establish a schedule for submittal of the biennial regional operations plan and shall reference these plans in its biennial transportation improvement plan submitted to the Legislature.

Sec. 2. 23 MRSA §4209, sub-§1-A is enacted to read:

1-A. Interagency Transportation Coordinating Committee. The Interagency Transportation Coordinating Committee, referred to in this section as "the committee," is established to promote efficiency, cooperative effort and strategic planning for public transportation between the Department of Transportation, the Department of Labor and the Department of Health and Human Services.

A. The committee consists of the Commissioner of Transportation, the Commissioner of Labor and the Commissioner of Health and Human Services or the designees of the commissioners.

B. The committee shall meet at least twice each year.

C. The Commissioner of Transportation shall designate the chair of the committee.

D. The committee shall designate a catchment area for MaineCare transportation providers.

E. The committee shall submit a report on its deliberations and any recommendations by February 15th each year to the Governor and the joint standing committee of the Legislature having jurisdiction over public transportation matters.

Sec. 3. 23 MRSA §4209, sub-§2, as corrected by RR 2003, c. 2, §83, is amended to read:

2. Biennial regional operations plan. The biennial regional operations plan submitted by each regional public transportation agency must provide for the following:

A. Maximum feasible coordination of funds among all state agencies that sponsor transportation in the region;

B. Development and maintenance of a permanent and effective public transportation system, with particular regard to riders who are low-income, or elderly and handicapped residents or who have disabilities;

C. Participation of private transit operators in the service, to the greatest extent possible; ~~and~~

D. Conformity with general operations requirements as may be prescribed by the commissioner; and

E. Compliance with any appropriate federal regulations, including but not limited to the federally required locally coordinated plan.

In years in which no biennial plan is required, amendments to the effective operations may be submitted. Approval of each regional operations plan must be by the Department of Transportation ~~with the consent of the Department of Health and Human Services in col-~~

laboration with the committee. Upon approval, all agencies, groups or organizations named to participate in the provision of service in accordance with a regional operations plan are eligible to receive funds administered by the Department of Transportation and the Department of Health and Human Services.

Sec. 4. 23 MRSA §4209, sub-§4, as corrected by RR 2003, c. 2, §84, is amended to read:

4. Human services assistance; priorities. A liaison appointed by the Department of Health and Human Services ~~The committee~~ shall act to coordinate purchase of service contracts and serve in an advisory capacity to the department in matters concerning public transportation. In the event that transportation funds for human services' services programs are insufficient for full implementation of the human services' services portion of an approved biennial regional operations plan, priorities established by the Department of Health and Human Services determine the priority clients that must be initially served by human services' services funds. ~~The Department of Health and Human Services and its agents~~ Members of the committee and their contractors shall actively engage local transportation providers in the planning of new services that are expected to have a transportation component.

The Department of Health and Human Services and the Department of Labor shall ensure that any new service to be provided is adequately funded to cover the costs of the transportation component of the program.

See title page for effective date.

CHAPTER 131

H.P. 973 - L.D. 1394

An Act To Modify the Regional Economic Development Revolving Loan Program

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

Sec. 1. 10 MRSA §1026-A, sub-§5, as enacted by PL 2003, c. 537, §30 and affected by §53, is amended to read:

5. Limitations on loan insurance. The authority may establish a maximum insurance liability for particular sectors and for existing loans by rule. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 10 MRSA §1026-M, sub-§3, as amended by PL 2001, c. 639, §1, is further amended to read:

3. Disbursements from fund. If an application is approved, the authority shall determine the amount to be disbursed to the corporation, taking into account:

A. The size of the region served by the corporation and the expected demand for loan funds in that region;

B. The demand for funds from other eligible corporations in relation to the total amount available in the fund; and

C. Whether an eligible corporation will serve a geographic area or segment of potential business borrowers not served by other applicants.

A corporation may not receive more than ~~\$2,500,000~~ \$3,500,000 from the fund. Funds must be disbursed directly to and retained by the eligible corporation in accordance with the contract between the corporation and the authority. Funds must be disbursed to the corporation in the form of a loan or a grant. The authority may, in its discretion, disburse fund amounts in one lump sum or periodic disbursements.

Sec. 3. 10 MRSA §1026-M, sub-§4, ¶B, as enacted by PL 1993, c. 722, Pt. C, §1 and affected by §2, is amended to read:

B. The corporation shall review applications for financial assistance, determine the feasibility of the application and approve or deny the application, which determination is final in the case of loans under ~~\$100,000~~ \$150,000 or in the case of denials of any amount;

Sec. 4. 10 MRSA §1026-M, sub-§6, ¶A, as amended by PL 1999, c. 401, Pt. OOO, §2, is further amended to read:

A. Loans may not exceed ~~\$200,000~~ \$250,000 to a borrower, including an affiliated entity, and approval of the authority is required for any loan in excess of ~~\$100,000~~ \$150,000. Loans for quality child care projects may not exceed \$100,000 to a borrower. Loans or portions of loans to a quality child care project to be used solely for lead abatement may not exceed ~~\$5,000~~ \$15,000.

Sec. 5. 10 MRSA §1026-M, sub-§6, ¶B, as amended by PL 2003, c. 195, §1, is further amended to read:

B. Loans over ~~\$50,000~~ \$100,000 for borrowers other than quality child care projects may not exceed 1/3 of the net new funds being provided to a borrower. Loans of ~~\$50,000 or less~~ \$50,000 for projects other than quality child care projects may not exceed 1/2 of the net new funds being provided to a borrower. Loans of less than \$50,000 and loans for quality child care projects may be for the total amount of new funds being provided to the borrower.

Sec. 6. 10 MRSA §1026-M, sub-§7, ¶A, as amended by PL 1999, c. 401, Pt. OOO, §3, is further amended to read:

A. The business for which funds are requested has 50 or fewer employees or annual sales of \$5,000,000 or less, and it consists of or involves at least one of the following:

- (1) ~~Advanced manufacturing~~ Manufacturing technologies, such as value-added wood products and, specialty fabricated metal and electronic products, precision manufacturing and use of composites or advanced materials;
- (2) ~~Advanced information system technologies~~ Technologies, such as advanced information systems, advanced telecommunications, energy and environmental products and services;
- (3) ~~Advanced biological and~~ Biological and natural resource technologies, such as aquaculture, marine technology, agriculture, forestry products and biotechnology;
- (4) A business converting from defense dependency;
- (5) A business significantly engaged in export of goods or services to locations outside the State;
- (6) A business that dedicates significant resources to research and development activities;
- (7) Other businesses with 5 ~~10~~ or fewer employees; and
- (8) A child care project that includes any business that, for compensation, provides a regular service of care and protection 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.

Notwithstanding the requirements of this paragraph, until June 30, 2010, a project or a borrower that is eligible for loan insurance under section 1026-A is eligible for financial assistance under the program.

See title page for effective date.

**CHAPTER 132
H.P. 228 - L.D. 288**

An Act To Expand Super Pack License Opportunities

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

Sec. 1. 12 MRSA §11109-A, sub-§2, as repealed and replaced by PL 2007, c. 492, §1, is amended to read:

2. Antlerless deer permit. A super pack license includes:

A. The opportunity to enter an antlerless deer permit lottery pursuant to section 11152 as afforded by a license contained within the super pack license subject to the conditions and restrictions placed on that license; and

B. An antlerless deer permit as provided under section 11152, except that it is valid only for antlerless deer in wildlife management districts in which at least ~~5,000~~ 3,500 antlerless deer permits are issued. No more than 2.5% of those antlerless deer permits may be in the form of a super pack license. The commissioner shall implement a system for issuing antlerless deer permits under this subsection.

See title page for effective date.

**CHAPTER 133
S.P. 209 - L.D. 549**

An Act To Amend the Employment Practices Law Regarding Substance Abuse Testing

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

Sec. 1. 26 MRSA §682, sub-§7, as amended by PL 2001, c. 556, §1 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

7. Substance abuse test. "Substance abuse test" means any test procedure designed to take and analyze body fluids or materials from the body for the purpose of detecting the presence of substances of abuse. The term does not include tests designed to determine blood-alcohol concentration levels from a sample of an individual's breath.

A. "Screening test" means an initial substance abuse test performed through the use of immunoassay technology or a federally recognized substance abuse test, or a test technology of similar or

greater accuracy and reliability approved by the Department of Health and Human Services under rules adopted under section 687, and that is used as a preliminary step in detecting the presence of substances of abuse.

(1) A screening test of an applicant's urine or saliva may be performed at the point of collection through the use of a noninstrumented point of collection test device approved by the federal Food and Drug Administration. Section 683, subsection 5-A governs the use of such tests.

B. "Confirmation test" means a 2nd substance abuse test that is used to verify the presence of a substance of abuse indicated by an initial positive screening test result and is a federally recognized substance abuse test or is performed through the use of liquid or gas chromatography-mass spectrometry that is used to verify the presence of a substance of abuse indicated by an initial positive screening test result.

~~(1) The Department of Health and Human Services may recommend to the joint standing committee of the Legislature having jurisdiction over labor matters that other testing technologies be authorized for use in confirmation tests if the department finds those technologies to be of equal or greater accuracy and reliability than gas chromatography-mass spectrometry.~~

C. "Federally recognized substance abuse test" means any substance abuse test recognized by the federal Food and Drug Administration as accurate and reliable through the administration's clearance or approval process.

Sec. 2. 26 MRSA §683, sub-§2, ¶G, as amended by PL 1999, c. 199, §1 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

G. The cutoff levels for both screening and confirmation tests at which the presence of a substance of abuse in a sample is considered a positive test result.

(1) Cutoff levels for confirmation tests for marijuana may not be lower than 15 nanograms of delta-9-tetrahydrocannabinol-9-carboxylic acid per milliliter for urine samples.

(2) The Department of Health and Human Services shall adopt rules under section 687 regulating screening and confirmation cutoff levels for other substances of abuse, including those substances tested for in blood samples

under subsection 5, paragraph B, to ensure that levels are set within known tolerances of test methods and above mere trace amounts. An employer may request that the Department of Health and Human Services establish a cutoff level for any substance of abuse for which the department has not established a cutoff level;

(3) Notwithstanding subparagraphs (1) and (2), if the Department of Health and Human Services does not have established cutoff levels or procedures for any specific federally recognized substance abuse test, the minimum cutoff levels and procedures that apply are those set forth in the Federal Register, Volume 69, No. 71, sections 3.4 to 3.7 on pages 19697 and 19698;

Sec. 3. 26 MRSA §686, sub-§1, ¶C is enacted to read:

C. The department shall allow for the use of any federally recognized substance abuse test.

See title page for effective date.

**CHAPTER 134
S.P. 99 - L.D. 303**

**An Act To Amend the Laws
Governing Deer Hunting and
To Extend the Coyote Hunting
Season**

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

Sec. 1. 12 MRSA §11401, sub-§1, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. Except as otherwise provided in this subsection and sections 10952, 11152, 11403 and 11404 or by rule adopted by the commissioner pursuant to section 11402, subsection 4, there is an open season for deer in each calendar year in all counties of the State between September 15th and December ~~15th~~ 20th annually. In a year that the regular season extends beyond November 30th, the regular season must start no later than the 4th Monday preceding Thanksgiving.

See title page for effective date.

**CHAPTER 135
H.P. 704 - L.D. 1029**

**An Act To Authorize
Municipalities To Protect the
Habitability of Rental Housing
during Heating Fuel
Emergencies**

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

Sec. 1. 14 MRSA §6026-A is enacted to read:

**§6026-A. Municipal intervention to provide deliv-
ery of heating fuel**

In accordance with the procedures provided in this section, the municipal officers of any town or city or their designee may provide for the delivery of heating fuel and any associated heating system repair activities to ensure the continued habitability of any premises leased for human habitation.

1. Leased premises must be out or nearly out of heating fuel. The leased premises must be out of heating fuel or nearly out of heating fuel such that the municipal officers or their designee can make a finding that an imminent threat to the continued habitability of the premises exists.

2. Attempt to contact landlord. The municipal officers or their designee must document a good faith attempt to contact the landlord of the premises under subsection 1 regarding:

A. The municipality's determination of the threat to habitability;

B. The municipality's intention to provide for the delivery of heating fuel;

C. The municipality's intention to subsequently recover the municipality's direct and administrative costs from the landlord; and

D. The landlord's ability to avert the municipality's actions by causing the delivery of adequate supplies of heating fuel by a time certain.

This communication to the landlord must be either in person, by telephone or by certified mail as may be warranted considering the degree or imminence of the threat.

3. Municipality may provide for delivery of heating fuel. If the landlord cannot be contacted in a timely manner or if the landlord does not cause the delivery of adequate supplies of heating fuel by a deadline identified by the municipal officers or their designee, the municipality may provide for the delivery of an adequate supply of heating fuel and whatever attendant activities may be necessary to ensure the

proper functioning of the leased premises' heating system.

4. Lien. The municipality has a lien against the landlord of the leased premises for the amount of money spent by the municipality to provide for the adequate supply of heating fuel and attendant activities pursuant to this section, as well as all reasonably related administrative costs pursuant to subsection 3.

5. Filing of notice of lien; interest; costs. The municipal officers or their designee shall file a notice of the lien with the register of deeds of the county in which the property is located within 30 days of providing for the delivery of heating fuel. That filing secures the municipality's lien interest for an amount equal to the costs recoverable pursuant to this section. Not less than 10 days prior to the filing, the municipal officers or their designee shall send notification of the proposed action by certified mail, return receipt requested, to the owner of the real estate and any record holder of the mortgage. The lien notification must contain the title, address and telephone number of the municipal official or officers who authorized the provision of heating fuel, an itemized list of the costs to be recovered by lien and the provisions of this subsection regarding interest rates and costs. The lien is effective until enforced by an action for equitable relief or until discharged. Interest on the amount of money secured by the lien may be charged by the municipality at a rate determined by the municipal officers but in no event may the rate exceed the maximum rate of interest allowed by the Treasurer of State pursuant to Title 36, section 186. Interest accrues from and including the date the lien is filed. The costs of securing and enforcing the lien are recoverable upon enforcement.

See title page for effective date.

**CHAPTER 136
S.P. 311 - L.D. 803**

**An Act To Authorize an Active
Retired Justice or Judge To
Conduct Arbitration and Chair
Medical Malpractice Screening
Panels**

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

Sec. 1. 4 MRSA §104, as amended by PL 1983, c. 853, Pt. C, §§9 and 18, is further amended to read:

§104. Active retired justices

Any Justice of the Superior Court who has retired from the court under this chapter in effect prior to December 1, 1984, or any Justice of the Superior Court who retires or terminates his that justice's service on

the court in accordance with chapter 27, except for a disability retirement, is eligible for appointment as an Active Retired Justice of the Superior Court. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and to confirmation by the Legislature, may appoint any eligible justice as an Active Retired Justice of the Superior Court for a term of 7 years, unless sooner removed. That justice may be reappointed for a like term. Any justice so appointed and designated ~~shall thereupon constitute~~ constitutes a part of the court from which ~~he~~ that justice has retired and ~~shall have~~ has the same jurisdiction and ~~be is~~ subject to the same restrictions therein as before retirement, ~~except that he shall.~~ An Active Retired Justice of the Superior Court may serve as an arbitrator and conduct arbitration in accordance with rules that may be adopted by the Supreme Judicial Court, except that nothing in this section requires the Supreme Judicial Court to adopt those rules. An Active Retired Justice of the Superior Court may chair screening panels in accordance with Title 24, chapter 21, subchapter 4-A. An Active Retired Justice of the Superior Court may act only in the cases and matters and hold court only at the terms and times as he may be that justice is directed and assigned to by the Chief Justice of the Supreme Judicial Superior Court. Any Active Retired Justice of the Superior Court may be directed by the Chief Justice to hold any term of the Superior Court in any county and when so directed shall have has authority and jurisdiction therein the same as if he that justice were the regular justice of that court. Whenever the Chief Justice of the Supreme Judicial Superior Court so orders, that justice may hear all matters and issue all orders, notices, decrees and judgments in vacation that any Justice justice of that Superior Court is authorized to hear and issue. An Active Retired Justice of the Superior Court receives reimbursement for expenses actually and reasonably incurred in the performance of that justice's duties.

Sec. 2. 4 MRSA §157-B, as amended by PL 1983, c. 853, Pt. C, §§12 and 18, is further amended to read:

§157-B. Active retired judges; appointment

Any Judge of the District Court who has retired from the court under this chapter prior to December 1, 1984, or any Judge of the District Court who retires or terminates ~~his~~ that judge's service on the court in accordance with chapter 27, except for a disability retirement, is eligible for appointment as an Active Retired Judge of the District Court as provided. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and to confirmation by the Legislature, may appoint any eligible judge to be an Active Retired Judge of the District Court for a term of 7 years, unless sooner removed. That judge may be reappointed for a like term. Any judge so appointed and

designated ~~shall thereupon constitute~~ constitutes a part of the court from which ~~he~~ that judge has retired and ~~shall have~~ has the same jurisdiction and ~~be is~~ subject to the same restrictions therein as before retirement, ~~except that he shall.~~ An Active Retired Judge of the District Court may serve as an arbitrator and conduct arbitration in accordance with rules that may be adopted by the Supreme Judicial Court, except that nothing in this section requires the Supreme Judicial Court to adopt those rules. An Active Retired Judge of the District Court may chair screening panels in accordance with Title 24, chapter 21, subchapter 4-A. An Active Retired Judge of the District Court may act only in those cases and matters and hold court only at those sessions and times as he may be that judge is directed and assigned to by the Chief Judge of the District Court. Any Active Retired Judge of the District Court may be directed by the Chief Judge to hold any session of the District Court in any district and when so directed shall have has authority and jurisdiction therein the same as if he that judge were the regular judge of that court; and, whenever the Chief Judge of the District Court so orders, may hear all matters and issue all orders, notices, decrees and judgments that any Judge of that District Court is authorized to hear and issue. An Active Retired Judge ~~shall receive of the District Court receives~~ reimbursement for his expenses actually and reasonably incurred in the performance of his ~~that judge's~~ that judge's duties.

Sec. 3. 24 MRSA §2852, sub-§1, as amended by PL 1991, c. 130, §1, is further amended to read:

1. Creation of panel lists. The Chief Justice of the Superior Court shall recommend to each clerk of the Superior Court the names of retired or active retired justices and judges, persons with judicial experience and other qualified persons to serve on screening panels under this subchapter. The clerk shall place these names on a list from which the Chief Justice of the Superior Court will choose a panel chair under subsection 2.

Each clerk of the Superior Court shall maintain lists of health care practitioners, health care providers and attorneys recommended by the professions involved to serve on screening panels under this subchapter.

Sec. 4. 24 MRSA §2852, sub-§2, ¶A, as amended by PL 1991, c. 130, §2, is further amended to read:

A. Upon receipt of a notice of claim under section 2853, the clerk of the Superior Court who receives the notice shall notify the Chief Justice of the Superior Court. The Chief Justice shall choose a retired or active retired justice or judge, a person with judicial experience or other qualified person from the list maintained by the clerk to serve as chair of the panel to screen the claim. If at any time a chair chosen under this paragraph is unable or unwilling to serve, the Chief Justice shall ap-

point a replacement following the procedure in this paragraph for the initial appointment of a chair. Persons other than retired or active retired justices and judges or those with judicial experience may be appointed as chair based on appropriate trial experience. In the event that the Chief Justice seeks to appoint as chair a person who is not a retired or active retired justice or judge or does not have judicial experience, each side is entitled to exercise one challenge to the appointment of a chair by the Chief Justice.

See title page for effective date.

CHAPTER 137

H.P. 568 - L.D. 832

**An Act To Require Lobbyists
To Wear Name Tags**

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

Sec. 1. 3 MRSA §327 is enacted to read:

§327. Name tag requirement

A person who is required to register as a lobbyist or a lobbyist associate in accordance with this chapter shall wear a clearly visible name tag whenever the lobbyist or lobbyist associate is engaged in the act of lobbying. The name tag must clearly display the lobbyist's name and must include either the name of the firm the lobbyist works for, the name of the lobbyist's employer, the organization the lobbyist represents or the term "lobbyist."

See title page for effective date.

CHAPTER 138

H.P. 281 - L.D. 374

**An Act To Amend the Laws
Concerning Campaign Report
Exemptions**

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

Sec. 1. 21-A MRSA §1017, sub-§7-A, as corrected by RR 1995, c. 2, §36, is amended to read:

7-A. Reporting exemption. A candidate seeking election to a county or municipal office is exempt from reporting as provided by this subsection.

A. A candidate seeking election to a county or municipal office may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's

agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy. The notification must be sworn and notarized. A candidate who provides this notice to the commission is not required to appoint a treasurer and is not subject to the filing requirements of this subchapter if the statement is true.

B. The notice provided to the commission under paragraph A may be revoked. Prior to revocation, the candidate must appoint a treasurer. The candidate may not accept contributions, make expenditures or incur obligations before the appointment of a treasurer and the filing of a revocation notice are accomplished. A revocation notice must be in the form of an amended registration, which must be filed with the commission no later than 10 days after the appointment of a treasurer. The candidate and the candidate's treasurer, as of the date the revocation notice is filed with the commission, may accept contributions, make expenditures and incur obligations associated with the candidate's candidacy. Any candidate who fails to file a timely revocation notice is subject to the penalties prescribed in section 1020-A, subsection 4 4-A, up to a maximum of \$5,000. Lateness is calculated from the day a contribution is received, an expenditure is made or an obligation is incurred, whichever is earliest.

See title page for effective date.

CHAPTER 139

H.P. 352 - L.D. 497

**An Act To Conserve Energy in
Residential Leasehold
Tenancies**

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

Sec. 1. 14 MRSA §6021, sub-§6-A is enacted to read:

6-A. Agreement regarding provision of heat. A landlord and tenant under a lease or a tenancy at will may enter into an agreement for the landlord to provide heat at less than 68 degrees Fahrenheit. The agreement must:

A. Be in a separate written document, apart from the lease, be set forth in a clear and conspicuous format, readable in plain English and in at least 12-point type, and be signed by both parties to the agreement;

B. State that the agreement is revocable by either party upon reasonable notice under the circumstances;

C. Specifically set a minimum temperature for heat, which may not be less than 62 degrees Fahrenheit; and

D. Set forth a stated reduction in rent that must be fair and reasonable under the circumstances.

An agreement under this subsection may not be entered into or maintained if a person over 65 years of age or under 5 years of age resides on the premises. A landlord is not responsible if a tenant who controls the temperature on the premises reduces the heat to an amount less than 68 degrees Fahrenheit as long as the landlord complies with subsection 6, paragraph B or if the tenant fails to inform the landlord that a person over 65 years of age or under 5 years of age resides on the premises.

See title page for effective date.

CHAPTER 140

H.P. 556 - L.D. 820

An Act To Prohibit Smoking in Outdoor Eating Areas

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

Sec. 1. 22 MRSA §1542, sub-§1, as amended by PL 2005, c. 257, §2, is further amended to read:

1. Prohibition. Smoking is prohibited in all enclosed areas of public places, outdoor eating areas as provided in section 1550 and all rest rooms made available to the public. In the case of a child care facility that is not home-based, smoking is also prohibited in a facility-designated motor vehicle within 12 hours before transporting a child who is in the care of the child care facility, and whenever such a child is present in the vehicle. Smoking is also prohibited in outdoor areas of the facility where children may be present.

Sec. 2. 22 MRSA §1550 is enacted to read:

§1550. Smoking in outdoor eating areas

1. Definition. As used in this section, "outdoor eating area" means a patio, deck or other property that is partially enclosed or open to the sky that is permitted for outdoor eating or drinking under the control of an eating establishment, as defined in section 2491, subsection 7, as long as food or drink is served by the eating establishment to the public for consumption on the premises.

2. Smoking prohibited. Smoking is prohibited in an outdoor eating area if the outdoor eating area or any portion thereof is open and available for dining and beverage service.

3. Notification; request for compliance. An eating establishment with an outdoor eating area shall post signs in accordance with section 1543, notify its patrons of the prohibition on smoking in outdoor eating areas and request that all persons within an outdoor eating area comply with this section.

See title page for effective date.

CHAPTER 141

H.P. 840 - L.D. 1215

An Act To Correct Administrative Procedures Regarding the Dental Care Access Credit

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 690 enacted an income tax credit for new dentists who agree to practice in underserved areas of the State; and

Whereas, provisions of the credit regarding administration of the law need changes in order for the credit to be implemented; and

Whereas, the credit applies to income tax years beginning in 2009; and

Whereas, it is critical to implement the credit as soon as possible to provide an incentive to dentists to locate in areas of the State that are in desperate need of dental practitioners; 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. 36 MRSA §5219-BB, as enacted by PL 2007, c. 690, §1 is repealed.

Sec. 2. 36 MRSA §5219-DD is enacted to read:

§5219-DD. Dental care access credit

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

A. "Eligible dentist" means a person licensed as a dentist under Title 32, chapter 16, subchapter 3 who, after January 1, 2009:

(1) First begins practicing dentistry in the State by joining an existing dental practice in an underserved area or establishing a new dental practice or purchasing an existing dental practice in an underserved area;

(2) Agrees to practice full time for at least 5 years in an underserved area; and

(3) Is certified under subsection 3 to be eligible by the oral health program.

B. "Oral health program" means the program within the Department of Health and Human Services with responsibility for oral health promotion and dental disease prevention activities.

C. "Underserved area" means an area in the State that is a dental health professional shortage area as defined by the federal Department of Health and Human Services, Health Resources and Services Administration.

2. Credit. An eligible dentist is allowed a credit, not to exceed \$15,000, 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.

3. Eligibility limitation; certification. The oral health program shall certify up to 5 eligible dentists in 2009 and up to 5 additional eligible dentists in 2010. Additional dentists may not be certified after 2010. 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.

4. Review. By March 1, 2011, the oral health program shall submit to the joint standing committee of the Legislature having jurisdiction over taxation matters a report that analyzes the effectiveness of the credit provided by this section in attracting dentists to underserved areas and recommending whether the credit should be retained, repealed or amended. The committee may submit legislation to the First Regular Session of the 125th Legislature related to the report.

5. Rules. The Department of Health and Human Services may 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.

6. Repeal. This section is repealed December 31, 2015.

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

Effective May 14, 2009.

CHAPTER 142

H.P. 445 - L.D. 631

**An Act To Amend the Laws
Relating to the Department of
Corrections**

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

Sec. 1. 17-A MRSA §2, sub-§3-C is enacted to read:

3-C. Adult probation supervisor. "Adult probation supervisor" means any person who:

A. Is an employee of the Department of Corrections;

B. Supervises adult probation officers; and

C. Is trained, qualified and authorized by the Commissioner of Corrections to use deadly force.

Sec. 2. 17-A MRSA §2, sub-§17, as amended by PL 1989, c. 113, §2, is further amended to read:

17. "Law enforcement officer" means any person who by virtue of public employment is vested by law with a duty to maintain public order, to prosecute offenders, to make arrests for crimes whether that duty extends to all crimes or is limited to specific crimes, to perform probation functions or to perform intensive supervision functions or who is an adult probation supervisor.

Sec. 3. 17-A MRSA §15, sub-§1, ¶A, as amended by PL 2007, c. 518, §4, 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; or

(17) A violation of a court-imposed deferment requirement of a deferred disposition when requested by the attorney for the State; ~~and~~

(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

Sec. 4. 17-A MRSA §756, sub-§2, as amended by PL 1989, c. 706, §1, is further amended to read:

2. As used in this section, "contraband" means a dangerous weapon, any tool or other thing that may be used to facilitate a violation of section 755, ~~or any other thing that a person confined in official custody is prohibited by statute from making or, 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. 5. 17-A MRSA §1152, sub-§4, as amended by PL 1981, c. 493, §101 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

4. The provisions of this chapter ~~shall do~~ not deprive the court of any authority conferred by law to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty. An appropriate order exercising such authority may be included as part of the judgment of conviction. ~~Nor shall this~~ This chapter does not deprive the Department of ~~Health and Human Services~~ Corrections of any authority to grant furloughs and work releases or to transfer persons from one facility to another.

Sec. 6. 17-A MRSA §1202, sub-§1-B, as repealed and replaced by PL 2003, c. 657, §8, is amended to read:

1-B. Notwithstanding subsection 1, if the State pleads and proves that the enumerated Class D or Class E crime was committed by the person against a family or household member, and if the court orders the person to complete a certified batterers' intervention program as defined in Title 19-A, section 4014, the person may be placed on probation for a period not to exceed 2 years, except that the term of probation

must be terminated by the court when the probationer has served at least one year of probation, has completed the certified batterers' intervention program, has paid in full any victim restitution ordered and, from the time the period of probation commenced until the motion for termination is heard, has met all other conditions of probation.

A. As used in this subsection, the following definitions apply.

(1) "Enumerated Class D or Class E crime" means any Class D crime in chapter 9, any Class D or Class E crime in chapter 11, the Class D crimes described in sections 302 and 506-B and the Class D crimes described in sections 554, 555 and 758.

(2) "Family or household member" has the same meaning as in Title 19-A, section 4002, subsection 4.

B. Termination under this subsection requires a judicial finding that the probationer has served at least one year of probation, has successfully completed a certified batterers' intervention program, has paid in full any victim restitution ordered and, from the time the period of probation commenced until the motion for termination is heard, has met all other conditions of probation.

Sec. 7. 17-A MRSA §1204, sub-§1-A, as amended by PL 2005, c. 389, §2, is further amended to read:

1-A. The court shall attach as a condition of probation that the convicted person pay, through the Department of Corrections, a supervision fee of between \$10 and \$50 per month, as determined by the court, for the term of probation. The supervision fee is \$10 per month unless the court sets a higher amount, not to exceed \$50 per month. Notwithstanding the attachment of supervision fee conditions on more than one sentence, a person on probation on concurrent sentences is required to pay only one supervision fee. In determining the amount of the fee whether to set an amount higher than \$10 per month, the court shall take into account the financial resources of the convicted person and the nature of the burden its payment imposes. A person may not be sentenced to imprisonment without probation solely for the reason the person is not able to pay the fee. When a person on probation fails to pay the supervision fee, the court may revoke probation as specified in section 1206, unless the person shows that failure to pay was not attributable to a willful refusal to pay or to a failure on that person's part to make a good faith effort to obtain the funds required for the payment. The court, if it determines that revocation of probation is not warranted, shall issue a judgment for the total amount of the fee and shall issue an order attaching a specified portion of money received by or owed to the person on proba-

tion until the total amount of the fee has been paid. If the person makes this showing, the court may allow additional time for payment within the remaining period of probation or reduce the size of the fee to as low as \$10 per month, but may not revoke the requirement to pay the fee unless the remaining period of probation is 30 days or less.

Sec. 8. 17-A MRSA §1256, sub-§1-A, as enacted by PL 1985, c. 821, §14, is amended to read:

1-A. Subsection 1 ~~shall apply~~ applies to prisoners on intensive supervision or supervised community confinement pursuant to Title 34-A, section 3036-A. ~~Other offenses committed by a prisoner on intensive supervision for which the sentence is to the Department of Corrections shall be governed by section 1266.~~

Sec. 9. 17-A MRSA §1266, as enacted by PL 1985, c. 821, §15, is repealed.

Sec. 10. 25 MRSA §2801-B, sub-§1, as amended by PL 2005, c. 519, Pt. XXX, §3, is further amended to read:

1. Exemption. The training standards and requirements of section 2803-B do not apply to a person defined by this chapter as a law enforcement officer who is:

A. An employee of the Department of Corrections with a duty to perform probation functions or to perform intensive supervision functions who is an adult probation supervisor as defined in Title 17-A, section 2, subsection 3-C or an investigative officer as described in Title 34-A, section 3011;

B. An agent or a representative of the Department of Conservation, Bureau of Parks and Lands whose law enforcement powers are limited to those specified in Title 12, section 1806;

C. An agent or a representative of the Department of Conservation, Bureau of Forestry whose law enforcement powers are limited to those specified by Title 12, section 8901, subsection 3;

E. A harbor master;

F. A municipal shellfish conservation warden;

G. A security officer appointed by the Commissioner of Public Safety pursuant to section 2908;

H. The State Fire Marshal;

J. A state judicial marshal or state judicial deputy marshal;

K. A contract officer appointed by the Commissioner of Public Safety pursuant to Title 28-A, section 82-A; or

L. A transport officer.

This exemption does not include training requirements set out in this chapter that are specific to the positions identified in this subsection ~~or, in the case of an investigative officer as described in Title 34-A, section 3011, training requirements set out in this chapter other than those of section 2803-B.~~

Sec. 11. 26 MRSA §962, sub-§6, ¶H, as enacted by PL 1989, c. 654, §2 and affected by §13, is amended to read:

H. Who is a prisoner employed by a public employer during the prisoner's term of imprisonment, except for prisoners who are in a work release program or on intensive supervision programs under Title 17-A, section 1261 or supervised community confinement pursuant to Title 34-A, section 3036-A.

Sec. 12. 26 MRSA §979-A, sub-§6, ¶K, as amended by PL 1997, c. 773, §3 and affected by §§7 and 8, is further amended to read:

K. Who is a prisoner employed by a public employer during the prisoner's term of imprisonment, except for prisoners who are in a work release program or on intensive supervision programs under Title 17-A, section 1261 or supervised community confinement pursuant to Title 34-A, section 3036-A.

Sec. 13. 28-A MRSA §2, sub-§13-A, as enacted by PL 1993, c. 730, §8, is amended to read:

13-A. Law enforcement officer. "Law enforcement officer" means any person who by virtue of public employment is vested by law with a duty to maintain public order, to prosecute offenders, to make arrests for crimes whether that duty extends to all crimes or is limited to specific crimes, to perform probation functions and or to perform intensive supervision functions or who is an adult probation supervisor as defined in Title 17-A, section 2, subsection 3-C.

Sec. 14. 34-A MRSA §1001, sub-§14, as repealed and replaced by PL 1991, c. 314, §7, is amended to read:

14. Prisoner. "Prisoner" means an adult person sentenced and committed to, transferred to or detained in the custody of the department, including, where the context indicates, a person under intensive supervision or on supervised community confinement.

Sec. 15. 34-A MRSA §1405, sub-§1, as enacted by PL 2007, c. 653, Pt. A, §29, is amended to read:

1. Transfer. The commissioner may transfer any adult inmate, ~~pretrial~~ whether detained pending a trial or other court proceeding or sentenced, from one county jail to another or between a county jail and a correctional facility.

Sec. 16. 34-A MRSA §3011, sub-§1, as amended by PL 2007, c. 102, §8, is further amended to read:

1. Exercise of law enforcement powers. Investigative officers who are certified by the Board of Trustees of the Maine Criminal Justice Academy as law enforcement officers may exercise the powers of other law enforcement officers with respect to offenses relating to the security or orderly management of a facility or community program administered by the department, if authorized to exercise these powers by the commissioner. Investigative officers may issue administrative subpoenas with respect to offenses relating to the security or orderly management of a facility administered by the department, if authorized to exercise these powers by the commissioner and by the Attorney General or the Attorney General's designee. ~~Investigative officers may not exercise law enforcement or subpoena powers against other employees of the department.~~ These powers are in addition to any powers the officers may otherwise have as employees of the department. Internal investigations of employees of the department must be conducted pursuant to any applicable collective bargaining agreement.

Sec. 17. 39-A MRSA §102, sub-§11, ¶E, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

E. "Employee" does not include any person who is a sentenced prisoner in actual execution of a term of incarceration imposed in this State or any other jurisdiction for a criminal offense, except in relation to compensable injuries suffered by the prisoner during incarceration and while the prisoner is:

- (1) A prisoner in a county jail under final sentence of 72 hours or less and is assigned to work outside of the county jail;
- (2) Employed by a private employer;
- (3) Participating in a work release program;
- (4) Sentenced to imprisonment with intensive supervision under Title 17-A, section 1261; ~~or~~
- (5) Employed in a program established under a certification issued by the United States Department of Justice under 18 United States Code, Section 1761; ~~or~~
- (6) Employed while in a supervised community confinement program pursuant to Title 34-A, section 3036-A.

Sec. 18. 39-A MRSA §203, sub-§1, ¶C, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

C. Sentenced to imprisonment with intensive supervision under Title 17-A, section 1261; ~~or~~

Sec. 19. 39-A MRSA §203, sub-§1, ¶D, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

D. Employed in a program established under a certification issued by the United States Department of Justice under 18 United States Code, Section 1761-; or

Sec. 20. 39-A MRSA §203, sub-§1, ¶E is enacted to read:

E. Employed while in a supervised community confinement program pursuant to Title 34-A, section 3036-A.

See title page for effective date.

**CHAPTER 143
H.P. 655 - L.D. 952**

**An Act Relating to Disability
Plates and Placards**

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

Sec. 1. 29-A MRSA §521, sub-§5, as amended by PL 2007, c. 703, §13, is further amended to read:

5. Application; issuance. An application for a disability plate or placard must be accompanied by the certificate of a physician, physician assistant, nurse practitioner or registered nurse attesting to that person's physical disability as defined in subsection 1. The Secretary of State shall issue to an eligible applicant disability plates and windshield placards upon request. Proof of a disability must be submitted every 4 years on a form prescribed by the Secretary of State, except, when an eligible applicant requests that the disability plate or placard expire upon the expiration date of that person's driver's license or nondriver identification card issued by this State, whichever is applicable. When the Secretary of State determines the disability to be permanent, the time may be extended. When the applicant's need for the disability placard terminates or the applicant dies, the plate or placard must be immediately returned to the Secretary of State.

Sec. 2. 29-A MRSA §521, sub-§11, as amended by PL 2001, c. 77, §1, is further amended to read:

11. Violation. A person other than a person with a disability or an organization transporting a person with a disability using a set of disability registration plates or a windshield placard commits a traffic infraction and is subject to a penalty of not less than \$100 nor more than \$500. The disability registration plates or removable windshield placard may be suspended

for improper use. A 2nd or subsequent violation of this subsection is a Class E crime for which the fine under this subsection may be doubled.

See title page for effective date.

**CHAPTER 144
S.P. 309 - L.D. 801**

**An Act To Clarify the Rights of
Public Employee Unions and
Public Employers To Agree
through Collective Bargaining
To Permit Payroll Deductions
for Union Dues or Other Funds**

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

Sec. 1. 21-A MRSA §32, sub-§3, as enacted by PL 2003, c. 176, §3, is amended to read:

3. Class C crime. A person commits a Class C crime if that person misuses a state government computer system. For purposes of this subsection, a person is guilty of misuse of a state government computer system if that person knowingly uses a computer system operated by a state department or agency, the Judicial Department or the Legislature:

A. To prepare materials with the intent to expressly advocate, to those eligible to vote, for the election or defeat of any candidate for a federal office, a constitutional office or elective municipal, county or state office, including leadership positions in the State Senate and the State House of Representatives; or

B. With the intent to solicit contributions reportable under chapter 13.

For purposes of this subsection, "computer system" has the same meaning as in Title 17-A, section 431 and "leadership positions" means the presiding officers of each House of the Legislature, party leaders, the Clerk of the House, the Assistant Clerk of the House, the Secretary of the Senate and the Assistant Secretary of the Senate.

This subsection may not be construed to prohibit a public employer from deducting dues or other funds from an employee's pay, as authorized by the employee and provided through a collective bargaining agreement, and remitting those funds to an account or fund owned by the employee's collective bargaining agent, even if the funds might be used for political or legislative purposes.

See title page for effective date.

**CHAPTER 145
H.P. 912 - L.D. 1309**

**An Act To Clarify the Use of
Instant Redeemable Coupons
with Alcoholic Beverages**

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

Sec. 1. 28-A MRSA §708, as amended by PL 2005, c. 503, §§1 and 2, is further amended to read:

§708. Prohibited discounts and rebates

1. Certificate of approval holders. A certificate of approval holder may not offer to wholesale licensees any special discounts, volume discounts or other reduced prices or discounts, except bona fide price reductions under section 1408 offered to all wholesale licensees. A certificate of approval holder may offer depletion allowances to wholesale licensees if the depletion allowance is posted in accordance with section 1408. A Except as provided by this section, a certificate of approval holder may not offer any free merchandise, rebate or gift to the purchaser of an alcoholic beverage.

2. Wholesale licensees. A wholesale licensee may not offer to retail licensees any special discounts, volume discounts, depletion allowances, other reduced prices or discounts, or refunds except bona fide price reductions under section 1408 offered to all retail licensees. A wholesale licensee may not offer any free merchandise, rebate, refund or gift to the purchaser of an alcoholic beverage.

3. Retail licensees. A retail licensee may not offer any free merchandise, rebate or gift to the purchaser of any alcoholic beverage.

5. Combination packages. Notwithstanding subsection 3, agency liquor store licensees may offer for sale any package or combination of packages of spirits that the commission has approved for sale in this State.

6. Marketing and mail-in promotions. Upon approval by the commission, promotional materials, including mail-in rebates, designed to encourage a consumer to purchase a spirits product to be attached to or displayed near the spirits product where it is offered for sale for off-premises consumption may be offered by those whose spirits products are listed by the commission. Mail-in rebates approved by the commission must be redeemed by the manufacturer and not by the retail licensee and may not exceed the purchase price of the spirits product. Mail-in rebates, certificates or merchandise included with a spirits product must be inserted in the package or attached to the package by the manufacturer.

7. Instant marketing promotions. A manufacturer or supplier of spirits listed for sale by the commission may offer monetary rebates in the form of instant redeemable coupons attached to the spirits product as approved by the commission in accordance with conditions or rules established by the commission. Agency store licensees may redeem the coupons only upon proof of purchase and in accordance with the terms listed on the coupon. Instant redeemable coupons included with a spirits product must be inserted in the package or attached to the package by the manufacturer. Instant redeemable coupons attached to spirits sold to on-premise retail licensees by reselling agents are for the benefit of the on-premise retail licensee.

This section does not prohibit a certificate of approval holder from including a mail-in offer, a certificate, instant redeemable coupon or merchandise in or on a package of beer, wine or low-alcohol spirits for sale by an off-premise retailer. The package containing the mail-in offer, certificate, instant redeemable coupon or merchandise must be packaged by the certificate of approval holders at the brewery or winery.

This section does not prohibit the unconditional distribution of merchandise to the patrons of an on-premise establishment.

See title page for effective date.

**CHAPTER 146
S.P. 65 - L.D. 179**

**An Act To Clarify
Expenditures and the Use of
Department-generated
Revenues within the
Department of Inland
Fisheries and Wildlife**

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

Sec. 1. 12 MRSA §10203, sub-§1, ¶A, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §46 and affected by Pt. B, §422, is further amended to read:

A. All fees, fines, penalties and officers' costs and all other money received, collected or recovered by the court or the department under any provisions of this Part except section 10206, subsections 1 and 3; section 10259; section 10353, subsection 3; section 11157; chapter 925, subchapter 3; and chapter 929; and

Sec. 2. 12 MRSA §10203, sub-§1, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. Any fees, fines and penalties recovered by the court from any prosecution by wardens pursuant to their acting, under section 10353, subsection 3, with the same powers and duties as sheriffs; ~~and.~~

Sec. 3. 12 MRSA §10203, sub-§1, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 4. 12 MRSA §10203, sub-§7 is enacted to read:

7. Department-owned property. Money received from the sale, lease or rental of department-owned property or products must be deposited into the program account that originally expended funds for that property.

Sec. 5. 12 MRSA §10262 is enacted to read:

§10262. Warden Service Aircraft Fund

1. Fund established. The Warden Service Aircraft Fund, referred to in this section as "the fund," is established through the Office of the State Controller as a nonlapsing fund under the jurisdiction of the Bureau of Warden Service within the department, referred to in this section as the "bureau," to ensure the viability of its aviation program.

2. Funding. The bureau may assess charges consisting of direct operating costs of the aircraft to agencies of the State for the use of the bureau's aircraft resources for purposes other than warden service activities and shall deposit any such money received into the fund. The bureau may apply for and accept any appropriation, grant, gift or service made available from any public or private source consistent with the purpose of this section and shall deposit any such money into the fund.

3. Fund uses. The bureau may use the fund to purchase aviation equipment and pay for operational expenses, including but not limited to maintenance, repairs, fuel and spare parts, in accordance with the bureau's plan to diversify and modernize its aviation program.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for aviation equipment and operational expenses.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$20,000	\$20,000

OTHER SPECIAL	\$20,000	\$20,000
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 147

H.P. 140 - L.D. 161

An Act To Amend the Special Education, School Health and School Nutrition Laws Regarding Scoliosis Screening, the School Lunch Program, Transitional Services, Gifted and Talented Education Programs and the Maine Mentoring Partnership Grant Program

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

Sec. 1. 20-A MRSA §6452, as amended by PL 1989, c. 730 and PL 2003, c. 689, Pt. B, §§6 and 7, is repealed.

Sec. 2. 20-A MRSA §7801, first ¶, as amended by PL 2007, c. 539, Pt. JJJJ, §1, is further amended to read:

It is the purpose of this chapter to plan, coordinate and implement service for ~~youth~~ students with ~~handicaps~~ disabilities, 14 years of age or older and under 26 years of age, who are in transition from school to the community. It is also the purpose of this chapter to provide for an efficient and streamlined system of services across state agencies to include local and private entities that effectively deliver a combination of services that meet the needs of ~~youth~~ students with ~~handicaps~~ disabilities by:

Sec. 3. 20-A MRSA §7802, sub-§2, as enacted by PL 1985, c. 768, §1, is amended to read:

2. Students with disabilities in transition. ~~Handicapped youths~~ Students with disabilities in transition are those ~~youths~~ students with disabilities who have attained the age of 14 years and meet the eligibility criteria as defined in the United States Rehabilitation Act, Public Law 93-112, Section 504, as amended.

Sec. 4. 20-A MRSA §7802, sub-§3, as amended by PL 2007, c. 539, Pt. JJJJ, §3, is further amended to read:

3. Services. "Services" means those activities undertaken to provide special education, habilitation, rehabilitation, vocational and related services to ~~handicapped persons~~ students with disabilities in tran-

sition from school to community. These services may include, but are not limited to:

- A. Identification of all ~~handicapped youth students with disabilities~~ in transition in schools and in the community;
- B. Referral to appropriate community services and information regarding their location;
- C. Technical assistance for student education and transition plan development and implementation;
- D. Program development and evaluation;
- E. Case management and student tracking;
- F. Family training, counseling and support;
- G. Employer training, counseling and support;
- H. Facilitation of interagency communication and collaboration; and
- I. Planning and conducting skill development training.

Sec. 5. 20-A MRSA §7803-A, as amended by PL 2007, c. 539, Pt. JJJJ, §7, is further amended to read:

§7803-A. Transition services

Each school administrative unit shall provide an annual statement of the transition services needed by a ~~handicapped youth student with a disability~~ in transition enrolled in that unit. The statement of transition services must be provided to all ~~handicapped youth students with disabilities~~ in transition who are 16 years of age or older and enrolled in school and may be provided to younger students when the school administrative unit finds it necessary. When appropriate, a cooperative agreement among the ~~Department of Education~~ department, the Department of Health and Human Services, the Department of Corrections and the Department of Labor must be included as part of the annual statement describing the responsibilities of and coordination required by those agencies. If a cooperating agency fails to provide agreed-upon services, the school administrative unit may notify the chair of the committee, who may reconvene the cooperating agencies for the purposes of developing alternative strategies to meet the transition objectives. This section does not require any school administrative unit to provide noneducational services to students.

Sec. 6. 20-A MRSA §7804, sub-§1-A, as amended by PL 2007, c. 539, Pt. JJJJ, §8, is further amended to read:

1-A. Grants. The committee, as established in section 7803, may provide funds to support the effective delivery of regional services to ~~handicapped youth students with disabilities~~ in transition by coordinating existing programs, when possible, and establishing a

mechanism for ongoing coordination of programs for ~~handicapped youth~~ students with disabilities in transition at a local or regional level, including local educational agencies, community mental health centers, regional mental retardation services, regional rehabilitation programs and other public and private agencies as appropriate. Each project must establish a method to identify unserved and underserved ~~handicapped youth~~ students with disabilities in transition and develop services for these ~~youth~~ students.

Sec. 7. 20-A MRSA §7804, sub-§2, as amended by PL 2007, c. 539, Pt. JJJJ, §8, is further amended to read:

2. Rules. The committee shall adopt rules that, among other provisions, require that existing resources for providing services to ~~handicapped youth~~ students with disabilities in transition be exhausted prior to using grants funds to provide services.

Sec. 8. 20-A MRSA §8102, as amended by PL 2003, c. 477, §§7 and 8, is further amended to read:

§8102. Grants to school administrative units

The department may, from federal or other funds available to it, grant funds to a school administrative unit to ~~undertake~~ provide gifted and talented education programs. A grant must be made on the basis of the requirements of the department.

1. Guidelines for the identification of gifted and talented students. The commissioner ~~shall~~ may adopt or amend rules for the identification of gifted and talented students and for gifted and talented education programs.

2. Programs for gifted and talented students. A school administrative unit requesting funds to ~~undertake~~ provide a gifted and talented education program shall develop a proposed program of identification and education in accordance with guidelines established by the commissioner.

~~**3. Time limits.** The following limits apply.~~

~~A. On or before June 30th, the school administrative unit shall submit to the department its proposed program.~~

~~B. By September 1st, the commissioner shall notify the school administrative unit whether the proposal has been funded for the following fiscal year.~~

4. Technical assistance. The commissioner may provide technical assistance to a school administrative unit for planning for gifted and talented education programs.

Sec. 9. 20-A MRSA §8104, as amended by PL 2003, c. 477, §§10 and 11, is repealed.

Sec. 10. 20-A MRSA §8105 is enacted to read:

§8105. Rules

The commissioner may adopt or amend rules to implement this chapter, including the identification of students, needs and resource assessment and program planning, development and implementation. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 11. 20-A MRSA §9901, as enacted by PL 2005, c. 639, §1, is repealed.

Sec. 12. 34-B MRSA §3004, sub-§3, ¶D, as enacted by PL 1985, c. 768, §5, is amended to read:

D. Participate in the coordination of services for persons with chronic mental illnesses with local transitional services coordination projects for ~~handicapped youth students with disabilities~~, as established in Title 20-A, chapter 308, assigning appropriate regional staff and resources as available and necessary in each region to be served by a project.

Sec. 13. 34-B MRSA §5433, sub-§5, as enacted by PL 1985, c. 768, §7, is amended to read:

5. Transitional services coordination projects. Participate in the coordination of services for ~~mentally retarded persons~~ individuals with developmental disabilities with local transitional services coordination projects for ~~handicapped youth students with disabilities~~, as established in Title 20-A, chapter 308, assigning appropriate regional staff and resources as available and necessary in each region to be served by a project.

Sec. 14. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 308, in the chapter headnote, the words "transitional services coordination projects for handicapped persons" are amended to read "transitional services coordination projects for students with disabilities" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 15. Rulemaking. No later than January 8, 2010, the Department of Education shall submit to the Legislature provisionally adopted rules necessary to implement the requirements of the Maine Revised Statutes, Title 20-A, section 6662, subsection 2 for the 2010-2011 school year. Rules provisionally adopted by the department pursuant to this section must align the standards for food and beverages sold or distributed on school grounds but outside of school meal programs with the nutritional standards established for the total food service program as defined in Department of Education rules Chapter 51.

See title page for effective date.

CHAPTER 148**S.P. 73 - L.D. 223**

**An Act To Ensure That Money
from the Surcharge on
Registration of Pet Food for
the Sterilization of Animals is
Received in a Timely Manner**

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 2005, chapter 281 imposed a surcharge of \$20 on registered pet food; and

Whereas, funds must be available to the Companion Animal Sterilization Fund early in the calendar year so that animals may be spayed or neutered in a timely manner; 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. 7 MRSA §714, sub-§4, as amended by PL 2007, c. 459, §2, is further amended to read:

4. Surcharge on registration of pet food. For each product name of pet food registered in accordance with subsection 1, the applicant shall pay a \$20 surcharge in addition to the registration fee, except that a home-based manufacturer of pet food shall pay a total annual surcharge of \$20. The commissioner shall deposit the surcharge directly into the Animal Welfare Fund established under section 3906-B, subsection 2 Companion Animal Sterilization Fund established under section 3910-B as it is received until the total of the surcharges received for that registration year equals \$100,000.

The commissioner shall deposit all surcharges received for a registration year in excess of \$100,000 into the Animal Welfare Fund established under section 3906-B, subsection 2.

Sec. 2. 7 MRSA §3906-B, sub-§2, as amended by PL 2005, c. 281, §3, is further amended to read:

2. Animal Welfare Fund. The commissioner shall deposit all license fees received pursuant to chapters 721, 723, 725 and 735 in a separate account established by the Treasurer of State and known as the Animal Welfare Fund. The commissioner shall deposit 1/2 of feed registration fees collected under sec-

tion 714, subsection 1 and all revenue in excess of \$100,000 from the surcharge collected under section 714, subsection 4 in the Animal Welfare Fund. This account does not lapse, but continues from year to year. The commissioner shall pay from the Animal Welfare Fund the expense of furnishing license blanks, stickers and tags, travel expenses and salaries for necessary personnel, payments to animal shelters and expenses incurred in the administration of this Part.

~~The commissioner shall annually transfer \$100,000 from the Animal Welfare Fund for deposit in the Companion Animal Sterilization Fund established under section 3910-B.~~

Sec. 3. 7 MRSA §3910-B, sub-§1, as amended by PL 2007, c. 539, Pt. CCCC, §1, is further amended to read:

1. Establishment. There is established the Companion Animal Sterilization Fund, an interest-bearing account, referred to in this section as "the fund." The fund receives money deposited by the Treasurer of State pursuant to Title 36, section 5284-A, revenues generated in accordance with this section, all revenue from the surcharges collected under section 3933, subsection 4, ~~money transferred from the Animal Welfare Fund in accordance with section 3906-B, subsection 2~~ revenue received from surcharges in accordance with section 714, subsection 4 and any money contributed voluntarily to the fund. All money deposited in the fund and the earnings on that money remain in the fund to be used for the spaying or neutering of companion animals owned by persons meeting income limit standards and for the necessary direct administrative and personnel costs associated with the management of the fund and may not be deposited in the General Fund or any other fund except as specifically provided by law. The fund may not be charged for indirect costs under a departmental indirect cost allocation plan.

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

Effective May 18, 2009.

CHAPTER 149

H.P. 410 - L.D. 572

An Act To Expand the Membership of the Maine Elder Death Analysis Review Team

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

Sec. 1. 5 MRSA §200-H, sub-§1, as amended by PL 2007, c. 324, §1, is further amended to read:

1. Composition. The team is composed of ~~13~~ 16 members as follows:

- A. The Chief Medical Examiner, ex officio;
- B. The Director of Investigations for the Office of the Attorney General, ex officio;
- C. The Director of the Division of Licensing and Regulatory Services within the Department of Health and Human Services, ex officio;
- D. The Director of the Health Care Crimes Unit within the Office of the Attorney General, ex officio;
- E. The Director of ~~Community Resource~~ Aging Planning and Resources Development within the Department of Health and Human Services, ~~Bureau~~ Office of Elder and Adult Services, ex officio;
- F. The Director of the Adult Protective Services program within the Department of Health and Human Services, ~~Bureau~~ Office of Elder and Adult Services, ex officio;
- G. The Director of Adult Mental Health Services within the Department of Health and Human Services, ex officio;
- H. The executive director of the long-term care ombudsman program, as established in Title 22, section 5106, subsection 11-C, ex officio;
- H-1. A sexual assault nurse examiner within the Office of the Attorney General, ex officio;
- I. A representative of victim services, appointed by the Attorney General;
- J. A commanding officer of the Criminal Investigation Division within the Department of Public Safety, Bureau of the State Police, appointed by the Attorney General;
- K. A prosecutor, nominated by a statewide association of prosecutors and appointed by the Attorney General;
- L. A police chief, nominated by a statewide association of chiefs of police and appointed by the Attorney General; ~~and~~
- M. A sheriff, nominated by a statewide association of sheriffs and appointed by the Attorney General.;
- N. A physician, a geriatrician or a primary care physician who works in the area of elder care, nominated by a statewide association of physicians and appointed by the Attorney General; and
- O. An emergency medical services' person, nominated by a statewide association of emer-

gency medical services professionals and appointed by the Attorney General.

See title page for effective date.

**CHAPTER 150
S.P. 129 - L.D. 365**

**An Act To Amend the Laws
Governing MaineCare Estate
Recovery Undertaken by the
Department of Health and
Human Services**

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

Sec. 1. 18-A MRSA §2-401, as amended by PL 2001, c. 57, §1, is further amended to read:

§2-401. Homestead allowance

A surviving spouse of a decedent who was domiciled in this State is entitled to a homestead allowance of \$10,000. If there is no surviving spouse, each minor child and each dependent child of the decedent is entitled to a homestead allowance amounting to \$10,000 divided by the number of minor and dependent children of the decedent. The homestead allowance is exempt from and has priority over all claims against the estate. Homestead allowance is in addition to any share passing to the surviving spouse or minor or dependent child by the will of the decedent unless otherwise provided, by intestate succession or by way of elective share. The homestead allowance established by this section is the sole exemption available for a decedent's homestead.

Sec. 2. 18-A MRSA §2-405, as corrected by RR 2003, c. 1, §11, is amended to read:

§2-405. Estate property exempt

Notwithstanding any provisions to the contrary, any ~~part of personal property included in the decedent's estate which shall be~~ that is exempt under Title 14, section 4422, on the date of the decedent's death, shall is not be liable for payment of debts of the decedent or claims against his the decedent's estate; provided, except that nothing in this section may be deemed to affect affects the provisions of sections 2-401 through 2-404.

Sec. 3. 22 MRSA §14, sub-§2-I, ¶F, as enacted by PL 1993, c. 707, Pt. I, §1, is amended to read:

F. As used in this subsection, unless the context otherwise indicates, the term "estate" means:

- (1) All real and personal property and other assets included in the recipient's estate, as defined in Title 18-A, section 1-201; and

- (2) Any other real and personal property and other assets in which the recipient had any legal interest at the time of death, to the extent of that interest, including assets conveyed to a survivor, heir or assign of the deceased recipient through tenancy in common, survivorship, life estate, living trust, joint tenancy in personal property or other arrangement but not including joint tenancy in real property.

See title page for effective date.

**CHAPTER 151
H.P. 836 - L.D. 1211**

**An Act To Amend the Marine
Resources Suspension Laws**

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

Sec. 1. 12 MRSA §6352, as amended by PL 1991, c. 390, §3, is repealed and the following enacted in its place:

§6352. Notice

The commissioner shall give notice of a suspension or a revocation and may give an opportunity for a hearing to the holder.

1. Time of notice. Notice must be given within 60 days of the conviction or adjudication pursuant to section 6351 and must be mailed to the last known address as provided in the department's marine resources licensing and enforcement database or be served in hand.

2. Nature of notice. The notice must contain:

A. A statement of the conviction or adjudication pursuant to section 6351;

B. The reason and statutory grounds for the suspension or revocation;

C. The effective date of the suspension or revocation; and

D. The opportunity for a hearing, should one exist.

4. Receipt date. The notice is deemed received 3 days after the mailing.

5. Effective date of suspension or revocation. A suspension or revocation is effective on the date specified by the commissioner on the notice, which may not be less than 10 days after the mailing of the notice of suspension or revocation by the commissioner.

Sec. 2. 12 MRSA §6353, sub-§1, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

1. Request for hearing; place of hearing. A hearing must be requested in writing within 10 days from the effective date of the suspension. If requested, it must be held within 10 days of the request unless a longer period of time is mutually agreed to in writing. The hearing must be conducted in the Augusta area.

Sec. 3. 12 MRSA §6353, sub-§2, as enacted by PL 1977, c. 661, §5, is amended to read:

2. Evidence. At the hearing, the holder or the department may present any evidence concerning the violation ~~which might justify reinstatement of his license or certificate, or reduction of the suspension period.~~

Sec. 4. 12 MRSA §6372, sub-§3, ¶A, as enacted by PL 1977, c. 661, §5, is amended to read:

A. Evidence, Title 5, section 9057, except the issues ~~shall be limited~~ are limited to whether the licensee had a license and whether ~~he~~ the licensee refused inspection;

Sec. 5. 12 MRSA §6402, as amended by PL 2007, c. 201, §1, is further amended to read:

§6402. Suspension based on adjudication of molesting

The commissioner shall suspend the lobster and crab fishing license of a license holder or the nonresident lobster and crab landing permit of a permit holder ~~convicted adjudicated~~ in court of violating section 6434. This suspension is for 3 years from the date of ~~conviction~~ adjudication.

1. Adjudications for cutting lobster trap lines. A person ~~convicted adjudicated~~ under section 6434 of molesting lobster gear by cutting a lobster trap line shall, upon making full payment as ordered by the court under section 6434, subsection 4, paragraph A, provide the commissioner with proof of that payment. If the commissioner does not receive that proof within 3 years after the date of ~~conviction~~ adjudication, the commissioner shall continue that license suspension until such time as that proof is received.

Sec. 6. 12 MRSA §6406, sub-§1, as amended by PL 1991, c. 302, §1 and affected by §2, is further amended to read:

1. Prohibited acts. It is unlawful for any person whose license or right to obtain a license is under suspension to:

- A. Engage in any licensed activity;
- B. Give another person permission to raise, lift, transfer or possess lobster traps or cars marked with the suspended person's lobster and crab fishing license number or lobster traps with buoys

that carry the color design on file with the suspended license;

C. Assist a holder of a Class II lobster and crab fishing license as a crew member; or

E. For any violation occurring on or after the effective date of this paragraph, assist any license holder as a crew member in any activity authorized by the suspended license.

See title page for effective date.

CHAPTER 152

H.P. 186 - L.D. 232

An Act To Require Businesses To Make Toilet Facilities Available to Individuals with Certain Medical Conditions

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

Sec. 1. 22 MRSA §1671, as repealed and replaced by PL 1985, c. 737, Pt. A, §53, is amended to read:

§1671. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Shopping center. "Shopping center" means any building or facility containing 6 or more separate retail establishments ~~which that~~ are planned, developed, owned or managed as a unit, with an off-street public parking area of not less than 2 acres.

2. Customer. "Customer" means an individual who is lawfully on the premises of a retail establishment.

3. Eligible medical condition. "Eligible medical condition" means Crohn's disease, ulcerative colitis or any other inflammatory bowel disease, irritable bowel syndrome, a condition requiring the use of an ostomy device or any other medical condition that requires immediate access to a toilet facility.

4. Retail establishment. "Retail establishment" means a place of business open to the general public for the sale of goods or services.

Sec. 2. 22 MRSA §1672-B is enacted to read:

§1672-B. Retail establishments; access to employee toilet facilities

1. Access for customers with eligible medical conditions. A retail establishment that has a toilet facility for its employees shall allow a customer to use that facility during normal business hours if:

A. The customer requesting the use of the employee toilet facility suffers from an eligible medical condition;

B. Three or more employees of the retail establishment are working at the time the customer requests the use of the employee toilet facility;

C. Allowing the customer to use the toilet facility would not impose an undue burden on the retail establishment;

D. The retail establishment does not normally make a toilet facility available to the public;

E. The employee toilet facility is not located in an area where providing access would create an obvious health or safety risk to the customer or an obvious security risk to the retail establishment; and

F. A public toilet facility is not immediately accessible to the customer.

2. Liability. A retail establishment or an owner or employee of a retail establishment is not civilly liable for any act or omission in allowing a customer to use an employee toilet facility that is not a public toilet facility pursuant to subsection 1 unless:

A. The retail establishment or owner or employee of the retail establishment is willfully or grossly negligent;

B. The act or omission occurs in an area of the retail establishment that is not accessible to the public; and

C. The act or omission results in an injury to or death of the customer or an individual other than an employee accompanying the customer.

3. Modifications not required. A retail establishment is not required to make any physical change to an employee toilet facility under this section.

4. Application. This section may not be construed to limit the rights, remedies and procedures afforded to individuals pursuant to the Maine Human Rights Act. The civil penalties in section 1674 may not be assessed for any violation of this section.

Sec. 3. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 22, chapter 270, in the chapter headnote, the words "shopping centers" are amended to read "shopping centers and retail establishments" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 153 H.P. 591 - L.D. 860

An Act Relating to Geothermal Heat Exchange Wells

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

Sec. 1. 32 MRSA §4700-E, sub-§3-C is enacted to read:

3-C. Geothermal heat exchange well. "Geothermal heat exchange well" means a hole drilled, driven or bored into the earth for the purpose of using the heat exchange capacity of the earth for heating and cooling.

Sec. 2. 32 MRSA §4700-E, sub-§3-D is enacted to read:

3-D. Geothermal heat exchange well driller. "Geothermal heat exchange well driller" means a person, firm or corporation engaged in the work of drilling, driving or boring geothermal heat exchange wells.

Sec. 3. 32 MRSA §4700-E, sub-§3-E is enacted to read:

3-E. Geothermal heat exchange well pump installer. "Geothermal heat exchange well pump installer" means a person who is engaged to work at and learn the trade of geothermal heat exchange well pump installation.

Sec. 4. 32 MRSA §4700-E, sub-§6, as amended by PL 2001, c. 209, Pt. B, §2, is further amended to read:

6. Pump or pump system. "Pump" For purposes of a water well, "pump" or "pump system" means mechanical equipment or a device used to remove water from a well including all piping and wiring up to the existing equipment in the structure. For the purposes of a geothermal heat exchange well, "pump" or "pump system" means the mechanical equipment or device used to move fluid from the geothermal heat exchange well, including all piping and wiring, up to the existing equipment in the structure.

Sec. 5. 32 MRSA §4700-E, sub-§11, as amended by PL 2001, c. 209, Pt. B, §2, is amended to read:

11. Well drilling company. "Well drilling company" means a person, firm, partnership or corporation that owns or otherwise operates any mechanical equipment used to drill, drive or bore water wells or geothermal heat exchange wells.

Sec. 6. 32 MRSA §4700-F, sub-§1, as amended by PL 1993, c. 25, §6, is further amended to read:

1. Applicability. The provisions of this chapter apply to all water wells constructed in the State after January 1, 1994. The provisions of this chapter relating to geothermal heat exchange well construction, geothermal heat exchange well pump installation and licensing requirements for geothermal heat exchange well drillers and geothermal heat exchange well pump installers apply after final adoption of initial rules pursuant to section 4700-I, subsection 2-A.

Sec. 7. 32 MRSA §4700-G, sub-§1, as amended by PL 2001, c. 209, Pt. B, §3, is further amended to read:

1. Establishment of commission. The Maine Water Well Commission, as authorized by Title 5, chapter 379, is established to carry out the provisions of this chapter. The purpose of the commission is to provide the public with the highest quality drinking water possible by ensuring that water wells and geothermal heat exchange wells are drilled, constructed, altered or abandoned in a manner that protects groundwater from contamination.

Sec. 8. 32 MRSA §4700-G, sub-§2, as amended by PL 2001, c. 209, Pt. B, §4 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

2. Membership. The commission consists of the ~~Director~~ director of the ~~Division~~ division of ~~Health Engineering~~ environmental health within the Department of Health and Human Services or the director's designee; the Director of the Bureau of Geology and Natural Areas within the Department of Conservation or the director's designee; the Commissioner of Transportation or the commissioner's designee; and 4 public members, 3 of whom must be well drillers.

Sec. 9. 32 MRSA §4700-H, sub-§1-A, as enacted by PL 1993, c. 25, §8 and affected by §15, is amended to read:

1-A. Administer examinations. The commission shall develop and administer all examinations required by section 4700-I, subsection 4. All examinations must be written examinations and must test an applicant's knowledge of the ~~principles of water well drilling, abandonment of water wells and the installation of water well pumps.~~ following matters as is appropriate for the license or license endorsement for which the application is made:

- A. Principles of water well drilling;
- B. Principles of geothermal heat exchange well drilling;
- C. Abandonment of water wells;
- D. Abandonment of geothermal heat exchange wells;
- E. Installation of water well pump systems;

F. Installation of geothermal heat exchange well pump systems; and

G. The code of performance adopted by the commission.

Sec. 10. 32 MRSA §4700-H, sub-§2, as amended by PL 2001, c. 209, Pt. B, §7, is further amended to read:

2. Licensing. The commission shall license well drillers, geothermal heat exchange well drillers, well drilling companies, geothermal heat exchange well pump installers, pump installers and pump installation companies and may initiate action for the revocation or suspension of such licenses.

Sec. 11. 32 MRSA §4700-H, sub-§3, as amended by PL 2001, c. 209, Pt. B, §7, is further amended to read:

3. Investigate complaints. The commission shall investigate complaints and cases of noncompliance with, or violation of, this chapter or of the ~~well driller and pump installer~~ code of performance adopted by the commission. Complainants must petition the commission in writing within 24 months of completion of a water well or geothermal heat exchange well or the installation, repair or replacement of a pump system. At its discretion, the commission may request that an investigation of an alleged violation be conducted by a neutral qualified individual, acceptable to both the alleged violator and the commission, who shall report to the commission. At its discretion, the commission may refer a complaint to the Attorney General.

Sec. 12. 32 MRSA §4700-H, sub-§4, as amended by PL 2001, c. 209, Pt. B, §8, is further amended to read:

4. Revocation and suspension of license. If the commission determines a violation of this chapter, the ~~well driller and pump installer~~ code of performance adopted by the commission or other laws and rules in effect, including for a well driller or a well drilling company the water well information laws, under Title 12, section 550-B, has occurred, the commission shall notify the responsible ~~water~~ well driller, geothermal heat exchange well driller, well drilling company, geothermal heat exchange well pump installer, pump installer or pump installation company by certified or registered mail of the violation. The commission may order the responsible party or parties to correct, within 48 hours of notification, any violation it determines to be a significant threat to public health, including, but not limited to, potential contamination by pathogenic organisms. The commission may order that all other violations be corrected within a period of 60 days following receipt of notification. If the violation is not corrected within 60 days, or within 48 hours for significant threats to public health, the commission may revoke or suspend the license of the responsible party

or parties. A licensee who receives a written notice of a violation or of a revocation or suspension of a license under this subsection may request a hearing before the commission. The commission shall conduct such hearings and issue its decision within 30 days of the request. A decision of the commission under this subsection is a final agency action. The commission shall adopt rules governing criteria for license reinstatement. Rules adopted by the commission pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

Sec. 13. 32 MRSA §4700-H, sub-§5, as amended by PL 1993, c. 25, §9 and affected by §15, is further amended to read:

5. Adopt code of performance. The commission shall adopt rules establishing a minimum code of performance for well drillers ~~and~~ pump installers, geothermal heat exchange well drillers and geothermal heat exchange well pump installers. The code of performance must set forth appropriate minimum standards of professional conduct for well drillers ~~and~~ pump installers, geothermal heat exchange well drillers and geothermal heat exchange well pump installers.

Sec. 14. 32 MRSA §4700-H, sub-§6, as enacted by PL 2001, c. 209, Pt. B, §9, is amended to read:

6. Levy fines. The commission may levy fines for violations of the well driller and pump installer code of performance adopted by the commission of not more than \$1,000 per violation.

Sec. 15. 32 MRSA §4700-H, sub-§7, as enacted by PL 2001, c. 209, Pt. B, §9, is amended to read:

7. Order well abandonment. The commission shall adopt rules establishing procedures for determining that a water well or geothermal heat exchange well must be abandoned because of prior contamination or because it has been constructed in violation of existing regulations and standards, can not be altered or repaired to meet existing regulations or standards and poses a significant threat to public health or groundwater contamination. Rules adopted by the commission pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

Sec. 16. 32 MRSA §4700-I, first ¶, as amended by PL 2001, c. 209, Pt. B, §10, is further amended to read:

Effective January 1, 1994, a person may not participate in the physical construction of a water well for compensation or any public drinking water well unless licensed under this section. After final adoption of initial rules pursuant to subsection 2-A, a person may not participate in the physical construction of a geo-

thermal heat exchange well for compensation unless licensed under this section.

Sec. 17. 32 MRSA §4700-I, sub-§2, as amended by PL 2001, c. 209, Pt. B, §10, is further amended to read:

2. Licensure. ~~As~~ Except as provided in subsection 2-A, an applicant for licensure shall submit to the commission, on a form provided by the commission, a written application for licensure containing such information as the commission requires. A person who holds a valid license as provided for in this section must be in the charge of a licensed well drilling company or pump installation company in order to actively practice well drilling or pump installation, repair or replacement. A company license is valid only while the company employs at least one licensed master well driller for a well drilling company or one master pump installer for a pump installation company. The commission shall license an applicant for well driller licensure as either a master well driller or a journeyman well driller and applicants for pump installer licensure as either a master pump installer or a journeyman pump installer, based on the following criteria.

A. A master well driller must have a minimum of 3 years experience in well drilling and have worked an average of 1,000 hours per year as a journeyman well driller for each of those years.

B. A journeyman well driller must have at least one year experience in well drilling and have worked at least 1,000 hours during that year as an apprentice well driller.

C. A master pump installer must have a minimum of 3 years experience as a pump installer and have worked at least 350 hours as a pump installer during each of those years.

E. A journeyman pump installer must have at least one year experience in pump installing and have worked at least 350 hours during that year as an apprentice pump installer.

F. A well drilling company must be issued a license upon presentation to the commission of a valid master well driller license issued to and held by the owner or an employee of the firm, partnership or corporation.

G. A pump installation company must be issued a license upon presentation to the commission of a valid master pump installer license issued to and held by the owner or an employee of the firm, partnership or corporation.

The commission shall license a well driller or pump installer applicant who is not eligible for licensure under paragraphs A to E as an apprentice.

Sec. 18. 32 MRSA §4700-I, sub-§2-A is enacted to read:

2-A. Geothermal heat exchange well drillers and geothermal heat exchange well pump installers; licensure. The commission shall adopt rules establishing a licensing structure for geothermal heat exchange well drillers and geothermal heat exchange well pump installers. The rules may allow licensure by endorsement. After adoption of the initial rules, rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. The initial rules must be adopted through major substantive rulemaking as defined in Title 5, chapter 375, subchapter 2-A. The commission shall consult with appropriate departments and agencies, including the Department of Environmental Protection, during the rule-making process.

Sec. 19. 32 MRSA §4700-I, sub-§3, as amended by PL 2001, c. 209, Pt. B, §10, is further amended to read:

3. Term of license. Well drillers, geothermal heat exchange well drillers, geothermal heat exchange well pump installers and pump installers must be licensed annually. All licenses expire on December 31st of each year. Any person who is a well driller or pump installer on the effective date of this Act is deemed to be licensed.

Sec. 20. 32 MRSA §4700-I, sub-§4-A is enacted to read:

4-A. Examinations for geothermal heat exchange well drillers and geothermal heat exchange well pump installers. After final adoption of initial rules pursuant to subsection 2-A, the commission may require a person to successfully complete a written examination administered by the commission in order to be licensed as a geothermal heat exchange well driller or a geothermal heat exchange well pump installer.

Sec. 21. 32 MRSA §4700-J, first ¶, as amended by PL 2001, c. 209, Pt. B, §11, is further amended to read:

Effective January 1, 1994, a person may not engage in the business of constructing water wells within the State or engage in the installation, replacement or repair of a pump in a water well unless licensed with the commission. After final adoption of initial rules pursuant to subsection 2-A, a person may not engage in the business of constructing geothermal heat exchange wells or engage in the installation, replacement or repair of a pump in a geothermal heat exchange well unless licensed with the commission. An applicant for licensure must complete an application form supplied by the commission, successfully complete any examination required by this chapter and pay an annual license fee established by the commission. The person so licensed shall display on each side of the drilling rig or the pump installer vehicle a seal issued by the commission indicating that person's license

number and the current year of licensure. A person licensed under chapter 49 as a master plumber is not required to be licensed with the commission to perform the work of a pump installer.

Sec. 22. 32 MRSA §4700-K, as enacted by PL 1991, c. 455, Pt. B, §1, is amended to read:

§4700-K. Compliance with other laws and rules

Notwithstanding this chapter, all water wells and geothermal heat exchange wells must be constructed and maintained in accordance with all other laws and rules in effect, including for water wells the water well information laws, Title 12, section 550-B.

Sec. 23. 32 MRSA §4700-L, sub-§1, as enacted by PL 2001, c. 209, Pt. B, §13, is amended to read:

1. Fine. Any person, company, firm, partnership or corporation who installs, alters, repairs or replaces a water well, geothermal heat exchange well or pump system without being licensed as provided in this chapter or in violation of the code of performance adopted by the ~~Maine Water Well Commission commission~~ pursuant to section 4700-A, subsection 5, except for an apprentice well driller or an apprentice pump installer as set forth in this chapter, or any person, firm, partnership or corporation who procures a license as provided in this chapter wrongfully or by fraud commits a civil violation punishable by a fine of not more than \$1,000.

Sec. 24. 32 MRSA §4700-L, sub-§3, as enacted by PL 2001, c. 209, Pt. B, §13, is amended to read:

3. Exclusion. This chapter does not prevent a person from making water well, geothermal heat exchange well or pump system installations, alterations, repairs or replacements in a single-family residence occupied by that person or to be occupied by that person as a bona fide personal abode, ~~providing as long as~~ the installation, ~~alternation~~ alteration, repair or replacement conforms to the standards set forth in this chapter and any rules adopted by the commission or the department.

Sec. 25. 32 MRSA §4700-M, as amended by PL 2001, c. 209, Pt. B, §13, is further amended to read:

§4700-M. Reciprocity

The commission may issue a license without examination, in a comparable classification, to any person who holds a registration or license in any state, territory or possession of the United States or any country, if the commission determines that the requirements for registration or licensure of well drillers, geothermal heat exchange well drillers, geothermal heat exchange well pump installers or pump installers under which the person's registration or license was

issued do not conflict with this chapter or the code of performance adopted by the commission under this chapter.

Sec. 26. Rulemaking; report; authority to submit legislation. The initial rules adopted by the Maine Water Well Commission pursuant to the Maine Revised Statutes, Title 32, section 4700-I, subsection 2-A are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. By January 1, 2010, the Maine Water Well Commission shall submit provisionally adopted initial rules to the Legislature for review by the Joint Standing Committee on Natural Resources. By January 1, 2010, the Maine Water Well Commission shall submit to the Joint Standing Committee on Natural Resources draft legislation to amend the provisions of this Act if any necessary amendments are identified during the rule-making process. The Joint Standing Committee on Natural Resources may submit legislation relating to geothermal heat exchange well construction and licensing to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 154

H.P. 724 - L.D. 1049

An Act To Encourage Cooperation among School Administrative Units

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 economic situation confronting our nation and all levels of government in the State will likely result in flat funding or reduced state and local general funds available for appropriation to support prekindergarten to grade 12 public education; and

Whereas, school administrative units in the State must achieve maximum efficiencies and reductions in administrative and other noninstructional costs while maintaining and fostering excellence in the classroom; and

Whereas, the enactment of this legislation is necessary to allow school administrative units to initiate organizational efforts to enter regional education cooperatives in order to achieve maximum efficiencies by carrying out specified educational functions and support services in a region of the State; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA c. 113, as amended, is repealed.

Sec. 2. 20-A MRSA c. 113-A is enacted to read:

CHAPTER 113-A

REGIONAL EDUCATION COOPERATIVES

§2511. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Cooperative. "Cooperative" means a regional education cooperative formed pursuant to this chapter.

2. Cooperative agreement. "Cooperative agreement" means an agreement between school administrative units that form a regional education cooperative to share the responsibility for and cost of the delivery of specified educational functions and support services in a region such as, without limitation:

- A. Alternative education programs;
- B. Special education programs or support services;
- C. Public preschool programs or 2-year kindergartens pursuant to chapter 203;
- D. Gifted and talented education programs pursuant to chapter 311;
- E. Online learning and distance education programs;
- F. Postsecondary education options pursuant to chapter 208-A;
- G. Adult education programs pursuant to chapter 315;
- H. Purchasing or contracting for goods or services;
- I. Staff training or professional development;
- J. Technology or technology support services;
- K. Accounting, payroll and financial management;
- L. Transportation routing and vehicle maintenance;
- M. Food service planning and purchasing; and
- N. Energy management and facilities maintenance.

3. Cooperative board. "Cooperative board" means the governing body with the powers and duties set forth in this chapter for a regional education cooperative.

§2512. Regional education cooperatives

The school boards of 2 or more school administrative units in existence as of July 1, 2009 may file an application to the commissioner for the purpose of entering a cooperative agreement to form a regional education cooperative. A cooperative is governed by a cooperative board formed and operating in accordance with this chapter. The participation of school administrative units in any of the specified educational functions or support services included in the cooperative agreement is voluntary. A cooperative board may designate school administrative unit personnel or service providers to provide the specified educational functions or support services included in the cooperative agreement. The cooperative board must include one school board member from each school administrative unit participating in the cooperative. The voting method established by the cooperative board may not include a method in which the board members cast weighted votes. The application for the cooperative must designate the lead school administrative unit for the cooperative. The superintendent of the lead school unit shall serve as a nonvoting, ex officio member of the cooperative board and shall administer the cooperative agreement and serve as fiscal agent for the cooperative board.

§2513. Application; approval; ratification

1. Application. An application under section 2512 for a cooperative must be in a form and contain such information as required by the commissioner, including, but not limited to:

- A. The identification of the school administrative units that are applying to form the cooperative;
- B. The identification of the lead school administrative unit;
- C. The specified educational functions and support services to be provided by the cooperative, including the identification of the school administrative units that will participate in each specified educational function or support service and the number of students or staff to be served in each school administrative unit that is participating in each specified educational function or support service to be carried out by the cooperative;
- D. The duration of the cooperative agreement;
- E. The cost estimate or operational budget for the specified educational functions or support services to be carried out;
- F. The method of providing the specified educational functions or support services and the design-

ation of school administrative unit personnel or service providers who will provide the specified educational functions or support services;

G. The method of sharing costs among the school administrative units; and

H. The projected cost savings for the cooperative agreement and the method for redistributing cost savings among the school administrative units.

2. Approval. If the commissioner finds that an application under section 2512 contains the information required to be submitted pursuant to subsection 1, the commissioner shall notify each school administrative unit participating in the cooperative agreement that, pending ratification as set forth in subsection 3, the cooperative is approved pursuant to this chapter. The commissioner shall keep a register of cooperatives that have been approved and ratified pursuant to this chapter.

3. School board ratification. If the commissioner finds that an application for a cooperative is approved pursuant to subsection 2, the cooperative must be approved by a majority of the members of the school board of each school administrative unit involved in the cooperative before the cooperative becomes effective.

§2514. Cooperative agreement

1. Duration of cooperative agreement. A cooperative agreement that has been ratified pursuant to section 2513 is valid for the fiscal year beginning July 1st following the ratification vote and ends June 30th of the calendar year that coincides with the expiration date included in the cooperative agreement.

2. Renewal of cooperative. A cooperative may be renewed only upon ratification by a majority of the members of each school board involved in the cooperative in accordance with this chapter.

§2515. Finance

1. State-local allocation. Expenses incurred under a cooperative agreement may be reported by the participating school administrative units as per-pupil amounts not related to staffing in addition to the items listed in section 15680.

2. Administrative costs. Costs for carrying out a cooperative agreement must be shared in accordance with the terms of the cooperative agreement, but costs of administration of the cooperative may not exceed 10% of the total budget of the cooperative agreement.

3. Cost savings. School administrative units that enter into a cooperative agreement shall share any identified cost savings in accordance with the method for redistributing cost savings set forth in the cooperative agreement. For the purposes of this chapter, the cost savings achieved are those cost savings directly associated with the categories of the specified educa-

tional functions and support services carried out in a region in accordance with a cooperative agreement for the delivery of prekindergarten to grade 12 education when comparing the base year costs to the costs in the subsequent fiscal year and adjusting for inflation.

§2516. Existing agreements

A shared service agreement between 2 or more school administrative units established in accordance with former chapter 113 or an interlocal agreement between 2 or more school administrative units established in accordance with Title 30-A, chapter 115 may remain in effect after July 1, 2009. Notwithstanding any other provision of law to the contrary, a shared service agreement or interlocal agreement in existence on the effective date of this section may be extended or modified by the parties to the agreement.

§2517. Development of interlocal agreements

Nothing contained in this chapter may be construed to prevent a school administrative unit from entering an interlocal agreement in accordance with Title 30-A, chapter 115 with other school administrative units and, whenever possible, with local and county governments and State Government to achieve efficiencies and reduce costs in the delivery of specified educational functions or support services.

Sec. 3. 20-A MRSA §6202, sub-§1-A, as enacted by PL 2005, c. 118, §1, is amended to read:

1-A. Interpretation. The statewide assessment program results may be interpreted in a manner that takes into account the particular role within a school administrative unit of regional special education or regional alternative education programs or schools approved by the commissioner in accordance with ~~section 2504~~ chapter 113-A or section 7253. For these programs or schools, the results may be interpreted by assigning the student and the scores of the student to the school in the community where the student resides. The commissioner 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. 4. 20-A MRSA §8457, sub-§1, as amended by PL 1991, c. 716, §6 and PL 2003, c. 545, §5, is further amended to read:

1. General powers and duties. A cooperative board has all of the powers and duties of a school board as provided in section 1001, subsections 1, 2, 4 to 7, 11-A and 12; section 1002; section 1256, subsections 1, 2 and 4 to 7; section 1257; sections 1313 to 1315; ~~section 2504~~; section 4801; section 13201; and section 13202. For such purposes, references in those sections to "school administrative unit," "administrative unit," "school unit," "unit," "school administrative district" or "district" mean career and technical education region; references in those sections to "school

board," "school committee," "board," "board of directors" or "directors" mean cooperative board; references in those sections to "director" mean a member of a cooperative board; and references in those sections to "they" mean either, as appropriate in the context, cooperative board or members of the cooperative board.

Sec. 5. Organization of regional education cooperatives. It is the intent of the Legislature that school administrative units may begin to organize regional education cooperatives as set forth in the Maine Revised Statutes, Title 20-A, chapter 113-A upon the effective date of this Act and that regional education cooperatives may begin to carry out the operations set forth in cooperative agreements beginning on July 1, 2009.

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

Effective May 18, 2009.

CHAPTER 155

S.P. 418 - L.D. 1127

**An Act To Define Services for
Maine Runaway and Homeless
Youth**

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

Sec. 1. 22 MRSA c. 1071, sub-c. 15, as amended, is repealed.

Sec. 2. 22 MRSA c. 1071, sub-c. 16 is enacted to read:

SUBCHAPTER 16

MAINE RUNAWAY AND HOMELESS YOUTH

§4099-D. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Homeless youth. "Homeless youth" means a person 21 years of age or younger who is unaccompanied by a parent or guardian and is without shelter where appropriate care and supervision are available, whose parent or legal guardian is unable or unwilling to provide shelter and care or who lacks a fixed, regular and adequate nighttime residence. "Homeless youth" does not include a person incarcerated or otherwise detained under federal or state law.

2. Fixed, regular and adequate nighttime residence. "Fixed, regular and adequate nighttime residence" means a dwelling at which a person resides on

a regular basis that adequately provides safe shelter. "Fixed, regular and adequate nighttime residence" does not include a publicly or privately operated institutional shelter designed to provide temporary living accommodations; transitional housing; a temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than 30 days; or a public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings.

3. Runaway. "Runaway" means an unmarried child under 18 years of age who is absent from the home of a parent or guardian or other lawful placement without the consent of the parent, guardian or lawful custodian.

§4099-E. Comprehensive program for homeless youth

The department shall establish and support a comprehensive program for homeless youth in the State by contracting with organizations and agencies licensed by the department that provide street outreach, shelter and transitional living services for homeless youth. The department shall by rule establish licensure requirements and shall establish performance-based contracts with organizations and agencies to provide the following programs and services:

1. Street and community outreach and drop-in programs. Youth drop-in centers to provide walk-in access to crisis intervention and ongoing supportive services, including one-to-one case management services on a self-referral basis and street and community outreach programs to locate, contact and provide information, referrals and services to homeless youth, youth at risk of homelessness and runaways. Information, referrals and services provided may include, but are not limited to family reunification services; conflict resolution or mediation counseling; assistance in obtaining temporary emergency shelter; case management aimed at obtaining food, clothing, medical care or mental health counseling; counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, HIV and pregnancy; referrals to other agencies that provide support services to homeless youth, youth at risk of homelessness and runaways; assistance with education, employment and independent living skills; aftercare services; and specialized services for highly vulnerable runaways and homeless youth, including teen parents, sexually exploited youth and youth with mental illness or developmental disabilities;

2. Emergency shelter program. Emergency shelter programs to provide homeless youth and runaways with referrals and walk-in access to short-term

residential care on an emergency basis. The program must provide homeless youth and runaways with safe, dignified, voluntary housing, including private shower facilities, beds and at least one meal each day, and assist a runaway with reunification with family or a legal guardian when required or appropriate. The services provided at emergency shelters may include, but are not limited to, family reunification services or referral to safe, dignified housing; individual, family and group counseling; assistance obtaining clothing; access to medical and dental care and mental health counseling; education and employment services; recreational activities; case management, advocacy and referral services; independent living skills training; and aftercare, follow-up services and transportation; and

3. Transitional living programs. Transitional living programs to help homeless youth find and maintain safe, dignified housing. The program may also provide rental assistance and related supportive services or may refer youth to other organizations or agencies that provide such services. Services provided may include, but are not limited to, provision of safe, dignified housing; educational assessment and referrals to educational programs; career planning, employment, job skills training and independent living skills training; job placement; budgeting and money management; assistance in securing housing appropriate to needs and income; counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases and pregnancy; referral for medical services or chemical dependency treatment; parenting skills; self-sufficiency support services or life skills training; and aftercare and follow-up services.

§4099-F. Data collection

The department shall collect data from its licensed organizations and agencies to ensure that appropriate and high-quality services are being delivered to homeless youth, youth at risk of homelessness and runaways and shall use the data to monitor the success of the contracts and programs as well as changes in the rates of homelessness among youth in the State.

§4099-G. Rules

The department shall adopt rules as may be necessary for the effective administration of the comprehensive program under section 4099-E. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 156
S.P. 339 - L.D. 889

**An Act To Limit Liability for
Certain Noncommercial
Aviation Activities**

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

Sec. 1. 14 MRSA §159-A, sub-§1, ¶B, as amended by PL 2001, c. 113, §2, is further amended to read:

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, environmental education and research, hiking, recreational caving, sight-seeing, operating snow-traveling and all-terrain vehicles, skiing, hang-gliding, noncommercial aviation activities, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking, swimming or activities involving the harvesting or gathering of forest, field or marine products. It includes entry of, volunteer maintenance and improvement of, use of and passage over premises in order to pursue these activities. "Recreational or harvesting activities" does not include commercial agricultural or timber harvesting.

See title page for effective date.

CHAPTER 157
H.P. 759 - L.D. 1104

**An Act To Require the
Convening of the Professional
Standards Board**

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 requires the Professional Standards Board to meet before the 90-day period has expired; 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. PL 2005, c. 457, Pt. GG, §2 is amended to read:

Sec. GG-2. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 20-A, section 13101, subsection 3, of the 22 initial appointments made in accordance with Title 20-A, section 13101, subsection 2, 7 of the appointees must be appointed for one-year terms, 7 of the appointees must be appointed for 2-year terms and 8 appointees must be appointed for 3-year terms. All appointments must be made by July 1, 2009.

Sec. 2. PL 2005, c. 457, Pt. GG, §3 is enacted to read:

Sec. GG-3. Convening date. The Professional Standards Board established in the Maine Revised Statutes, Title 20-A, section 13101, subsection 1 shall convene no later than September 1, 2009.

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

Effective May 18, 2009.

CHAPTER 158
S.P. 229 - L.D. 614

**An Act To Improve Child
Support Collection Procedures
by Changing the Process of
Modifying a Support Order**

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

Sec. 1. 19-A MRSA §2201, sub-§1, ¶E, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

E. If the department certifies the obligor to a board for noncompliance with an order of support, the board must revoke the obligor's license and refuse to issue or reissue a license until the obligor provides the board with a written confirmation of compliance from the department that states the obligor is in compliance with the obligor's order of support. A revocation by an agency or a refusal by an agency to reissue, renew or otherwise extend the license or certificate of authority is deemed a final determination within the meaning of Title 5, section 10002; and

Sec. 2. 19-A MRSA §2201, sub-§1, ¶F, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. 3. 19-A MRSA §2201, sub-§11, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

11. Motion to modify order of support; stay. This section does not prohibit a support obligor from

filing a motion to modify support with the court or from requesting the department to amend a support obligation established by an administrative decision. ~~The department shall stay action to certify the obligor to a board for noncompliance with an order of support if the obligor files a motion to modify support with the court and notifies the department of the motion or requests the department to amend a support obligation established by the department.~~

Sec. 4. 19-A MRSA §2202, sub-§2, ¶F, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

F. If the obligor requests a hearing, the obligor shall direct the request to the department's support enforcement office that is responsible for handling the obligor's case; and

Sec. 5. 19-A MRSA §2202, sub-§2, ¶G, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. 6. 19-A MRSA §2202, sub-§11, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

11. Motion to modify court order of support; stay. This section does not prohibit a support obligor from filing a motion to modify support with the court or from requesting the department to amend a support obligation established by an administrative decision. ~~The department shall stay action to certify the obligor to the Secretary of State for noncompliance with an order of support if the obligor files a motion to modify support with the court and notifies the department of the motion or requests the department to amend a support obligation established by the department.~~

See title page for effective date.

CHAPTER 159

H.P. 499 - L.D. 716

**An Act To Change the
Definition of "Domestic
Partner" in the Laws
Governing Custody of Remains**

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

Sec. 1. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2003, c. 672, §19, is further amended to read:

D. "Next of kin" means a person having the following relationship to the subject, in the following order of priority:

- (1) The spouse;

(1-A) A domestic partner. For purposes of this section, "domestic partner" means ~~one of 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare; the partner of the subject who:~~

(a) Is a mentally competent adult;

(b) Had been legally domiciled with the subject for at least 12 months immediately preceding the death of the subject;

(c) Is not legally married to or legally separated from another individual;

(d) Was the sole partner of the subject; and

(e) Was jointly responsible with the subject for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property;

- (2) An adult son or daughter;
- (3) A parent;
- (4) An adult brother or sister;
- (5) An adult grandchild;
- (6) An adult niece or nephew who is the child of a brother or sister;
- (7) A maternal grandparent;
- (8) A paternal grandparent;
- (9) An adult aunt or uncle;
- (10) An adult first cousin; or
- (11) Any other adult relative in descending order of blood relationship.

See title page for effective date.

CHAPTER 160

H.P. 778 - L.D. 1134

**An Act Regarding the
Maximum Fee for Processing
an Environmental License
Application**

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

Whereas, current law specifying a cap on special fees associated with an application before the Department of Environmental Protection provides for a sig-

nificantly reduced maximum fee as of September 1, 2009; and

Whereas, the reduced special fees are not adequate to allow for appropriate processing of applications that because of their size, uniqueness, complexity or other relevant factors are likely to have significantly higher costs; and

Whereas, it is therefore necessary to promptly adjust these fees; 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. 38 MRSA §352, sub-§3, as amended by PL 2007, c. 661, Pt. B, §9, is further amended to read:

3. Maximum fee. The commissioner shall set the actual fees and shall publish a schedule of all fees by November 1st of each year. If the commissioner determines that a particular application, by virtue of its size, uniqueness, complexity or other relevant factors, is likely to require significantly more costs than those listed on Table I, the commissioner may designate that application as subject to special fees. ~~Through August 31, 2009, a special fee may not exceed \$250,000. Beginning September 1, 2009, a special fee may not exceed \$75,000.~~ Such a designation must be made at, or prior to, the time the application is accepted as complete and may not be based solely on the likelihood of extensive public controversy. The maximum fee for processing an application may not exceed \$250,000. All department staff who have worked on the review of the application, including, but not limited to, preapplication consultations, shall submit quarterly reports to the commissioner detailing the time spent on the application and all expenses attributable to the application, including the costs of any appeals filed by the applicant and, after taking into consideration the interest of fairness and equity, any other appeals if the commissioner finds it in the public interest to do so. The costs associated with assistance to the board on an appeal before the board may be separately charged. The processing fee for that application must be the actual cost to the department. The applicant must be billed quarterly and all fees paid prior to receipt of the permit. Nothing in this section limits the commissioner's authority to enter into an agreement with an applicant for payment of costs in excess of the maximum ~~special~~ fee established in this subsection.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect September 1, 2009.

Effective September 1, 2009.

CHAPTER 161

H.P. 672 - L.D. 970

**An Act To Amend the Laws
Governing Notification after a
Security Breach Involving
Personal Information**

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

Sec. 1. 10 MRSA §1347, sub-§1, as amended by PL 2005, c. 583, §1 and affected by §14, is further amended to read:

1. Breach of the security of the system. "Breach of the security of the system" or "security breach" means unauthorized acquisition, release or use of an individual's computerized data that includes personal information that compromises the security, confidentiality or integrity of personal information of the individual maintained by a person. Good faith acquisition, release or use of personal information by an employee or agent of a person on behalf of the person is not a breach of the security of the system if the personal information is not used for or subject to further unauthorized disclosure to another person.

Sec. 2. 10 MRSA §1347-A is enacted to read:
§1347-A. Release or use of personal information prohibited

It is a violation of this chapter for an unauthorized person to release or use an individual's personal information acquired through a security breach.

Sec. 3. 10 MRSA §1348, sub-§3, as enacted by PL 2005, c. 379, §1 and affected by §4, is amended to read:

3. Delay of notification; criminal investigation by law enforcement. ~~The~~ If, after the completion of an investigation required by subsection 1, notification is required under this section, the notification required by this section may be delayed if for no longer than 7 business days after a law enforcement agency determines that the notification will not compromise a criminal investigation; the notification required by this section must be made after the law enforcement agency determines that it will not compromise the investigation.

Sec. 4. 10 MRSA §1349, sub-§4, as enacted by PL 2005, c. 583, §12 and affected by §14, is amended to read:

4. Exceptions. A person that complies with the security breach notification requirements of rules, regulations, procedures or guidelines established pursuant to federal law or the law of this State is deemed to be in compliance with the requirements of ~~this chapter~~ section 1348 as long as the law, rules, regulations or guidelines provide for notification procedures at least as protective as the notification requirements of ~~this chapter~~ section 1348.

Sec. 5. Application. This Act applies to a security breach discovered by a person subject to the Maine Revised Statutes, Title 10, chapter 210-B on or after the effective date of this Act.

See title page for effective date.

CHAPTER 162

S.P. 212 - L.D. 550

An Act To Protect Maine Residents from Home Fires and Carbon Monoxide

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

Sec. 1. 25 MRSA §2464, sub-§2, as amended by PL 1985, c. 190, is repealed and the following enacted in its place:

2. Smoke detectors required. The owner shall properly install, or cause to be properly installed, smoke detectors in accordance with the National Electric Code and the manufacturer's requirements. In single-family dwellings, at least one smoke detector, which may be photoelectric, ionization or a combination of both, must be installed in each area within, or giving access to, bedrooms. These smoke detectors may be powered by the electrical service in the dwelling, by battery or by a combination of both. Any smoke detector located within 20 feet of a kitchen or a bathroom containing a tub or shower must be a photoelectric-type smoke detector.

After October 31, 2009, smoke detectors installed in a multifamily building or a newly constructed single-family dwelling must be powered both by the electrical service in the building or dwelling and by battery.

Sec. 2. 25 MRSA §2464, sub-§6, as enacted by PL 1981, c. 399, §1, is amended to read:

6. Liability. Nothing in this section gives rise to any action against an owner required to comply with subsection 2, ~~paragraph B,~~ or subsection 9, ~~paragraph A~~ if the owner has conducted an inspection of the required smoke detectors immediately after installation and has reinspected the smoke detectors prior to occupancy by each new tenant, unless the owner has been given at least ~~24 hours'~~ 24 hours' actual notice of a

defect or failure of the smoke detector to operate properly and has failed to take action to correct the defect or failure.

Sec. 3. 25 MRSA §2464, sub-§9 is enacted to read:

9. Rental units. In an apartment occupied under the terms of a rental agreement or under a month-to-month tenancy:

A. At the time of each occupancy, the landlord shall provide smoke detectors. The smoke detectors must be in working condition. After notification, in writing, of any deficiencies by the tenant, the landlord shall repair or replace the smoke detectors. If the landlord did not know and had not been notified of the need to repair or replace a smoke detector, the landlord's failure to repair or replace the smoke detector may not be considered as evidence of negligence in a subsequent civil action arising from death, property loss or personal injury; and

B. The tenant shall keep the smoke detectors in working condition by keeping charged batteries in battery-operated smoke detectors, by testing the smoke detectors periodically and by refraining from disabling the smoke detectors.

Sec. 4. 25 MRSA §2464, sub-§10 is enacted to read:

10. Transfer of dwelling. A person who, after October 31, 2009, acquires by sale or exchange a single-family dwelling or a multiapartment building shall certify at the closing of the transaction that the dwelling or multiapartment building is provided with smoke detectors in accordance with this section. This certification must be signed and dated by the purchaser.

A person may not have a claim for relief against a property owner, a property purchaser, an authorized agent of a property owner or purchaser, a person in possession of real property or a smoke detector installer for any damages resulting from the proper operation, maintenance or effectiveness of a smoke detector.

Violation of this subsection does not create a defect in title.

Sec. 5. 25 MRSA §2468 is enacted to read:

§2468. Carbon monoxide detectors

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

A. "Carbon monoxide detector" means a device with an assembly that incorporates a sensor control component and an alarm notification that detects elevations in carbon monoxide levels and

sounds a warning alarm and is approved or listed for the purpose by a nationally recognized independent testing laboratory.

B. "Electrical service" means powered by a battery and either a device plugged into an electrical outlet or hardwired.

2. Carbon monoxide detectors required. The owner shall install, or cause to be installed, by the manufacturer's requirements at least one approved carbon monoxide detector in each area within, or giving access to, bedrooms in:

A. Each apartment in any building of multifamily occupancy;

B. Any addition to or restoration of an existing single-family dwelling that adds at least one bedroom to the dwelling unit; and

C. Any conversion of a building to a single-family dwelling.

A carbon monoxide detector must be powered both by the electrical service in the building or dwelling.

3. Carbon monoxide detectors for persons with disabilities. Upon the request of a deaf or hard-of-hearing occupant, the owner of a dwelling unit shall provide an approved carbon monoxide detector suitable to warn the occupant within the dwelling unit. If the owner does not provide a suitable carbon monoxide detector, the occupant may purchase, install and maintain a suitable carbon monoxide detector or arrange for proper installation and maintenance of a suitable carbon monoxide detector and may deduct the actual costs from the rent for the dwelling unit. An occupant may not be charged, evicted or penalized in any way for failure to pay the actual costs deducted from the rent for the dwelling unit.

4. New construction. A person who constructs a single-family dwelling shall install at least one carbon monoxide detector in each area within, or giving access to, any bedroom in the dwelling. The carbon monoxide detector must be powered both by the electrical service in the dwelling.

5. Rental units. In an apartment occupied under the terms of a rental agreement or under a month-to-month tenancy:

A. At the time of each occupancy, the landlord shall provide carbon monoxide detectors. The carbon monoxide detectors must be in working condition. After notification, in writing, of any deficiencies by the tenant, the landlord shall repair or replace the carbon monoxide detectors. If the landlord did not know and had not been notified of the need to repair or replace a carbon monoxide detector, the landlord's failure to repair or replace the carbon monoxide detector may not be considered as evidence of negligence in a subsequent

civil action arising from death, property loss or personal injury; and

B. The tenant shall keep the carbon monoxide detectors in working condition by keeping charged batteries in battery-operated carbon monoxide detectors, by testing the carbon monoxide detectors periodically and by refraining from disabling the carbon monoxide detectors.

6. Transfer of dwelling. A person who, after October 31, 2009, acquires by sale or exchange a single-family dwelling or a multiapartment building shall certify at the closing of the transaction that the dwelling or multiapartment building is provided with carbon monoxide detectors in accordance with this section. This certification must be signed and dated by the purchaser.

A person may not have a claim for relief against a property owner, a property purchaser, an authorized agent of a property owner or purchaser, a person in possession of real property or a carbon monoxide detector installer for any damages resulting from the proper operation, maintenance or effectiveness of a carbon monoxide detector.

Violation of this subsection does not create a defect in title.

7. Rules. The Commissioner of Public Safety or the commissioner's designee, in accordance with the Maine Administrative Procedure Act, shall adopt rules pertaining to carbon monoxide detectors. The rules adopted must include, but are not limited to, standards for approved carbon monoxide detectors and all requirements of use, maintenance and installation. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

8. Penalties. A person who violates this section is guilty of a civil violation and is subject to a fine of not more than \$500 for each violation. The court may waive any penalty or cost against any violator upon satisfactory proof that the violation was corrected within 10 days of the issuance of a complaint.

9. Liability. Nothing in this section gives rise to any action against an owner required to comply with subsection 2, paragraph A or subsection 5, paragraph A if the owner has conducted an inspection of the required carbon monoxide detectors immediately after installation and has reinspected the carbon monoxide detectors prior to occupancy by each new tenant, unless the owner has been given at least 24 hours' actual notice of a defect or failure of the carbon monoxide detector to operate properly and has failed to take action to correct the defect or failure.

10. Noninterference. A person may not knowingly interfere with or make inoperative any carbon monoxide detector required by this section, except that

the owner or the agent of an owner of a building may temporarily disconnect a carbon monoxide detector in a dwelling unit or common area only for construction or rehabilitation activities when such activities are likely to activate the carbon monoxide detector or make it inactive. The carbon monoxide detector must be immediately reconnected at the cessation of construction or rehabilitation activities each day, regardless of the intent to return to construction or rehabilitation activities on succeeding days.

Sec. 6. Transfer funds from Department of Public Safety, Office of the State Fire Marshal. The Commissioner of Public Safety shall transfer \$100,000 from the Department of Public Safety, Office of the State Fire Marshal for the purpose of purchasing carbon monoxide detectors for distribution through the Maine State Housing Authority, community action agencies, local fire departments, associations representing realtors and any other organizations that could be used to promote the placement of carbon monoxide detectors in homes. Only organizations that are willing and have the ability to properly install these detectors are eligible to participate in this program. Purchase of carbon monoxide detectors may not be made, or a contract executed, without the approval of the Director of the Bureau of General Services within the Department of Administrative and Financial Services.

Sec. 7. Plan for substantial compliance. The Department of Public Safety, Office of the State Fire Marshal shall develop a plan to determine standards for substantial compliance and education programs to achieve substantial compliance with the Maine Revised Statutes, Title 25, section 2468. This plan must include a public awareness and educational campaign that involves the print media and postings on the Office of the State Fire Marshal publicly accessible website. The office shall make every attempt to have its website linked with other organizations and agencies that have an interest in public safety. The office, working with other agencies, television or radio, shall develop public service announcements to educate the general public of the dangers of carbon monoxide and provide public awareness of the action of the Legislature to address this issue.

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
Fire Marshal - Office of 0327**

Initiative: Provides one-time funding for the purchase of carbon monoxide detectors and educational materials.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$115,938	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$115,938	\$0

See title page for effective date.

CHAPTER 163

H.P. 266 - L.D. 330

**An Act To Change the
Classification of Certain
Waters of the State**

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

Sec. 1. 38 MRSA §467, sub-§1, ¶C, as amended by PL 2003, c. 317, §2, is further amended to read:

C. Androscoggin River, Upper Drainage; that portion within the State lying above the river's most upstream crossing of the Maine-New Hampshire boundary - Class A unless otherwise specified.

- (1) Cupsuptic River and its tributaries - Class AA.
- (2) Kennebago River and its tributaries except for the impoundment of the dam at Kennebago Falls - Class AA.
- (3) Rapid River, from a point located 1,000 feet downstream of Middle Dam to its confluence with Umbagog Lake - Class AA.
- (4) Magalloway River and tributaries above Aziscohos Lake in Lynchton Township, Parmachenee Township and Bowmantown Township - Class AA.
- (4-A) Abbott Brook and its tributaries in Lincoln Plantation - Class AA.
- (5) Little Magalloway River and tributaries in Parmachenee Township and Bowmantown Township - Class AA.
- (6) Long Pond Stream in Rangeley - Class AA.
- (7) Dodge Pond Stream in Rangeley - Class AA.

Sec. 2. 38 MRSA §467, sub-§1, ¶D, as amended by PL 2003, c. 317, §3, is further amended to read:

D. Androscoggin River, minor tributaries - Class B unless otherwise specified.

(1) All tributaries of the Androscoggin River that enter between the Maine-New Hampshire boundary in Gilead and its confluence with, and including, the Ellis River and that are not otherwise classified - Class A.

(2) Bear River - Class AA.

(3) Sabattus River from Sabattus Lake to limits of the Lisbon urban area - Class C.

(4) Webb River - Class A.

(5) Swift River, and its tributaries, above the Mexico-Rumford boundary - Class A.

(6) Nezinscot River, east and west branches above their confluence in Buckfield - Class A.

(7) Wild River in Gilead, Batchelders Grant - Class AA.

(8) Aunt Hannah Brook and its tributaries in Dixfield - Class A.

Sec. 3. 38 MRSA §467, sub-§4, ¶A, as amended by PL 2003, c. 317, §6 and affected by §25, is further amended to read:

A. Kennebec River, main stem.

(1) From the east outlet of Moosehead Lake to a point 1,000 feet below the lake - Class A.

(2) From the west outlet of Moosehead Lake to a point 1,000 feet below the lake - Class A.

(3) From a point 1,000 feet below Moosehead Lake to its confluence with Indian Pond - Class AA.

(4) From Harris Dam to a point located 1,000 feet downstream from Harris Dam - Class A.

(5) From a point located 1,000 feet downstream from Harris Dam to its confluence with the Dead River - Class AA.

(6) From its confluence with the Dead River to the confluence with Wyman Lake, including all impoundments - Class A.

(7) From the Wyman Dam to its confluence with the impoundment formed by the Williams Dam - Class A.

(8) From the confluence with the Williams impoundment to the Route 201A bridge in Anson-Madison, including all impoundments - Class A.

(9) From the Route 201A bridge in Anson-Madison to the Fairfield-Skowhegan boundary, including all impoundments - Class B.

(10) From the Fairfield-Skowhegan boundary to its confluence with Messalonskee Stream,

~~including all impoundments the Shawmut Dam - Class C.~~

(10-A) From the Shawmut Dam to its confluence with Messalonskee Stream, excluding all impoundments - Class B.

(a) Waters impounded by the Hydro-Kennebec Dam and the Lockwood Dam in Waterville-Winslow - Class C.

(11) From its confluence with Messalonskee Stream to the Sidney-Augusta boundary, including all impoundments - Class B.

(12) From the Sidney-Augusta boundary to the Father John J. Curran Bridge in Augusta, including all impoundments - Class B.

(13) From the Father John J. Curran Bridge in Augusta to a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point - Class B. Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use must be maintained. Further, the license limits for total residual chlorine and bacteria for existing direct discharges of wastewater to this segment as of January 1, 2003 must remain the same as the limits in effect on that date and must remain in effect until June 30, 2009 or upon renewal of the license, whichever comes later. Thereafter, license limits for total residual chlorine and bacteria must be those established by the department in the license and may include a compliance schedule pursuant to section 414-A, subsection 2.

(14) From a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point, to a line across the southwestern area of Merrymeeting Bay formed by an extension of the Brunswick-Bath boundary across the bay in a northwesterly direction to the westerly shore of Merrymeeting Bay and to a line drawn from Chop Point in Woolwich to West Chop Point in Bath - Class B. Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use must be maintained.

Sec. 4. 38 MRSA §467, sub-§4, ¶I, as repealed and replaced by PL 1989, c. 228, §2, is amended to read:

I. Kennebec River, minor tributaries - Class B unless otherwise specified.

(1) All minor tributaries entering above Wyman Dam that are not otherwise classified - Class A.

(2) All tidal portions of tributaries entering between ~~Edwards Dam the Sidney-Vassalboro-Augusta town line~~ and a line drawn across the tidal estuary of the Kennebec River due east of Abagadasset Point - Class ~~C B~~, unless otherwise specified.

(a) Eastern River from head of tide to its confluence with the Kennebec River - Class C.

(3) Cold Stream, West Forks Plantation - Class AA.

(4) Moxie Stream, Moxie Gore, below a point located 1,000 feet downstream of the Moxie Pond dam - Class AA.

(5) Austin Stream and its tributaries above the highway bridge of Route 201 in the Town of Bingham - Class A.

Sec. 5. 38 MRS A §467, sub-§7, ¶E, as amended by PL 1999, c. 277, §11, is further amended to read:

E. Piscataquis River Drainage.

(1) Piscataquis River, main stem.

(a) From the confluence of the East Branch and the West Branch to the Route 15 bridge in Guilford - Class A.

(b) From the Route 15 bridge in Guilford to the Maine Central Railroad bridge in Dover-Foxcroft - Class B.

(c) From the Maine Central Railroad bridge in Dover-Foxcroft to its confluence with the Penobscot River - Class B.

(2) Piscataquis River, tributaries - Class B unless otherwise specified.

(a) Except as otherwise provided, East and West Branches of the Piscataquis River and their tributaries above their confluence near Blanchard - Class A.

(b) East Branch of the Piscataquis River from 1,000 feet below Shirley Pond to its confluence with the West Branch - Class AA.

(c) Pleasant River, East Branch and its tributaries - Class A.

(d) Pleasant River, West Branch, from the outlet of Fourth West Branch Pond to its confluence with the East Branch - Class AA.

(e) Pleasant River, West Branch tributaries - Class A.

(f) Sebec River and its tributaries above Route 6 in Milo - Class A.

(g) West Branch of the Piscataquis River from 1,000 feet below West Shirley Bog to its confluence with the East Branch - Class AA.

(h) Black Stream - Class A.

(i) Cold Stream - Class A.

(j) Kingsbury Stream - Class A.

(k) Schoodic Stream - Class A.

(l) Scutaze Stream - Class A.

(m) ~~Sebois~~ Seboeis Stream, including East and West Branches, and tributaries - Class A.

(n) Alder Stream and its tributaries - Class A.

Sec. 6. 38 MRS A §467, sub-§7, ¶F, as amended by PL 2003, c. 317, §13, is further amended to read:

F. Penobscot River, minor tributaries - Class B unless otherwise specified.

(1) Cambolasse Stream (Lincoln) below the Route 2 bridge - Class C.

(2) Great Works Stream (Bradley) and its tributaries above the Route 178 bridge - Class A.

(3) Kenduskeag Stream (Bangor) below the Bullseye Bridge - Class C.

(4) Mattanawcook Stream (Lincoln) below the outlet of Mattanawcook Pond - Class C.

(5) Olamon Stream and its tributaries above the bridge on Horseback Road - Class A.

(6) Passadumkeag River and its tributaries - Class A, unless otherwise specified.

(a) Passadumkeag River from the Pumpkinhill Dam to its confluence with the Penobscot River - Class AA.

(b) Ayers Brook - Class AA.

(7) Souadabscook Stream above head of tide - Class AA.

(7-A) Souadabscook Stream, tributaries of - Class B, unless otherwise specified.

(a) West Branch Souadabscook Stream (Hampden, Newburgh) - Class A.

(b) Brown Brook (Hampden) - Class A.

(8) Sunkhaze Stream and its tributaries - Class AA.

(9) Birch Stream - Class A.

(10) Hemlock Stream - Class A.

- (11) Mattamiscontis Stream and its tributaries - Class A.
- (12) Medunkeunk Stream - Class A.
- (13) Rockabema Stream - Class A.
- (14) Salmon Stream - Class A.
- (15) Salmon Stream in Winn - Class A.
- (16) Little Salmon Stream in Medway - Class A.
- (17) Narrimissic River in Bucksport and Orland, including all impoundments - Class B.

Sec. 7. 38 MRSA §467, sub-§9, ¶B, as amended by PL 1991, c. 499, §16, is further amended to read:

B. Presumpscot River, tributaries - Class A unless otherwise specified.

- (1) All tributaries entering below the outlet of Sebago Lake - Class B.
- (2) Crooked River and its tributaries, except as otherwise provided, excluding existing impoundments ~~and excluding that area of the river previously impounded at Scribners Mill~~ - Class AA.
- (3) Stevens Brook (Bridgton) - Class B.
- (4) Mile Brook (Casco) - Class B.

Sec. 8. 38 MRSA §467, sub-§12, ¶B, as amended by PL 2003, c. 317, §15, is further amended to read:

B. Saco River, tributaries, those waters lying within the State - Class B unless otherwise specified.

- (1) All tributaries entering above the confluence of the Ossipee River lying within the State and not otherwise classified - Class A.
- (2) Wards Brook (Fryeburg) - Class C.
- (3) Buff Brook (Waterboro) - Class A.
- (4) Ossipee River Drainage, those waters lying within the State - Class B unless otherwise specified.

(a) Emerson Brook in Parsonsfield - Class A.

(b) South River and its tributaries (Parsonsfield), those waters lying within the State - Class A.

Sec. 9. 38 MRSA §467, sub-§13, ¶A, as repealed and replaced by PL 1989, c. 764, §14, is amended to read:

A. St. Croix River, main stem.

(1) Except as otherwise provided, from the outlet of Chiputneticook Lakes to its confluence with the Woodland Lake impoundment, those waters lying within the State - Class A.

(2) Those waters ~~of impounded in~~ the Grand Falls Flowage including those waters between Route 1 (Princeton and Indian Township) and ~~Black-Cat Island~~ Grand Falls Dam - Class ~~B~~ GPA.

(3) Woodland Lake impoundment - Class C.

(4) From the Woodland Dam to tidewater, those waters lying within the State, including all impoundments - Class C.

Sec. 10. 38 MRSA §467, sub-§15, ¶C, as amended by PL 2003, c. 317, §17, is further amended to read:

C. Aroostook River Drainage.

(1) Aroostook River, main stem.

(a) From the confluence of Millinocket Stream and Munsungan Stream to the Route 11 bridge - Class AA.

(b) From the Route 11 bridge to the Sheridan Dam - Class B.

(c) From the Sheridan Dam to its confluence with Presque Isle Stream, including all impoundments - Class B.

(d) From its confluence with Presque Isle Stream to a point located 3.0 miles upstream of the intake of the Caribou water supply, including all impoundments - Class C.

(e) From a point located 3.0 miles upstream of the intake of the Caribou water supply to a point located 100 yards downstream of the intake of the Caribou water supply, including all impoundments - Class B.

(f) From a point located 100 yards downstream of the intake of the Caribou water supply to the international boundary, including all impoundments - Class C.

(2) Aroostook River, tributaries, those waters lying within the State - Class A unless otherwise specified.

(a) All tributaries of the Aroostook River entering below the confluence of the Machias River that are not otherwise classified - Class B.

(b) Little Machias River and its tributaries - Class A.

(c) Little Madawaska River and its tributaries, including Madawaska Lake tributaries above the Caribou-Connor Township line - Class A.

(d) Machias River, from the outlet of Big Machias Lake to the Aroostook River - Class AA.

(e) Millinocket Stream, from the outlet of Millinocket Lake to its confluence with Munsungan Stream - Class AA.

(f) Munsungan Stream, from the outlet of Little Munsungan Lake to its confluence with Millinocket Stream - Class AA.

(g) Presque Isle Stream and its tributaries above the Mapleton-Presque Isle town line - Class A.

(h) St. Croix Stream from its confluence with Hall Brook in T.9, R.5, W.E.L.S. to its confluence with the Aroostook River - Class AA.

(j) Squa Pan Stream from the outlet of Squa Pan Lake to its confluence with the Aroostook River - Class C.

(k) Limestone Stream from the Long Road bridge to the Canadian border - Class C.

(l) Beaver Brook and its tributaries (T.14 R.6 W.E.L.S., T.14 R.5 W.E.L.S., T.13 R.5 W.E.L.S., Portage Lake, Ashland, Castle Hill) - Class A.

(m) Gardner Brook and its tributaries (T.14 R.5 W.E.L.S., T.13 R.5 W.E.L.S., Wade) - Class A.

Sec. 11. 38 MRSA §467, sub-§15, ¶F, as amended by PL 2003, c. 317, §18, is further amended to read:

F. St. John River, minor tributaries, those waters lying within the State - Class A unless otherwise specified.

(1) Except as otherwise classified, all minor tributaries of the St. John River entering below the international bridge in Fort Kent, those waters lying within the State - Class B.

(2) Baker Branch, from the headwaters at the St. John Ponds to its confluence with the Southwest Branch - Class AA.

(3) Big Black River, from the international boundary to its confluence with the St. John River - Class AA.

(4) Northwest Branch, from the outlet of Beaver Pond in T.12, R.17, W.E.L.S. to its

confluence with the St. John River - Class AA.

(5) Prestile Stream from its source to Route 1A in Mars Hill - Class A.

(6) Southwest Branch, from a point located 5 miles downstream of the international boundary to its confluence with the Baker Branch - Class AA.

(7) Violette Stream and its tributaries, from its source to the confluence with Caniba Brook - Class A.

Sec. 12. 38 MRSA §467, sub-§16, ¶B, as amended by PL 1999, c. 277, §22, is further amended to read:

B. Salmon Falls River, tributaries, those waters lying within the State - Class B unless otherwise specified.

(1) Chicks Brook (South Berwick, York) - Class A.

(2) Little River and its tributaries (Berwick, North Berwick, Lebanon) - Class A.

Sec. 13. 38 MRSA §468, sub-§1, ¶A-1 is enacted to read:

A-1. Cape Elizabeth.

(1) Trout Brook, those waters that form the town boundary with South Portland - Class C.

Sec. 14. 38 MRSA §468, sub-§1, ¶B, as repealed and replaced by PL 1989, c. 764, §21, is amended to read:

B. Portland.

(1) All minor drainages unless otherwise specified - Class C.

(2) Stroudwater River from its origin to tidewater, including all tributaries - Class B.

Sec. 15. 38 MRSA §468, sub-§1, ¶C, as repealed and replaced by PL 1989, c. 764, §21, is amended to read:

C. Scarborough.

(1) All minor drainages - Class C unless otherwise specified.

(2) Finnard Brook - Class B.

(3) Stuart Brook - Class B.

(4) Nonesuch River from the headwaters to a point 1/2 mile downstream of Mitchell Hill Road crossing - Class B.

(5) Stroudwater River from its origin to tidewater, including all tributaries - Class B.

Sec. 16. 38 MRSA §468, sub-§1, ¶D, as repealed and replaced by PL 1989, c. 764, §21, is amended to read:

D. South Portland.

- (1) All minor drainages - Class C.
- (2) Trout Brook downstream of the first point where the brook becomes the town boundary between South Portland and Cape Elizabeth - Class C.

Sec. 17. 38 MRSA §468, sub-§1, ¶J is enacted to read:

J. Westbrook.

- (1) Long Creek, main stem - Class C.

Sec. 18. 38 MRSA §468, sub-§4, ¶D is enacted to read:

D. Bristol.

- (1) Pemaquid River and its tributaries, all freshwater sections below Pemaquid Pond - Class A.

Sec. 19. 38 MRSA §468, sub-§7, ¶D is enacted to read:

D. Black Brook in Lincolnville - Class A.

Sec. 20. 38 MRSA §468, sub-§7, ¶E is enacted to read:

E. Kendall Brook in Lincolnville - Class A.

Sec. 21. 38 MRSA §468, sub-§7, ¶F is enacted to read:

F. Tucker Brook in Lincolnville - Class A.

Sec. 22. 38 MRSA §469, sub-§5, ¶B, as amended by PL 1989, c. 764, §27, is amended to read:

B. Phippsburg.

- (1) Tidal waters east of longitude 69°-50'-05" W. and west of longitude 69°-47'-00" W. - Class SA.
- (2) Tidal waters of The Basin, including The Narrows east of a line drawn between 69°-51'-57" W. and 43°-48'-14" N. - Class SA.

Sec. 23. Report concerning procedures for reclassification. The Department of Environmental Protection shall review the current procedures for reclassification contained in the Maine Revised Statutes, Title 38, section 464, subsection 2 and suggest any changes or clarifications needed to make the procedures more consistent and efficient while maintaining a full public review process. The recommendations may include draft legislation. The report must be

submitted to the Joint Standing Committee on Natural Resources by January 15, 2010 and the committee may submit legislation related to this report to the Second Regular Session of the 124th Legislature.

Sec. 24. Lower Androscoggin River water quality sampling; report; legislation. The Department of Environmental Protection, with the assistance of and in consultation with volunteer river monitors, shall establish and implement a water quality sampling program for the lower Androscoggin River from Gulf Island Dam to the line formed by the extension of the Bath-Brunswick boundary across Merry-meeting Bay in a northwesterly direction.

1. Timing. The water quality sampling program must occur during the 2009 sampling season.

2. Purpose. The purpose of the water quality sampling program implemented under this section is to allow additional water quality data to be collected to determine if the section of the Androscoggin River from Worumbo Dam in Lisbon Falls to the line formed by the extension of the Bath-Brunswick boundary across Merry-meeting Bay in a northwesterly direction meets, or can reasonably be expected to meet, the criteria for reclassification from Class C to Class B.

3. Reclassification procedures. Unless the Department of Environmental Protection is unable to obtain the required monitoring data due to excessive rainfall or other unforeseen events, or unless the monitoring data indicate an upgrade is unwarranted, the department shall initiate the procedures for reclassification in accordance with the Maine Revised Statutes, Title 38, section 464, subsection 2 to upgrade the lower Androscoggin River from Worumbo Dam in Lisbon Falls to the line formed by the extension of the Bath-Brunswick boundary across Merry-meeting Bay in a northwesterly direction from Class C to Class B.

4. Report. By February 15, 2010, the Department of Environmental Protection shall submit a report, including recommendations and any necessary implementing legislation, in connection with the water quality sampling program required under this section to the Joint Standing Committee on Natural Resources.

5. Legislation authorized. The Joint Standing Committee on Natural Resources may report out legislation relating to the subject matter of this section to the Second Regular Session of the 124th Legislature.

See title page for effective date.

**CHAPTER 164
S.P. 169 - L.D. 466**

**An Act To Amend the Limited
Liability Company Laws
Concerning Management
Standards**

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

Sec. 1. 31 MRSA §623, sub-§5, as enacted by PL 1993, c. 718, Pt. A, §1, is repealed.

Sec. 2. 31 MRSA §625, sub-§3 is enacted to read:

3. Certificate effective. A certificate filed under this section is effective even if an amendment to the articles of organization was not filed as required under section 623, former subsection 5.

Sec. 3. 31 MRSA §652, sub-§1, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

1. Good faith; best interests; reasonable belief. The managers and members of a limited liability company shall exercise their powers and discharge their duties in good faith with a view to the interests of the limited liability company and of the members and with that degree of diligence, care and skill that ordinarily prudent persons would exercise under similar circumstances in like positions.

In discharging their duties, managers and members may in all cases, if acting reasonably and in good faith, rely upon financial statements of the limited liability company that were either certified in writing by an independent or certified public accountant or firm of such accountants fairly to reflect the limited liability company's financial condition, or reported to such manager or member to be correct by the manager or member having charge of the books of accounts of the limited liability company.

A manager or member may not be held personally liable for monetary damages for failure to discharge any duty as a manager or member unless the manager or member is found not to have acted honestly or in the reasonable belief that the action was in or not opposed to the best interests of the limited liability company or its members.

Notwithstanding this section, if the articles of organization provide that management of the limited liability company vests in one or more managers, a member of the limited liability company who is not also a manager of the limited liability company owes no duties under this section to the limited liability company or to the other members thereof solely by reason of being a member.

Sec. 4. 31 MRSA §703, sub-§1, as enacted by PL 1993, c. 718, Pt. A, §1, is amended to read:

1. Persons authorized to wind up a limited liability company. Unless otherwise provided in the operating agreement or articles of organization, the managers or, if there is no manager, a majority in interest of the members or one or more liquidating trustees approved by the members may wind up a limited liability company's affairs. The Superior Court, upon cause shown, may wind up a limited liability company's affairs upon application of a member or a member's legal representative or assignee and in connection with the winding up may appoint a liquidating trustee. The failure to comply with the provisions of section 623, former subsection 5 does not affect the rights, duties, powers or authority of persons winding up the affairs of a company pursuant to this section.

See title page for effective date.

CHAPTER 165

S.P. 206 - L.D. 546

**An Act To Ensure Access to
Public Information**

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

Sec. 1. 5 MRSA §1985 is enacted to read:

§1985. Response to requests for public records

Each agency that collects and uses data or information is responsible for responding to requests for public data or information hosted on state-owned computer devices. The office shall assist the agency in searching for and identifying all data and information stored within the office and in retrieving and compiling the data and information.

See title page for effective date.

CHAPTER 166

H.P. 372 - L.D. 527

**An Act To Require a Referee of
a Land Dispute To Render a
Decision within One Year**

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

Sec. 1. 4 MRSA §501, as amended by PL 1977, c. 114, §§10 to 12, is further amended to read:

§501. Appointment; fees

In all cases in the Supreme Judicial or in the Superior Court in which the court appoints one or more persons, not exceeding 3, as referees, masters or auditors, to hear the same, their fees and necessary ex-

penses, including stenographic services as determined by the Chief Justice or ~~his~~ the Chief Justice's designee, ~~shall~~ must be paid by the State on presentation of the proper certificate of the clerk of courts for the county in which such case is pending, or by such of the parties, or out of any fund or subject matter of the action, which is in the custody and control of the court, or by apportionment among such sources of payment, as the court ~~shall~~ may direct. The amount thereof ~~shall~~ must be fixed by the court upon the coming in of the report. These referees, masters and auditors shall notify the parties of the time and place of hearing and ~~shall~~ have power to adjourn. Witnesses may be summoned and compelled to attend and may be sworn by the referees, masters or auditors. When there is more than one referee, master or auditor, all must hear, but a majority may report, stating whether all did hear. Their report may be recommitted. They may be discharged and others appointed.

No fee or compensation other than ~~his~~ necessary expenses ~~shall~~ may be paid any Justice of the Supreme Judicial or of the Superior Court for ~~his~~ services as referee, master or auditor, but this provision ~~shall~~ does not apply to an Active Retired Justice.

No per diem fee, other than necessary expenses, ~~shall~~ may be paid any Official Court Reporter for ~~his~~ services in these cases.

A referee appointed to hear a dispute concerning real property must report the referee's decision within one year of appointment by the court unless good cause for extending this period is shown.

Sec. 2. 14 MRSA §1153 is amended to read:

§1153. Authority of referees

All the referees must meet and hear the parties; but a majority may make the report, which ~~shall be~~ is as valid as if signed by all, if it appears by the report or certificate of the dissenting referee that all attended and heard the parties. They may allow costs or not to either party, unless special provision is made therefor in the submission, but the court may reduce their compensation. Any referee may swear witnesses.

A referee appointed to hear a dispute concerning real property must report the referee's decision within one year of appointment by the court unless good cause for extending this period is shown.

See title page for effective date.

CHAPTER 167
H.P. 622 - L.D. 904

**An Act To Permit Brew Pubs
To Sell Half-gallon Containers
of Malt Liquor**

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

Sec. 1. 28-A MRSA §1355, sub-§2-B is enacted to read:

2-B. Limited sale of malt liquor for off-premises consumption from on-premises establishment. Notwithstanding any provision of this Title to the contrary, a brewery or small brewery licensed in accordance with this section may sell from the establishment at the site of the brewery licensed for the sale of alcoholic beverages to be consumed on the premises malt liquor to be consumed off the premises under the conditions specified in this subsection.

A. Only malt liquor brewed at the brewery where the on-premises establishment is licensed may be sold to patrons of the on-premises establishment.

B. Malt liquor must be dispensed in bottles from 32 ounces to 64 ounces in volume provided by and unique to the brewery.

C. No more than 6 bottles may be prefilled at any one time.

D. A deposit may be charged per bottle. Bottles sold under this subsection are not subject to Title 32, chapter 28.

E. The bottle in which the malt liquor is dispensed must be sealed by the licensee with a seal that is tamper evident.

F. Malt liquor dispensed in accordance with this subsection must be consumed off the premises.

G. All sales of malt liquor from the on-premises establishment for off-premises consumption must be accompanied by a sales receipt with a time stamp that indicates time of purchase.

H. Sale of malt liquor from the on-premises establishment for off-premises consumption may not be made after 10:00 p.m.

The bureau is authorized to adopt rules necessary to enforce this subsection. Rules adopted in accordance with this subsection are routine technical rules in accordance with Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 168
H.P. 485 - L.D. 702

**An Act To Allow the Donation
of Certain Perishable Food
Products to Nonprofit
Organizations**

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

Sec. 1. 14 MRSA §166, sub-§4, as enacted by
PL 1981, c. 300, is amended to read:

4. Application. This section applies to all good
faith donations of perishable food ~~which~~ that is not
readily marketable due to appearance, freshness,
grade, surplus or other conditions, including food that
is beyond the date by which the manufacturer recom-
mends that the food be sold, but nothing in this section
restricts the authority of any appropriate agency to
regulate or bar the use of that food for human con-
sumption.

See title page for effective date.

CHAPTER 169
H.P. 740 - L.D. 1073

**An Act To Provide for
Insurance Coverage of
Telemedicine Services**

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

Sec. 1. 24-A MRSA §4316 is enacted to read:

§4316. Coverage for telemedicine services

1. Definition. For the purposes of this section,
"telemedicine," as it pertains to the delivery of health
care services, means the use of interactive audio, video
or other electronic media for the purpose of diagnosis,
consultation or treatment. "Telemedicine" does not
include the use of audio-only telephone, facsimile ma-
chine or e-mail.

2. Coverage of telemedicine services. A carrier
offering a health plan in this State may not deny cov-
erage on the basis that the coverage is provided
through telemedicine if the health care service would
be covered were it provided through in-person consul-
tation between the covered person and a health care
provider. Coverage for health care services provided
through telemedicine must be determined in a manner
consistent with coverage for health care services pro-
vided through in-person consultation. A carrier may
offer a health plan containing a provision for a de-
ductible, copayment or coinsurance requirement for a
health care service provided through telemedicine as

long as the deductible, copayment or coinsurance does
not exceed the deductible, copayment or coinsurance
applicable to an in-person consultation.

See title page for effective date.

CHAPTER 170
H.P. 365 - L.D. 520

**An Act Authorizing Colleges
and Universities To Regulate
Public Safety on Their
Campuses**

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

Sec. 1. 20-A MRSA §10009 is enacted to
read:

**§10009. Regulation of public safety on college and
university campuses**

1. Definition. As used in this section the follow-
ing terms have the following meanings.

A. "College or university" means any postsec-
ondary educational institution, including:

- (1) Any degree-granting educational institu-
tion regulated under chapter 409;
- (2) Any university in the University of
Maine System;
- (3) Any college in the Maine Community
College System; and
- (4) The Maine Maritime Academy.

2. Power to regulate. Nothing in Title 25, sec-
tion 2011 limits the power of any college or university
to regulate the possession of firearms on the property
of the college or university.

See title page for effective date.

CHAPTER 171
H.P. 571 - L.D. 835

**An Act To Amend the Forcible
Entry and Detainer Laws**

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

Sec. 1. 14 MRSA §6002, first ¶, as amended
by PL 2003, c. 296, §1, is further amended to read:

Tenancies at will must be terminated by either
party by a minimum of 30 days' notice, except as pro-
vided in ~~subsection 1~~ subsection 2, in writing for that
purpose given to the other party, but if the landlord or

the landlord's agent has made at least 3 good faith efforts to serve the tenant, that service may be accomplished by both mailing the notice by first class mail to the tenant's last known address and by leaving the notice at the tenant's last and usual place of abode. In cases when the tenant has paid rent through the date when a 30-day notice would expire, the notice must expire on or after the date through which the rent has been paid. Either party may waive in writing the 30 days' notice at the time the notice is given, and at no other time prior to the giving of the notice. A termination based on a 30-day notice is not affected by the receipt of money, whether previously owed or for current use and occupation, until the date a writ of possession is issued against the tenant during the period of actual occupancy after receipt of the notice. When the tenancy is terminated, the tenant is liable to the process of forcible entry and detainer without further notice and without proof of any relation of landlord and tenant unless the tenant has paid, after service of the notice, rent that accrued after the termination of the tenancy. These provisions apply to tenancies of buildings erected on land of another party. Termination of the tenancy is deemed to occur at the expiration of the time fixed in the notice. A 30-day notice under this paragraph and a 7-day notice under subsection 2 may be combined in one notice to the tenant.

Sec. 2. 14 MRSA §6002, sub-§1, as amended by PL 1999, c. 248, §1, is repealed and the following enacted in its place:

1. Causes for 7-day notice of termination of tenancy. Notwithstanding any other provisions of this chapter, the tenancy may be terminated upon 7 days' written notice in the event that the landlord can show, by affirmative proof, that:

A. The tenant, the tenant's family or an invitee of the tenant has caused substantial damage to the demised premises that the tenant has not repaired or caused to be repaired before the giving of the notice provided in this subsection;

B. The tenant, the tenant's family or an invitee of the tenant caused or permitted a nuisance within the premises, has caused or permitted an invitee to cause the dwelling unit to become unfit for human habitation or has violated or permitted a violation of the law regarding the tenancy; or

C. The tenant is 7 days or more in arrears in the payment of rent.

If a tenant who is 7 days or more in arrears in the payment of rent pays the full amount of rent due before the expiration of the 7-day notice in writing, that notice is void. Thereafter, in all residential tenancies at will, if the tenant pays all rental arrears, all rent due as of the date of payment and any filing fees and service of process fees actually expended by the landlord before the issuance of the writ of possession as provided

by section 6005, then the tenancy must be reinstated and no writ of possession may issue.

In the event that the landlord or the landlord's agent has made at least 3 good faith efforts to personally serve the tenant in-hand, that service may be accomplished by both mailing the notice by first class mail to the tenant's last known address and by leaving the notice at the tenant's last and usual place of abode.

Payment or written assurance of payment through the general assistance program, as authorized by the State or a municipality pursuant to Title 22, chapter 1161, has the same effect as payment in cash.

Sec. 3. 14 MRSA §6002, sub-§2, as amended by PL 1999, c. 248, §2, is repealed and the following enacted in its place:

2. Ground for termination notice. A notice of termination issued pursuant to subsection 1 must indicate the specific ground claimed for issuing the notice.

A. If a ground claimed is rent arrearage of 7 days or more, the notice must also include a statement:

(1) Indicating the amount of the rent that is 7 days or more in arrears as of the date of the notice; and

(2) Setting forth the following notice: "If you pay the amount of rent due as of the date of this notice before this notice expires, then this notice as it applies to rent arrearage is void. After this notice expires, if you pay all rental arrears, all rent due as of the date of payment and any filing fees and service of process fees actually paid by the landlord before the writ of possession issues at the completion of the eviction process, then your tenancy will be reinstated."

B. If the notice states an incorrect rent arrearage or contains any other clerical errors that do not significantly or materially alter the purpose or understanding of the notice, the notice cannot be held invalid if the landlord can show the error was unintentional.

See title page for effective date.

CHAPTER 172

H.P. 668 - L.D. 966

**An Act To Amend the
Licensing Requirements for
Marriage and Family
Therapists**

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

Sec. 1. 32 MRSA §13858, sub-§3, as amended by PL 2003, c. 542, §2, is further amended to read:

3. Licensed marriage and family therapist. To be qualified as a licensed marriage and family therapist, an applicant must demonstrate to the satisfaction of the board adherence to the ethics of the counseling profession, successfully complete the examination prescribed by the board and have:

- A. A master's degree or a doctoral degree in marriage and family therapy or its equivalent from an accredited institution or a program approved by the board. Such schooling must include a minimum core curriculum to include a one-year clinical practicum and total credit hours adopted by the board; and
- B. Two years of experience after obtainment of a master's degree or a doctoral degree comprised of at least 1,000 hours of direct clinical contact with couples and families and 200 hours of supervision, at least 100 of which must be individual supervision.

Notwithstanding the requirements for conditional licensure in section 13851, subsection 4, the board may grant a temporary conditional license for a period not to exceed 6 months to an applicant who meets the requirements of this subsection except for the successful completion of the examination prescribed by the board. In addition, the applicant must be employed at an agency under clinical supervision and must apply for and successfully complete the examination within this 6-month period. If the applicant fails the examination, the applicant is prohibited from using any clinical experience gained during the 6-month period that the applicant held the temporary conditional license to qualify for licensure.

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 for the costs associated with establishing a new license category in the agency's licensing system.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,500	\$0
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500	\$0

Licensing and Enforcement 0352

Initiative: Allocates one-time funding for the costs associated with rulemaking.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,500	\$0
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,500	\$0
 PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$4,000	\$0
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$4,000	\$0

See title page for effective date.

CHAPTER 173

S.P. 403 - L.D. 1085

An Act Concerning Dispute Resolution in Home Construction Contracts

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

Sec. 1. 10 MRSA §1487, sub-§8, as enacted by PL 1987, c. 574, is amended to read:

8. Resolution of disputes. A statement allowing the parties the option to adopt one of 3 methods of resolving contract disputes in addition to the option of a small claims action. At a minimum, this statement must provide the following information:

"If a dispute arises concerning the provisions of this contract or the performance by the parties that may not be resolved through a small claims action, then the parties agree to settle this dispute by jointly paying for one of the following (check only one):

- (1) Binding arbitration ~~as regulated by~~ under the Maine Uniform Arbitration Act, ~~with in~~ which the parties agreeing agree to accept as final the arbitrator's decision ();
- (2) Nonbinding arbitration, with the parties free to ~~not accept~~ reject the arbitrator's decision

and to seek ~~satisfaction~~ a solution through other means, including a lawsuit (_____); or

(3) Mediation, ~~with in which the parties agreeing to enter into good faith negotiations~~ negotiate through a neutral mediator in order to ~~attempt~~ an effort to resolve their differences in advance of filing a lawsuit (_____);

See title page for effective date.

CHAPTER 174

H.P. 599 - L.D. 868

**An Act To Rename the
Division of Deafness within the
Department of Labor**

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

Sec. 1. 5 MRSA §48-A, as enacted by PL 2003, c. 685, §2, is amended to read:

**§48-A. Communication services for deaf persons,
hard-of-hearing persons and late-deafened
persons in court and other legal settings**

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

A. "Advocate" means a person who is not a lawyer and who provides to the public advice or other substantive legal work that is not prohibited by law or regulation.

B. "Agency" means any authority, board, bureau, commission, department or officer of State Government or of any county, municipality, school district or any other political or administrative subdivision.

C. "Bureau" means the Department of Labor, Bureau of Rehabilitation Services.

D. "CART" means computer-assisted real-time transcription using specialized equipment to transcribe real time word-for-word spoken English into written English that can be viewed on a computer screen or projected onto a large screen.

E. "CART provider" means a person who provides CART.

F. "Client" means a deaf person, a hard-of-hearing person, a late-deafened person or a hearing person who is provided interpreting services by a privileged interpreter.

G. "Confidential communication" means a communication that a client has a reasonable expectation is not being disclosed to persons other than a

privileged interpreter and any client to whom the communication is intended to be made.

H. "Deaf interpreter" means a deaf person ~~or~~, hard-of-hearing person or late-deafened person with native or near-native fluency in American Sign Language who has training in interpreting and training or experience in the use of gesture, mime, props, drawings and other tools to enhance communication for deaf persons with minimal language skills.

I. "Deaf person" means a person whose sense of hearing is nonfunctional for the purpose of communication and who must depend primarily upon visual communication.

J. "Hard-of-hearing person" means a person who has a hearing loss resulting in a functional loss, but not to the extent that the person must depend primarily upon visual communication.

K. "Interpreting organization" means an organization whose function is to provide qualified legal interpreter services for a fee.

K-1. "Late deafened" means that the sense of hearing of an individual is nonfunctional for the purpose of communication and that the individual must depend primarily upon visual communication. The loss of the sense of hearing for a late-deafened individual occurs after the development of speech and language.

L. "Privileged interpreter" means a person identified by clients as necessary to facilitate accurate communication between the clients and who otherwise has no substantial personal or business interest in the communication.

M. "Qualified legal interpreter" means a person who is licensed under Title 32, chapter 22 as a certified interpreter, certified deaf interpreter or certified transliterator and who:

(1) Is a hearing person who:

(a) Holds a current Specialist Certificate: Legal from the Registry of Interpreters for the Deaf, Inc. or its successor;

(b) Satisfies the eligibility criteria for taking the exam for the specialist certificate described in division (a) as long as, by January 1, 2012, that person obtains the specialist certificate described in division (a); or

(c) Is included on the bureau's list of qualified interpreters on the effective date of this section, as long as that person, by January 1, 2006, meets the eligibility criteria for taking the exam for the specialist certificate described in division (a) and, by January 1, 2012, obtains the

specialist certificate described in division (a); or

(2) Is a deaf interpreter who holds a current Certificate of Interpretation from the Registry of Interpreters for the Deaf, Inc. or its successor or a Reverse Skills Certificate from the Registry of Interpreters for the Deaf, Inc. or its successor. Beginning January 1, 2006, a deaf person or, hard-of-hearing person or late-deafened person must also satisfy the eligibility criteria for taking the exam for the Specialist Certificate: Legal or its successor.

N. "Travel expenses" means actual expenses for transportation reimbursable at the usual state mileage rate, tolls, parking fees or other fees specified in an agreement between an interpreter or an interpreting organization and an agency or court retaining the services of the interpreter at a specific date, time and place.

2. Interpreter services or CART required for agency or court proceedings. When any personal or property interest of a deaf person or, hard-of-hearing person or late-deafened person or of a minor whose parent or guardian is a deaf person or, hard-of-hearing person or late-deafened person is the subject of a proceeding before any agency or court, the presiding officer of the proceeding shall appoint a qualified legal interpreter or CART provider.

A. A qualified legal interpreter or CART provider must be appointed under this subsection after consultation with, and giving primary consideration to the request of, the deaf person or, hard-of-hearing person or late-deafened person. If the appointed qualified legal interpreter does not meet the needs of the deaf person or, hard-of-hearing person or late-deafened person, the presiding officer shall, with the consent of the deaf person or, hard-of-hearing person or late-deafened person, appoint another qualified legal interpreter.

B. If a qualified legal interpreter appointed under this subsection for the deaf person or, hard-of-hearing person or late-deafened person states that the interpretation is not satisfactory and that a qualified legal interpreter who is a deaf person or, a hard-of-hearing person or a late-deafened person will improve the quality of interpretation, the presiding officer shall appoint a qualified legal interpreter who is a deaf person or, a hard-of-hearing person or a late-deafened person to assist the qualified legal interpreter.

C. The presiding officer shall appoint as many qualified legal interpreters under this subsection as are necessary to meet the needs of the deaf person or, hard-of-hearing person or late-deafened person.

D. A qualified legal interpreter or CART provider appointed under this subsection must be reimbursed by the agency or court conducting the proceeding at a rate negotiated with the qualified legal interpreter or interpreting organization, plus travel expenses; except that employees of the State or any of its political subdivisions, public employees and public or private school, university and college teachers or administrators for interpreting services or anyone who receives a salary during regular work hours may not be reimbursed under this subsection or subsection 3 for interpreter services performed during their regular working hours. This paragraph does not prevent any agency or court from employing a qualified legal interpreter on a full-time basis or under contract at a mutually agreed-upon compensation rate.

E. It is the responsibility of the agency or court conducting the proceeding to ensure compliance with the provisions of this subsection.

3. Interpreting services or CART for consultation with appointed attorneys. When a court appoints an attorney to represent a deaf person or, hard-of-hearing person or late-deafened person or to represent a juvenile whose parent or guardian is a deaf person or, hard-of-hearing person or late-deafened person, the court shall provide interpreting services or CART in accordance with this subsection to allow for effective consultation between the attorney and client. Interpreting services or CART provided under this subsection must be paid for directly by the court and is not the responsibility of the attorney.

4. Legal interpreting fund for services of attorneys and advocates, generally. The bureau shall maintain a legal interpreting fund, which must be used to reimburse private attorneys and advocates for the cost of interpreting services or CART that assists the attorney or advocate in effectively representing deaf persons or, hard-of-hearing persons or late-deafened persons in cases in which subsection 3 does not apply. This fund may not be used to cover interpreting services or CART for actual proceedings pursuant to subsection 2.

5. Privileged communication. Except when a court in the exercise of sound discretion determines the disclosure necessary to the proper administration of justice, a privileged interpreter may not disclose any aspect of a confidential communication facilitated by that privileged interpreter unless all clients of the privileged interpreter privy to that confidential communication consent to the disclosure.

6. Oath. Every qualified legal interpreter appointed under subsection 2 shall, before performing the qualified legal interpreter's duties, take an oath that the qualified legal interpreter will make a true interpretation in an understandable manner to the person for

whom the qualified legal interpreter is appointed, and that the qualified legal interpreter will repeat the statements of the person in the English language to the best of the qualified legal interpreter's ability.

7. Provide information. With the cooperation of the Registry of Interpreters for the Deaf, Inc. or its successor, the bureau shall prepare and continually update a directory listing all qualified legal interpreters in the State. When requested by an agency or court, the bureau shall furnish the agency or court with the directory. The Division of Deafness for the Deaf, Hard of Hearing and Late Deafened within the bureau shall also provide information to the public, including state agencies and individuals who work with interpreters, regarding the qualifications necessary to become a qualified legal interpreter.

Sec. 2. 5 MRSA §12004-I, sub-§54-B, as enacted by PL 1995, c. 560, Pt. F, §8, is repealed.

Sec. 3. 5 MRSA §12004-J, sub-§17 is enacted to read:

17.

Labor: Rehabili- tation Services	Commission for the Division for the Deaf, Hard of Hearing and Late Deaf- ened	Expenses Only	26 MRSA §1413-C
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Sec. 4. 26 MRSA §1413, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1413. Division for the Deaf, Hard of Hearing and Late Deafened

There is established the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened within the Department of Labor, Bureau of Rehabilitation Services.

Sec. 5. 26 MRSA §1413-A, sub-§1, as enacted by PL 1995, c. 560, Pt. F, §13, is repealed.

Sec. 6. 26 MRSA §1413-A, sub-§1-A is enacted to read:

1-A. Commission. "Commission" means the Commission for the Division for the Deaf, Hard of Hearing and Late Deafened.

Sec. 7. 26 MRSA §1413-A, sub-§4, as enacted by PL 1995, c. 560, Pt. F, §13, is repealed.

Sec. 8. 26 MRSA §1413-A, sub-§5 is enacted to read:

5. Late deafened. "Late deafened" means that the sense of hearing of an individual is nonfunctional for the purpose of communication and that the indi-

vidual must depend primarily upon visual communication. The loss of the sense of hearing for a late-deafened individual occurs after the development of speech and language.

Sec. 9. 26 MRSA §1413-B, first ¶, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

To provide the following services and information to deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons, the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened shall:

Sec. 10. 26 MRSA §1413-B, sub-§1, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

1. Provide advocacy. Provide cooperative agreements or coordinate with agencies or community resources to provide advocacy for the rights of deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons in the areas of employment, education, legal aid, health care, social services, finance, housing and other personal assistance while avoiding duplication of effort in these areas;

Sec. 11. 26 MRSA §1413-B, sub-§2, as enacted by PL 1995, c. 560, Pt. F, §13, is repealed.

Sec. 12. 26 MRSA §1413-B, sub-§3, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

3. Information and referral. Provide information and referral services to deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons and their families on questions related to their disorder;

Sec. 13. 26 MRSA §1413-B, sub-§4, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

4. Develop objectives. Develop a plan with goals and objectives for development, planning and implementation within a framework for greater cooperation and coordination among agencies and organizations now serving or having the potential to serve deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons;

Sec. 14. 26 MRSA §1413-B, sub-§5, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

5. Community service center. Continue to study the need to establish, maintain and fund at least one community service center where deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons and their families can receive pertinent information relating to the coordination of services that each requires;

Sec. 15. 26 MRSA §1413-B, sub-§6, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

6. Promote accessibility. Promote accessibility to all governmental services for residents of the State who are deaf or, hard-of-hearing or late-deafened persons; and

Sec. 16. 26 MRSA §1413-B, sub-§7, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

7. Recommendations. Make recommendations to the Governor and the joint standing committee committees of the Legislature having jurisdiction over labor and health and human services matters with respect to modifications in existing services or establishment of additional services for deaf and, hard-of-hearing and late-deafened persons and their families.

Sec. 17. 26 MRSA §1413-C, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1413-C. Commission

~~There is established within~~ Within the Department of Labor, Bureau of Rehabilitation Services, Division of Deafness for the Deaf, Hard of Hearing and Late Deafened, ~~an advisory council consisting the Commission for the Division for the Deaf, Hard of Hearing and Late Deafened as established under Title 5, section 12004-J, subsection 17, consists of 24 members and 3 members-at-large appointed by the Director of the Bureau of Rehabilitation Services in conjunction with the Director of the Division of Deafness Governor and representing equally consumers, professionals and the public. Members are entitled to compensation in accordance with Title 5, chapter 379.~~

~~The Director of the Bureau of Rehabilitation Services, in conjunction with the Director of the Division of Deafness, commission shall appoint, from the advisory council its membership, a chair and vice-chair to serve 2-year terms. The council commission shall meet at the call of the chair but not less than 4 times during a calendar year. The chair may delegate duties to members to carry out the functions of the council commission.~~

Sec. 18. 26 MRSA §1413-D, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1413-D. Commission; powers and duties

The ~~advisory council~~ commission shall advise the Director of the Bureau of Rehabilitation Services and shall prepare an annual report, which is a public document to the extent that it complies with section 1412. The report must include, but is not limited to:

1. Review. Review of the status of services to deaf and, hard-of-hearing and late-deafened persons;

2. Recommendations. Recommendations for priorities for the development and coordination of services to deaf and, hard-of-hearing and late-deafened persons;

3. Evaluation. An evaluation of the progress made as the result of recommendations made in the preceding report of the chair;

4. Statement of goals. A statement of goals for activities of the division during the subsequent fiscal year; and

5. Implementation of functions. The steps to be taken by the division to implement the functions listed in section 1413-B.

Sec. 19. 26 MRSA §1413-E, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1413-E. Director of the Division for the Deaf, Hard of Hearing and Late Deafened

1. Director. The Director of the Bureau of Rehabilitation Services shall appoint the Director of the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened, who is responsible for administering the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened and its programs and policies, including generating and seeking out financial aid, grants and money.

2. Director of the Division for the Deaf, Hard of Hearing and Late Deafened; staff; qualifications. The Director of the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened and the staff must be knowledgeable of the needs of the deaf and, hard of hearing and late deafened and possess the ability to communicate on a meaningful basis with those persons.

Sec. 20. 26 MRSA §1419, sub-§1, ¶F is enacted to read:

F. "Late deafened" means that the sense of hearing of an individual is nonfunctional for the purpose of communication and that the individual must depend primarily upon visual communication. The loss of the sense of hearing for a late-deafened individual occurs after the development of speech and language.

Sec. 21. 26 MRSA §1419-A, as amended by PL 2007, c. 224, §§1 and 2, is further amended to read:

§1419-A. Specialized customer communications equipment for persons with disabilities

2. Communications Equipment Fund. There is established the Communications Equipment Fund to be used by the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened within the Bureau of Rehabilitation Services. The fund is nonlapsing. The fund receives money transferred by the Public Utilities Commission from the universal service fund pursuant to Title 35-A, section 7104. The Division of Deafness for the Deaf, Hard of Hearing and Late Deafened may accept gifts or grants, including, but not limited to, federal grants, for the purposes of this section. Funds

transferred from the universal service fund pursuant to Title 35-A, section 7104 and all gifts and grants and authorized appropriations must be deposited in the Communications Equipment Fund and disbursed in accordance with this section. The Communications Equipment Fund may be used for purchase, lease, distribution, upgrading, installation, maintenance and repair of specialized customer communications equipment for deaf, hard-of-hearing, late-deafened or speech-impaired persons and persons with disabilities, for training in the use of such equipment and for administrative costs associated with these uses of the fund, except that funds received for the purposes of subsection 6 pursuant to Title 35-A, section 7104 may be used only in accordance with subsection 6. The Division of Deafness for the Deaf, Hard of Hearing and Late Deafened may draw on the Communications Equipment Fund in accordance with the communications equipment plan required under subsection 3.

3. Communications equipment plan. The Division of Deafness for the Deaf, Hard of Hearing and Late Deafened shall develop a plan to make specialized customer communications equipment available to deaf, hard-of-hearing, late-deafened or speech-impaired persons and persons with disabilities and to distribute money from the Communications Equipment Fund. The plan must be developed by the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened annually, not later than January 1st, in accordance with the rule-making procedures in Title 5, chapter 375. The plan must provide for the expenditure of money from the Communications Equipment Fund for the benefit of deaf, hard-of-hearing, late-deafened or speech-impaired persons and persons with disabilities for the purchase, lease, distribution, upgrading, installation, maintenance and repair of specialized customer communications equipment capable of serving their needs and may provide for expenditures for training in the use of such equipment. Persons who are profoundly deaf or speech-impaired or who have a disability so that they are unable to use the telephone for expressive or receptive communications, as verified by a written report from an otologist, an audiologist or a physician, are eligible for assistance from the Communications Equipment Fund. The plan must ensure that persons with disabilities have access to appropriate specialized customer communications equipment to meet their individual needs. The plan must include specific criteria that govern the priorities assigned to various persons who need this equipment. The criteria must take into account household income, degree of impairment, need for emergency communications, living arrangements and other factors determined relevant by the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened. In developing the criteria, the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened shall consult with the advisory council established in section

1413-C commission and ~~other~~ advisory councils representing the interests of persons with disabilities.

4. Specialized customer communications equipment needs in public school system. The Department of Education, in consultation with the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and advocacy groups for deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons and for the information technology interests of consumers, shall conduct an annual survey of all public schools in the State for the purpose of assessing the need for specialized customer communications equipment in the school system and report its findings to the joint standing committee of the Legislature having jurisdiction over labor matters. The report must include: the number of deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened students and their needs for specialized customer communications equipment; the availability of specialized customer communications equipment; the number of requests for specialized customer communications equipment; and the status of training for teachers and other school personnel in the use of specialized customer communications equipment.

6. Emergency alert telecommunications service. A person who has been certified by the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened as being deaf ~~or~~, hard-of-hearing ~~or~~ late-deafened and has an income of less than 135% of the federal poverty level must receive a discount of up to \$10 per month in the service charge for any wireless communications device or 2-way pager that is used to receive emergency alerts issued by any state or federal agency or a discount equal to the monthly service charge for any one-way pager that is used to receive emergency alerts issued by any state or federal agency. A person using a wireless communications device or 2-way pager must receive a \$10 discount except when the service charge for the wireless communications device or 2-way pager is less than \$10 per month, in which case the person must receive a discount equal to the service charge for the wireless communications device or 2-way pager. A company required to provide the discount is entitled to recover amounts discounted from the Communications Equipment Fund established in subsection 2. The Bureau of Rehabilitation Services shall adopt rules to establish the process for certifying eligibility with the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened and for the process to be used by wireless and paging companies in recovering discounted revenue from the Communications Equipment Fund. Administrative costs associated with implementing this subsection may be paid from funds provided to the Communications Equipment Fund for the purposes of this subsection pursuant to Title 35-A, section 7104. Rules adopted pursuant to this subsection are routine techni-

cal rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 22. 29-A MRSA §522, as amended by PL 2001, c. 361, §12, is further amended to read:

§522. Deaf, hard-of-hearing and late-deafened persons

1. Issuance of placard. The Secretary of State may issue a placard for deaf ~~and~~, hard-of-hearing ~~and~~ late-deafened persons to a person who is deaf ~~or~~, hard-of-hearing ~~or~~ late deafened on receipt of a form from the ~~Division of Deafness for the Deaf, Hard of Hearing and Late Deafened, Office~~ Bureau of Rehabilitation Services, certified by a physician or an audiologist stating that the applicant is deaf ~~or~~, hard-of-hearing ~~or~~ late deafened and can not hear or understand normal speech.

2. Manner of display. The placard must be displayed in a conspicuous location in the vehicle as near to the operator as possible without obstructing the view of the operator.

3. No fee. There is no fee for a placard issued pursuant to this section.

Sec. 23. 35-A MRSA §7302, as amended by PL 2009, c. 68, §§1 to 3, is further amended to read:

§7302. Toll-call rates for deaf, hard-of-hearing, late-deafened or speech-impaired persons

1. Rate reduction. The commission shall establish a 70% rate reduction for usage-sensitive intrastate toll calls made on lines, or via credit cards assigned to lines, used for making calls from certified deaf, hard-of-hearing, late-deafened or speech-impaired persons who must rely on telecommunications devices for the deaf for residential telephone communications. In addition, the 70% rate reduction must apply to all usage-sensitive intrastate toll calls using the state telecommunications relay service. Upon request, this discount must be provided to any noncertified user making calls to a certified user, provided the noncertified user informs the intrastate toll provider of the relevant billed calls made during each billing period. This reduction must also apply to intrastate toll calls made by agencies certified by the ~~Division of Deafness for the Deaf, Hard of Hearing and Late Deafened~~ in the Department of Labor as eligible to receive a discount, while providing vocal relay services to deaf, hard-of-hearing, late-deafened or speech-impaired persons, as well as to community service centers serving deaf, hard-of-hearing, late-deafened or speech-impaired persons certified by the ~~Division of Deafness for the Deaf, Hard of Hearing and Late Deafened~~ of the Department of Labor as eligible to receive a discount. The costs incurred by an intrastate toll provider under this subsection are just and reasonable expenses for rate-making purposes.

2. Customers qualifying for the reduction. To qualify for the reduction, a customer must file an affidavit, on a form approved by the commission, with the customer's intrastate toll provider, stating that, due to deafness, hearing impairment or speech impairment, the customer or a member of the household must rely on a telecommunications device for the deaf for telecommunications.

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

A. "Deaf person" has the same meaning as in section 8702, subsection 3.

B. "Hard-of-hearing person" has the same meaning as in section 8702, subsection 3-A.

C. "Speech-impaired person" has the same meaning as in section 8702, subsection 5.

D. "Telecommunications device for the deaf" has the same meaning as in section 8702, subsection 6.

Sec. 24. 35-A MRSA §7505, sub-§1, as corrected by RR 1995, c. 1, §30, is amended to read:

1. State buildings. The Department of Administrative and Financial Services shall require the installation and maintenance of telecommunication devices for communication for the deaf, ~~hard-of-hearing~~ hard of hearing, late deafened and speech-impaired who rely on those devices for telephone communications in locations accessible to the public in state buildings where a primary function is the delivery of service to the general public in accordance with a plan developed by the Department of Administrative and Financial Services, Bureau of Information Services and the Department of ~~Education~~ Labor, ~~Office~~ Bureau of Rehabilitation Services.

Sec. 25. 35-A MRSA §7505, sub-§5, as amended by PL 2009, c. 68, §4, is further amended to read:

5. Devices. The requirements of this section may be satisfied by installation of telecommunications devices for the deaf as defined in section 8702, subsection 6, or other devices approved by the Department of Labor, Bureau of Rehabilitation Services, Division of ~~Deafness for the Deaf, Hard of Hearing and Late Deafened~~.

Sec. 26. 35-A MRSA §8704, sub-§1, ¶A, as amended by PL 2001, c. 377, §3, is further amended to read:

A. The Director of the ~~Division of Deafness for the Deaf, Hard of Hearing and Late Deafened~~, Bureau of Rehabilitation Services, Department of Labor, or a designee;

Sec. 27. 35-A MRSA §8704, sub-§1, ¶B, as enacted by PL 1989, c. 851, §7, is amended to read:

B. The ~~Chair~~ chair of the ~~Advisory Committee to Commission for the Division of Deafness for the Deaf, Hard of Hearing and Late Deafened~~ established by Title 5, section ~~12004-I~~ 12004-J, subsection 40 17, or a designee;

Sec. 28. Transition provisions.

1. The Commission for the Division for the Deaf, Hard of Hearing and Late Deafened, established pursuant to the Maine Revised Statutes, Title 5, section 12004-J, subsection 17, is the successor in every way to the functions and duties of the former Advisory Council to Division of Deafness, as established pursuant to Title 5, section 12004-I, subsection 54-B.

2. All records, property and equipment previously belonging to or for the use of the former Advisory Council to Division of Deafness become part of the property of the Commission for the Division for the Deaf, Hard of Hearing and Late Deafened.

3. All existing forms, licenses, letterheads and similar items bearing the name of or referring to the former Advisory Council to Division of Deafness may be utilized by the Commission for the Division for the Deaf, Hard of Hearing and Late Deafened until existing supplies of these items are exhausted.

Sec. 29. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 26, chapter 19, subchapter 2, article 2, in the article headnote, the words "division of deafness" are amended to read "division of the deaf, hard of hearing and late deafened" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 30. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 26, chapter 19, subchapter 2, article 8, in the article headnote, the words "deaf and hard-of-hearing persons" are amended to read "deaf, hard-of-hearing and late-deafened persons" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

**CHAPTER 175
H.P. 583 - L.D. 847**

**An Act Authorizing Statewide
Mutual Aid among First
Responder Agencies**

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 First Responders State-wide Mutual Aid Agreement can provide emergency services to any part of the State whenever they are needed; and

Whereas, emergencies affecting multiple communities can happen at any 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 enacted by the People of the State of Maine as follows:

Sec. 1. 37-B MRSA §784-B is enacted to read:

§784-B. Maine First Responders State-wide Mutual Aid Agreement

All political subdivisions within the State are covered by the Maine First Responders State-wide Mutual Aid Agreement, dated November 2008, as drafted by the agency and referred to in this section as "the agreement," except that a political subdivision may withdraw from the agreement by enacting a local ordinance that withdraws from the agreement.

A local first responder agency may provide emergency management, fire, law enforcement, emergency medical, public works and other emergency services as necessary upon the request of any political subdivision within the State in accordance with the agreement. Additional preexisting contracts or agreements with the jurisdiction requesting the services are not required.

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

Effective May 19, 2009.

**CHAPTER 176
H.P. 562 - L.D. 826**

**An Act To Protect Recreational
Trails on Private Land by
Exempting Certain
Information on Recreational
Trails from the Definition of
"Public Records"**

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

Sec. 1. 1 MRSA §402, sub-§3, ¶N, as amended by PL 2005, c. 381, §2, is further amended to read:

N. Social security numbers in the possession of the Department of Inland Fisheries and Wildlife; and

Sec. 2. 1 MRSA §402, sub-§3, ¶O, as amended by PL 2007, c. 597, §1, is further amended to read:

O. Personal contact information concerning public employees, except when that information is public pursuant to other law. For the purposes of this paragraph:

(1) "Personal contact information" means home address, home telephone number, home facsimile number, home e-mail address and personal cellular telephone number and personal pager number; and

(2) "Public employee" means an employee as defined in Title 14, section 8102, subsection 1, except that "public employee" does not include elected officials; and

Sec. 3. 1 MRSA §402, sub-§3, ¶P is enacted to read:

P. Geographic information regarding recreational trails that are located on private land that are authorized voluntarily as such by the landowner with no public deed or guaranteed right of public access, unless the landowner authorizes the release of the information.

See title page for effective date.

CHAPTER 177

H.P. 362 - L.D. 517

An Act To Clarify a Municipality's Authority To Contract with an Animal Shelter for Services

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

Sec. 1. 7 MRSA §3947, first ¶, as amended by PL 2007, c. 439, §26, is further amended to read:

Each municipality shall appoint one or more animal control officers whose duties are enforcement of sections 3911, 3912, 3916, 3921, 3924, 3943, 3948, 3950, 3950-A, 3952 and 4041 and Title 17, section 1023, responding to reports of animals suspected of having rabies in accordance with Title 22, sections 1313 and 1313-A and any other duties to control animals as the municipality may require. A municipality may appoint an employee of an animal shelter as an

animal control officer as long as the person meets the qualifications and training requirements of this section.

Sec. 2. 7 MRSA §3949, as amended by PL 1997, c. 690, §32, is further amended by adding after the first paragraph a new paragraph to read:

A municipality may contract with an animal shelter licensed under section 3932-A for other animal control services. A municipality may not contract with a shelter for the performance of the duties of an animal control officer as specified in section 3947 unless an employee of that shelter is the appointed animal control officer for that municipality and the duties of an animal control officer are performed by the person so appointed.

See title page for effective date.

CHAPTER 178

H.P. 632 - L.D. 914

An Act To Broaden the Use of the Land for Maine's Future Fund for Investments To Promote Public Access and Use of Conserved Lands and To Improve the Productivity of Conserved Farmlands

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

Sec. 1. 5 MRSA §6203, sub-§3, ¶B, as amended by PL 1999, c. 769, §1, is further amended to read:

B. ~~Fund~~ When interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital improvements on such lands acquired by proceeds from the Land for Maine's Future Fund and on adjoining lands in the same ownership or under the same management to improve accessibility, as long as these improvements do not exceed 5% of the appraised value of the acquired property; and

Sec. 2. 5 MRSA §6203, sub-§3, ¶C, as amended by PL 1999, c. 769, §2, is amended to read:

C. When interest in farmland is acquired with proceeds from the Land for Maine's Future Fund, fund the development of a business plan and capital improvements to provide for the land's continuing use as a working farm, as long as these improvements do not exceed 5% of the appraised value of the acquired property. Capital improvements under this paragraph may also be made on

adjoining farmland in the same ownership or under the same management.

See title page for effective date.

CHAPTER 179

H.P. 738 - L.D. 1071

An Act To Add a Member to the Advisory Council on Health Systems Development

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

Sec. 1. 2 MRSA §104, sub-§1-A, as enacted by PL 2007, c. 441, §1, is amended to read:

1-A. Appointment; composition. The Advisory Council on Health Systems Development, established in Title 5, section 12004-I, subsection 31-A and referred to in this section as "the council," consists of ~~19~~ 20 members appointed pursuant to this subsection.

A. The Governor shall appoint ~~14~~ 15 members with the approval of the joint standing committee of the Legislature having jurisdiction over health and human services matters:

- (1) Two individuals with expertise in health care delivery, one of whom represents hospitals;
- (2) One individual with expertise in long-term care;
- (3) One individual with expertise in mental health;
- (4) One individual with expertise in public health care financing;
- (5) One individual with expertise in private health care financing;
- (6) One individual with expertise in health care quality;
- (7) One individual with expertise in public health;
- (8) Two representatives of consumers;
- (9) One individual with expertise in the insurance industry;
- (10) Two individuals with expertise in business, one representing a business or businesses with fewer than 50 employees; ~~and~~
- (11) One representative of the Department of Health and Human Services, Maine Center for Disease Control and Prevention that works collaboratively with other organiza-

tions to improve the health of the citizens of this State; ~~and~~

(12) One individual with expertise in health disparities and representing the State's racial and ethnic minority communities.

Prior to making appointments to the council, the Governor shall seek nominations from the public, from statewide associations representing hospitals, physicians and consumers and from individuals and organizations with expertise in health care delivery systems, health care financing, health care quality and public health.

B. Five members of the council must be members of the Legislature who serve on the joint standing committee of the Legislature having jurisdiction over health and human services matters or the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters:

- (1) Two members of the Senate, appointed by the President of the Senate, including one member recommended by the Senate Minority Leader; and
- (2) Three members of the House of Representatives appointed by the Speaker of the House, including one member recommended by the House Minority Leader.

See title page for effective date.

CHAPTER 180

H.P. 316 - L.D. 428

An Act To Amend the Laws Concerning Wrongful Death

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

Sec. 1. 18-A MRSA §2-804, sub-§(b), as amended by PL 2007, c. 280, §1, is further amended to read:

(b). Every ~~such wrongful death~~ action must be brought by and in the name of the personal representative of the deceased person, ~~and the~~. The amount recovered in every ~~such wrongful death~~ action, except as otherwise provided, is for the exclusive benefit of the surviving spouse if no minor children, ~~and~~ of the children if no surviving spouse, ~~and~~ one-half for the exclusive benefit of the surviving spouse and one-half for the exclusive benefit of the minor children to be divided equally among them if there are both surviving spouse and minor children; and to the deceased's heirs to be distributed as provided in section 2-106 if there is neither surviving spouse nor minor children. The jury may give ~~such~~ damages as it determines a fair and

just compensation with reference to the pecuniary injuries resulting from the death to the persons for whose benefit the action is brought and in addition shall give such damages as that will compensate the estate of the deceased person for reasonable expenses of medical, surgical and hospital care and treatment and for reasonable funeral expenses, and in addition, the jury may give damages not exceeding \$500,000 for the loss of comfort, society and companionship of the deceased, including any damages for emotional distress arising from the same facts as those constituting the underlying claim, to the persons for whose benefit the action is brought, and in addition, the jury may also give punitive damages not exceeding \$75,000, provided that the action is \$250,000. An action under this section must be commenced within 2 years after the decedent's death. If a claim under this section is settled without an action having been commenced, the amount paid in settlement must be distributed as provided in this subsection. No settlement on behalf of minor children is not valid unless approved by the court, as provided in Title 14, section 1605.

See title page for effective date.

CHAPTER 181

H.P. 260 - L.D. 324

An Act To Allow Limited Information Sharing in Domestic Violence Cases

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

Sec. 1. 16 MRSA §614, sub-§3, ¶C, as amended by PL 2003, c. 402, §1, is further amended to read:

C. An accused person or that person's agent or attorney if authorized by:

- (1) The district attorney for the district in which that accused person is to be tried;
- (2) A rule or ruling of a court of this State or of the United States; or
- (3) The Attorney General; or

Sec. 2. 16 MRSA §614, sub-§3, ¶D, as enacted by PL 2003, c. 402, §2, is amended to read:

D. A victim or victim's agent or attorney, subject to reasonable limitations to protect the interest described in subsection 1; or

Sec. 3. 16 MRSA §614, sub-§3, ¶E is enacted to read:

E. An advocate, as defined in section 53-B, subsection 1, paragraph A, with a specific agreement

with a criminal justice agency and subject to reasonable limitations to protect the interests described in subsection 1. An agreement between an advocate and a criminal justice agency must, at a minimum, include provisions that:

(1) Permit the advocate to use reports or records that contain intelligence and investigative information for the purpose of planning for the safety of the victim named in the reports;

(2) Prohibit the advocate from further disseminating reports or records that contain intelligence and investigative information;

(3) Require the advocate to ensure that reports or records that contain intelligence and investigative information remain secure and confidential;

(4) Require the advocate to destroy reports or records that contain intelligence and investigative information within 30 days after receiving the report or record;

(5) Permit the criminal justice agency to perform reasonable and appropriate audits in order to ensure that records containing intelligence and investigative information that are obtained by and that are in the custody of the advocate are maintained in accordance with the requirements of this paragraph;

(6) Require the advocate to indemnify and hold harmless the criminal justice agency with respect to any litigation that may result from the provision of reports or records that contain intelligence and investigative information;

(7) Permit the criminal justice agency to immediately and unilaterally revoke an agreement made pursuant to this paragraph; and

(8) Provide sanctions for any violations of this paragraph.

The Commissioner of Public Safety may adopt a model policy to standardize the provisions contemplated in this paragraph.

Sec. 4. 16 MRSA §614, sub-§4 is enacted to read:

4. Unlawful dissemination of reports or records that contain intelligence and investigative information. A person that intentionally disseminates a report or record that contains intelligence and investigative information in violation of this section commits a Class E crime.

See title page for effective date.

**CHAPTER 182
H.P. 329 - L.D. 441**

**An Act To Establish the Civil
Violation of Motor Vehicle
Violation Resulting in Death**

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

Sec. 1. 29-A MRSA §2413-A is enacted to read:

§2413-A. Motor vehicle violation resulting in death

1. Offense. A person commits the civil violation of motor vehicle violation resulting in death if that person, while operating a motor vehicle and committing a traffic infraction, causes the death of another person.

2. Pleading and proof. The State must prove that the defendant's committing a traffic infraction while operating a motor vehicle caused the death under subsection 1. The court shall apply Title 17-A, section 33 in assessing any causation under this section.

3. Penalties. A person who violates this section commits a civil violation for which a fine of not more than \$5,000 may be adjudged. Any portion of the fine adjudged may be satisfied by a court-ordered requirement of community service work. The court shall also impose a license suspension of no less than 14 days and up to 4 years.

See title page for effective date.

**CHAPTER 183
H.P. 204 - L.D. 258**

**An Act Regarding Political
Signs**

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

Sec. 1. 21-A MRSA §1014, sub-§1, as amended by PL 2007, c. 443, Pt. A, §9, is further 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, 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 fund-raisers 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 that is made through a broadcasting station 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 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.

See title page for effective date.

**CHAPTER 184
H.P. 452 - L.D. 638**

**An Act To Exempt
Snowmobiles and All-terrain
Vehicles Operated at
Demonstration Events from the
Requirement of a Maine
Registration**

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

Sec. 1. 12 MRSA §13104, sub-§7, ¶D is enacted to read:

D. A snowmobile owned or under the control of a snowmobile manufacturer may be operated without a Maine registration at a demonstration event organized to occur in this State if such operation is approved by the commissioner. A snowmobile manufacturer or a representative of a snowmobile manufacturer must submit a request in writing to the commissioner at least 60 days prior to the demonstration event and shall include a description and the location of the event.

Sec. 2. 12 MRSA §13155, sub-§1-A, ¶A, as amended by PL 2005, c. 177, §1, is further amended to read:

A. The following exceptions apply.

(1) Registration is not required for an ATV operated on land on which the owner lives or on land on which the owner is domiciled, as long as the ATV is not operated elsewhere within the jurisdiction of the State.

(2) Registration is not required for an ATV operated by a commercial ski area for the purpose of packing snow or for rescue operations on the commercial ski area, unless the ATV is required to cross a public way during that operation.

(3) An ATV owned and operated in the State by the Federal Government, the State or a political subdivision of the State is exempt from registration fees but must be registered and is required to display registration numbers.

(4) An ATV registration for the farm use specified in Title 29-A, section 501, subsection 8, paragraph E is not required for a vehicle registered with the Secretary of State under Title 29-A, section 501, subsection 8.

(5) An ATV registered in another state or in a Canadian province may be operated without being registered pursuant to this section at a special event organized to occur in this State if the special event organizer submits a request in writing to the commissioner 60 days prior to the special event and provides the commissioner with a map of the trails to be used during the special event and the commissioner approves the request.

(6) An ATV owned or under the control of an ATV manufacturer may be operated without a Maine registration at a demonstration event organized to occur in this State if such operation is approved by the commissioner. An ATV manufacturer or a representative of an ATV manufacturer must submit a request in writing to the commissioner at least 60 days prior to the demonstration event and shall include a description and the location of the event.

See title page for effective date.

CHAPTER 185

H.P. 614 - L.D. 896

An Act To Ensure Adequate Insurance Coverage for Family Child Care Providers

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

Sec. 1. 24-A MRSA §3060 is enacted to read:

§3060. Insurance coverage for family child care providers

1. Evidence of business liability insurance. An insurer may not refuse to issue or renew a policy covering the primary residence of a family child care provider certified under Title 22, section 8301-A, subsection 3 or cancel such policy within the first 90 days of coverage unless the denial of coverage or cancellation is based solely on underwriting factors other than the presence of a family child care business on the premises if the family child care provider has demonstrated satisfactory evidence that the child care business is covered by separate insurance coverage for business liability, including medical payments coverage equivalent to coverage in the policy. For purposes of cancellation or nonrenewal under section 3049 or 3051, an insurer may not treat the presence of the family child care business activity as a factor related to the insurability of the primary residence of a family child care provider certified under Title 22, section 8301-A, subsection 3 if the family child care provider has demonstrated satisfactory evidence that the child care business is covered by separate insurance coverage for business liability in accordance with this subsection.

2. No liability under property insurance policy. An insurer has no duty to defend or indemnify a family child care provider certified under Title 22, section 8301-A, subsection 3 under a policy covering the primary residence of a family child care provider issued by the insurer if:

A. The loss or damage for which the family child care provider is liable or alleged to be liable arises in whole or in part from the family child care business activity;

B. The policy issued by the insurer expressly excludes that loss or damage arising from the family child care business activity;

C. The family child care provider has demonstrated satisfactory evidence of separate insurance coverage for child care business liability in accordance with subsection 1; and

D. The insurer issuing the policy covering the primary residence has disclosed to the family child care provider that failure to maintain separate insurance coverage for child care business liability might result in cancellation or nonrenewal of the policy covering the primary residence and that the child care business activity is excluded under the policy.

3. Effect of cancellation or nonrenewal of business liability policy. If a family child care provider has demonstrated satisfactory evidence of separate insurance coverage for child care business liability to the insurer as provided in subsection 2, paragraph

C. the insurer issuing the policy covering the primary residence continues to have no duty to defend if the insurance policy for child care business liability is cancelled or nonrenewed during the term of the policy covering the primary residence.

See title page for effective date.

CHAPTER 186

H.P. 560 - L.D. 824

An Act To Allow Authorized Agents to Process Moose Hunting Lottery Applications and Antlerless Deer Permit Applications

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 for agents authorized by the Commissioner of Inland Fisheries and Wildlife to process moose hunting lottery applications for this year, this Act 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 enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §10801, sub-§1, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

1. Appointment. The commissioner may appoint clerks of towns, the State Tax Assessor or such other agents as the commissioner considers necessary to issue licenses and permits. For purposes of this section, "licenses and permits" includes, but is not limited to, moose lottery applications under section 11154 and antlerless deer permit applications under section 11152. The commissioner shall determine the period during which the agents perform their duties. In the case of services performed for the commissioner by the State Tax Assessor, the provisions of this chapter regarding agents' fees do not apply.

Sec. 2. 12 MRSA §10803, as enacted by PL 2003, c. 655, Pt. B, §91 and affected by §422, is amended to read:

§10803. Agent fee cap

A clerk or agent appointed by the commissioner under section 10801 to issue licenses or permits or

process applications for the moose lottery or antlerless deer permits may charge agent fees as provided in this Part up to a maximum of \$6 during a single transaction. For purposes of this section, "transaction" means a single event in which one or more licenses or permits are issued to a person in that person's name.

Sec. 3. 12 MRSA §11152, sub-§3, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §121 and affected by §422, is further amended to read:

3. Rulemaking. The commissioner may adopt rules necessary for the administration, implementation, enforcement and interpretation of this section, except that the commissioner is not authorized to establish an antlerless deer permit system unless otherwise specified in this section. The commissioner may appoint clerks or agents under section 10801 to process applications for permits issued under this section. A clerk or agent appointed by the commissioner to process applications shall charge a fee of \$2 for each application processed by that clerk or agent under this section. Rules adopted by the commissioner that provide for permits to be issued to nonresident or alien hunters must provide that:

- A. The percentage of antlerless deer permits issued to nonresident and alien hunters may not exceed the average percentage of applicants for antlerless deer permits over the previous 3 years who were nonresidents or aliens; and
- B. No more than 15% of the antlerless deer permits issued in any one district or in any one zone may be issued to nonresident and alien hunters.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 12 MRSA §11154, sub-§6, as amended by PL 2005, c. 12, Pt. III, §10, is further amended to read:

6. Application procedure. An eligible person wishing to apply for a permit must file a written application for a permit on a form furnished by the commissioner. The application fee is nonrefundable. A person may file no more than one application. A person who submits more than one application is disqualified from the selection of permittees. The application must be accompanied by an application fee of:

- A. For a resident:
 - (1) Seven dollars for a one-chance application;
 - (2) Twelve dollars for a 3-chance application. A resident must possess a valid big game hunting license to be eligible to purchase a 3-chance application; and

- (3) Twenty-two dollars for a 6-chance application. A resident must possess a valid big game hunting license to be eligible to purchase a 6-chance application; or
- B. For a nonresident:
 - (1) Fifteen dollars for a one-chance application;
 - (2) Twenty-five dollars for a 3-chance application;
 - (3) Thirty-five dollars for a 6-chance application; and
 - (4) Fifty-five dollars for a 10-chance application; multiple 10-chance options may be purchased.

A clerk or agent appointed by the commissioner under section 10801 may process an application under this subsection. The clerk or agent shall charge a fee of \$2 for each application under this subsection processed by that clerk or agent.

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

Effective May 21, 2009.

**CHAPTER 187
H.P. 486 - L.D. 703**

**An Act Regarding Claims for
Civil Perjury**

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

Sec. 1. 14 MRSA §870 is repealed and the following enacted in its place:

§870. Judgment by perjury; action on case

1. Action; within 3 years. When a judgment has been obtained against a party by the perjury of a witness introduced at the trial by the adverse party, the injured party may, within 3 years after that judgment or after final disposition of any motion for relief from the judgment, bring an action against such adverse party, or any perjured witness or confederate in the perjury, to recover the damages sustained by the injured party by reason of such perjury. The judgment in the former action does not bar an action under this section.

2. Specificity of claim. A claim under this section must identify the specific testimony alleged to be false at the initial filing of the claim.

3. Record; evidence. A claim may not be submitted under this section solely on the same record as

in the former trial. Evidence discoverable by due diligence before the trial cannot be introduced as new evidence to establish perjury.

4. Standard of proof. The plaintiff in an action under this section must prove the alleged perjury by clear and convincing evidence.

5. Affirmative defense. It is an affirmative defense to an action under this section that the plaintiff has no new evidence to present concerning the alleged perjury.

6. Strictly construed. The pleading and proof requirements of this section must be strictly construed.

See title page for effective date.

**CHAPTER 188
H.P. 697 - L.D. 1009**

**An Act To Allow Lobster
License Exemptions to Persons
with Certain Medical Criteria**

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

Sec. 1. 12 MRSA §6310, sub-§2, ¶A, as enacted by PL 1999, c. 643, §1, is amended to read:

A. A Class I, Class II or Class III lobster and crab fishing license may be issued to a person on appeal only if:

(1) A substantial illness or medical condition on the part of the person or a family member prevented that person from meeting the eligibility requirements for a license in 1997, 1998 or 1999, and the person documents that the person harvested lobsters while in possession of a Class I, Class II or Class III lobster and crab fishing license within one year prior to the onset of the illness or medical condition. The person shall provide the commissioner with documentation from a physician describing the illness or other medical condition. A person may not request an appeal under this subparagraph after December 31, 2001;

(2) A substantial illness or medical condition on the part of the person or a family member prevented that person from meeting the eligibility requirements for a license in licensing year 2000 or in subsequent years, and the person documents that the person harvested lobsters while in possession of a Class I, Class II or Class III lobster and crab fishing license within one year prior to the onset of the illness or medical condition. The person shall provide the commissioner with documenta-

tion from a physician describing the illness or other medical condition. A person must request an appeal under this subparagraph within one year of the onset of the illness or medical condition; or

(3) Service in the United States Armed Forces or the United States Coast Guard precluded that person from participating in the lobster fishery and meeting the eligibility requirements for a license, and the person documents that the person harvested lobsters while in possession of a Class I, Class II or Class III lobster and crab fishing license within one year prior to entering the service. The person may not have served for more than 6 consecutive years since the most recent year in which the person held a license, and the person must have been honorably discharged from service. A person must request an appeal under this subparagraph within one year of discharge from service: ; or

(4) That person was diagnosed with muscular dystrophy between 1983 and 1988 and that person harvested lobsters while in possession of a Class I, Class II or Class III lobster and crab fishing license within one year prior to the diagnosis but has not held a Class I, Class II or Class III lobster and crab fishing license since the year following that person's diagnosis with the disease. The person must provide the commissioner with documentation from a physician of the diagnosis of muscular dystrophy and a statement from a physician that the person is currently physically capable of safely conducting the activities involved with the commercial harvest of lobsters. A person that receives a Class I, Class II or Class III lobster and crab fishing license pursuant to this subparagraph is limited to 300 trap tags and those trap tags expire when the person is no longer eligible to hold the license and may not be counted in an exit ratio system for a lobster management zone. This subparagraph is repealed October 1, 2010.

Sec. 2. 12 MRSA §6421, sub-§5, ¶A, as repealed and replaced by PL 1997, c. 250, §1 and affected by §10, is amended to read:

A. Possessed a Class I, Class II or Class III lobster and crab fishing license in the previous calendar year or fulfills the requirements of section 6310, subsection 2, paragraph A, subparagraph (4);

Sec. 3. Repeal. This Act is repealed October 1, 2010.

See title page for effective date.

**CHAPTER 189
S.P. 362 - L.D. 979**

**An Act To Require the
Disclosure of Insurance Policy
Limits to an Injured Party**

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

Sec. 1. 24-A MRSA §2164-E is enacted to read:

§2164-E. Disclosure of coverage limits to claimant; penalty

Upon written request by a claimant or the claimant's attorney, an insurer doing business in this State shall provide the claimant or the claimant's attorney with the liability coverage limits of that insurer's insured. The insurer must provide the liability coverage limits within 60 days of receipt of the written request.

An insurer who fails to comply with this section is subject to a penalty of \$500, plus reasonable attorney's fees and expenses incurred in obtaining the liability coverage limits.

See title page for effective date.

**CHAPTER 190
S.P. 380 - L.D. 1016**

**An Act To Amend the Laws
Governing Campaign Finance
Reports and the Maine Clean
Election Act**

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

PART A

Sec. A-1. 21-A MRSA §1011, 2nd ¶, as enacted by PL 1995, c. 483, §2, is amended to read:

Candidates for municipal office as defined in Title 30-A, section 2502, subsection 1 ~~and referenda as defined in Title 30-A, section 2502, subsection 2~~ are governed by this subchapter, with the following provisions:

Sec. A-2. 21-A MRSA §1014, sub-§1, as amended by PL 2007, c. 443, Pt. A, §9, is further 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, 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 fund-raisers 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 ~~that is made through a broadcasting station~~ is not required to state the address of the candidate or committee that financed the communication.

Sec. A-3. 21-A MRSA §1014, sub-§3-A, as enacted by PL 1991, c. 839, §9, is amended to read:

3-A. In-kind contributions of printed materials. A candidate, political committee or political action committee shall report on the campaign finance report as a contribution to the candidate, political committee or political action committee any contributions of in-kind printed materials to be used in the support of a candidate or in the support or defeat of a ~~cause to be voted upon at referendum ballot question~~. Any in-kind contributions of printed materials used or distributed by a candidate, political committee or political action committee must include the name or title of that candidate, political committee or political action committee as the authorizing agent for the printing and distribution of the in-kind contribution.

~~The use or distribution of in-kind printed materials contributed to a candidate, political committee or political action committee must be reported as an expenditure on the campaign finance report of that candidate, political committee or political action committee.~~

Sec. A-4. 21-A MRSA §1014-A, as enacted by PL 1995, c. 43, §1, is repealed.

Sec. A-5. 21-A MRSA §1017, sub-§3-A, ¶D-1, as enacted by PL 2007, c. 642, §10, is amended to read:

D-1. Reports must be filed no later than ~~5~~ 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.

Sec. A-6. 21-A MRSA §1017, sub-§3-B, as amended by PL 2007, c. 443, Pt. A, §16, is further amended 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) A For legislative candidates in a primary election only, a report on the 42nd day before the date on which ~~an~~ 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 ~~1% in excess of~~ 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.

Sec. A-7. 21-A MRSA §1017, sub-§5-A, ¶B, as amended by PL 2007, c. 443, Pt. A, §16, is further amended to read:

B. If the contribution is sold after the termination of the appropriate reporting period specified in subsections 2 to 4, the value of the contribution is the difference between the value of the contribution as originally reported by the treasurer and the amount of the purchase price paid at auction. Unless further reports are filed in relation to a later election in the same calendar year, the disposition of any net surplus or deficit in excess of ~~\$50~~ \$100 resulting from the difference between the auction price and the original contribution value must be reported in the same manner as provided in subsection 2, paragraph F or subsection 3-A, paragraph E, as appropriate.

Sec. A-8. 21-A MRSA §1017-A, sub-§1, as amended by PL 2007, c. 443, Pt. A, §17, is further amended to read:

1. Contributions. A party committee shall report all contributions in cash or in kind from a single contributor that in the aggregate ~~in a campaign~~ total more than \$200. The party committee shall report the name, mailing address, occupation and place of business of each contributor. Contributions of \$200 or less must be reported, and these contributions may be reported as a lump sum.

Sec. A-9. 21-A MRSA §1017-A, sub-§2, as amended by PL 2007, c. 443, Pt. A, §17, is further amended to read:

2. Expenditures to support or oppose candidates, others. A party committee shall report all expenditures ~~in cash or in kind of the committee made on behalf of~~ made to support or oppose a candidate, political committee, political action committee or party

committee registered under this chapter. 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. A-10. 21-A MRSA §1017-A, sub-§3, as amended by PL 2007, c. 443, Pt. A, §17, is further amended to read:

3. Other expenditures. Operational expenses and other expenditures ~~in cash or in kind of the party committee that are not made on behalf of to support or oppose~~ a candidate, committee, political action committee or campaign party committee must be reported separately. The party committee shall report:

- A. The name and address of each payee ~~or recipient~~;
- B. The purpose for the expenditure; and
- C. The date and amount of each expenditure.

Sec. A-11. 21-A MRSA §1017-A, sub-§4-A, ¶A, as amended by PL 2007, c. 443, Pt. A, §17, is further amended to read:

- A. Quarterly reports must be filed by 11:59 p.m.:
 - (1) On January 15th and must be complete up to ~~January 5th~~ December 31st;
 - (2) On April 10th and must be complete up to March 31st;
 - (3) On July 15th and must be complete up to ~~July 5th~~ June 30th; and
 - (4) On October 10th and must be complete up to September 30th.

Sec. A-12. 21-A MRSA §1017-A, sub-§4-B, ¶A, as amended by PL 2007, c. 443, Pt. A, §17, is further amended to read:

- A. Reports filed during an election year must be filed with the commission by 11:59 p.m. on:
 - (1) July 15th and be complete as of June 30th;
 - (2) The 11th day before the date on which the general election is held and must be complete up to the 14th day before that date; and
 - (3) January 15th and be complete as of December 31st.

Sec. A-13. 21-A MRSA §1020-A, sub-§2, as amended by PL 2007, c. 443, Pt. A, §21, is further amended to read:

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff;
- C. Failure to receive notice of the filing deadline; or
- D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

Sec. A-14. 21-A MRSA §1020-A, sub-§5-A, ¶A, as amended by PL 2003, c. 448, §4, 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; section 1017, subsection 4; and section 1019-B, subsection 3;

Sec. A-15. 21-A MRSA §1051, 2nd ¶, as enacted by PL 1987, c. 280, is repealed.

Sec. A-16. 21-A MRSA §1052, sub-§5, ¶A, as amended by PL 2007, c. 477, §2, is further amended to read:

- A. Includes:
 - (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to influence the outcome of an election, including a candidate election or ballot question;

(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 ~~spends~~ 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 ~~spends~~ 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

Sec. A-17. 21-A MRSA §1053, last ¶, as enacted by PL 2007, c. 443, Pt. A, §29, is repealed.

Sec. A-18. 21-A MRSA §1053-A is enacted to read:

§1053-A. Municipal elections

Organizations that qualify as political action committees under section 1052, subsection 5 and that are organized to influence elections on the municipal ballot 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.

Sec. A-19. 21-A MRSA §1053-B is enacted 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 campaign in this State.

Sec. A-20. 21-A MRSA §1056-B, as amended by PL 2007, c. 477, §4, is further amended to read:

§1056-B. Ballot question committees

Any person not defined as a political action committee who ~~solicits and~~ 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 ballot question must ~~file a report~~ reports with the commission in accordance with this section. ~~In the case of a municipal election, a copy of the same information must be filed with the clerk of that municipality.~~ 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 purposes of this section, expenditures include paid staff time spent for the purpose of influencing in any way a ballot question. 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. In the case of a municipal election, the registration and reports must be filed with the clerk of that municipality.

1. Filing requirements. A report required by this section must be filed with the commission according to ~~a the reporting schedule that the commission shall establish that takes into consideration existing campaign finance reporting schedule requirements in section 1059.~~ After completing all financial activity, the committee shall terminate its campaign finance reporting in the same manner provided in section 1061. The committee shall file each report required by this section through an electronic filing system developed by the commission unless granted a waiver under section 1059, subsection 5.

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; ~~and~~ 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 ballot question 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.

2-A. Contributions. For the purposes of this section, "contribution" includes, but is not limited to:

A. Funds that the contributor specified were given in connection with a ballot question;

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 ballot question;

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 ballot question when viewed in the context of the contribution and the recipient's activities regarding a ballot question; and

D. Funds or transfers from the general treasury of an organization filing a ballot question report.

3. Forms. A report required by this section 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.

4. Records. A person filing a report required by this section shall keep records as required by this subsection for ~~one year~~ 4 years following the election to which the records pertain.

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 ballot question and all expenditures made for those purposes.

B. The filer shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.

Sec. A-21. 21-A MRSA §1057, first ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

Any political action committee that ~~makes expenditures which aggregate in excess of \$50 to any one or more candidates, committees or campaigns in this State~~ is required to register under section 1053 or 1053-B shall keep records as provided in this section. ~~Records required to be kept under subsections 1, 2 and 3 shall be retained by the political action committee until 10 days after the next election for 4 years following the election to which the records pertain.~~

Sec. A-22. 21-A MRSA §1058, as amended by PL 2007, c. 477, §5, is further amended to read:

§1058. Reports; qualifications for filing

A political action committee that is required to register ~~with the commission under section 1053 or 1053-B~~ shall file a report on its activities in that campaign reports with the commission on forms as prescribed by the commission according to the schedule in section 1059. ~~A political action committee organized in this State required under this section to file a report shall file the report for each filing period under section 1059.~~ A political action committee organized outside this State shall file with the Commission on

~~Governmental Ethics and Election Practices of this State a copy of the report that the political action committee is required to file in the state in which the political action committee is organized. The political action committee shall file the copy only if it has expended funds or received contributions or made expenditures in this State. The copy of the report must be filed in accordance with the schedule of filing in the state where it is organized. If contributions or expenditures are made relating to a municipal office or referendum, the report must be filed with the clerk in the subject municipality.~~

Sec. A-23. 21-A MRSA §1059, first ¶, as amended by PL 2007, c. 571, §9, is further 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 filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the filing deadline.

Sec. A-24. 21-A MRSA §1059, sub-§2, ¶A, as amended by PL 2007, c. 443, Pt. A, §35, is further amended to read:

A. Quarterly reports must be filed:

- (1) On January 15th and must be complete as of January 5th ~~December 31st~~;
- (2) On April 10th and must be complete as of March 31st;
- (3) On July 15th and must be complete as of July 5th ~~June 30th~~; and
- (4) On October 10th and must be complete as of September 30th.

Sec. A-25. 21-A MRSA §1060, sub-§4, as amended by PL 2007, c. 443, Pt. A, §36, is further amended to read:

4. Itemized expenditures. An itemization of each expenditure made ~~on behalf of 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, including the date, payee and purpose of the expenditure; the name of each candidate, campaign, political committee, political action committee or party committee ~~on whose behalf the expenditure was made 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. A-26. 21-A MRSA §1060, sub-§7, as amended by PL 2007, c. 477, §7, is further amended to read:

7. Other expenditures. Operational expenses and other expenditures ~~in cash or in kind~~ 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. A-27. 21-A MRSA §1061, as amended by PL 2007, c. 443, Pt. A, §37, is further amended to read:

§1061. Dissolution of committees

Whenever any political action committee determines that it will no longer ~~solicit or accept any contributions, incur any obligations, or make any expenditures to or on behalf of any candidate, political committee, party committee or political action committee to initiate, support, defeat or influence in any way the outcome of a referendum, initiated petition or election and the committee has no outstanding loans, debts or other obligations,~~ the committee shall file a termination report that includes all financial activity from the end date of the previous reporting period through the date of termination with the commission. ~~If a termination report is not filed, the committee shall continue to file periodic reports as required in this chapter. The committee must dispose of any surplus prior to termination. In the termination report, the committee shall report any outstanding loan, debt or obligation in the manner prescribed by the commission.~~

Sec. A-28. 21-A MRSA §1062-A, sub-§1, as enacted by PL 1995, c. 483, §21, is amended to read:

1. Registration. A political action committee required to register under section 1053 or 1053-B or a ballot question committee required to register under section 1056-B that fails to do so ~~in accordance with section 1053~~ or that fails to provide the information required by the commission for registration may be assessed a ~~forfeiture~~ fine of \$250.

Sec. A-29. 21-A MRSA §1062-A, sub-§2, as amended by PL 2007, c. 443, Pt. A, §38, is further amended to read:

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 6, the commission shall determine whether a required report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if it is disproportionate to the level of experience of the person filing the report or to the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency of the committee treasurer determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff; or
- C. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

Sec. A-30. 21-A MRSA §1062-A, sub-§4, as enacted by PL 1995, c. 483, §21, is amended to read:

4. Maximum penalties. The maximum penalties ~~penalty~~ under this subchapter ~~are~~ is \$10,000 for reports required under section ~~1056-B or section 1059, subsection 2, paragraphs B, C and E and \$5,000 for reports required under section 1059, subsection 2, paragraph A.~~

Sec. A-31. 21-A MRSA §1062-A, sub-§8-A, as enacted by PL 2003, c. 628, Pt. A, §9, is amended to read:

8-A. Penalties for failure to file report. The commission may assess a civil penalty for failure to file a report required by this subchapter. The maximum penalty for failure to file a report required under section ~~1056-B or section 1059, subsection 2, paragraph B, C or E~~ is \$10,000. ~~The maximum penalty for failure to file a report required under section 1059, subsection 2, paragraph A is \$5,000.~~

PART B

Sec. B-1. 21-A MRSA §1122, sub-§7, as amended by PL 2007, c. 443, Pt. B, §2, is further amended to read:

7. Qualifying contribution. "Qualifying contribution" means a donation:

A. Of \$5 in the form of a check or a money order payable to the fund; ~~and signed by the contributor and made in support of a candidate or made over the Internet in support of a candidate according to the procedure established by the commission;~~

B. Made by a registered voter within the electoral division for the office a candidate is seeking and whose voter registration has been verified ~~by the municipal registrar~~ according to procedures established by the commission;

C. Made during the designated qualifying period; and

D. That the contributor acknowledges was made with the contributor's personal funds and in support of the candidate and was not given in exchange for anything of value and that the candidate acknowledges was obtained with the candidate's knowledge and approval and that nothing of value was given in exchange for the contribution, on forms provided by the commission.

Sec. B-2. 21-A MRSA §1125, sub-§5, ¶D-3, as enacted by PL 2007, c. 443, Pt. B, §6, is amended to read:

~~D-3. Not had prior requests for certification denied on the basis of substantial violations otherwise substantially violated the provisions of this chapter or chapter 13 or certification revoked under subsection 5-A, paragraphs C to G;~~

Sec. B-3. 21-A MRSA §1128, as enacted by IB 1995, c. 1, §17, is amended to read:

§1128. Study report

By ~~January 30, 2002~~ March 15, 2011 and every ~~four~~ 4 years after that date, the commission shall prepare for the joint standing committee of the Legislature having jurisdiction over legal affairs a report documenting, evaluating and making recommendations relating to the administration, implementation and enforcement of the Maine Clean Election Act and Maine Clean Election Fund.

Sec. B-4. Routine technical rules. Notwithstanding the Maine Revised Statutes, Title 21-A, section 1126, rules adopted to establish procedures for verifying the voter registration of individuals making qualifying contributions are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 191
H.P. 190 - L.D. 236

**An Act To Establish the
Permanent Commission on the
Status of Women**

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 issues resulting from gender discrimination in the State exist and affect the lives of women; and

Whereas, the Permanent Commission on the Status of Women should begin to work on issues resulting from gender discrimination 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. 5 MRSA c. 371-A is enacted to read:

CHAPTER 371-A

**PERMANENT COMMISSION ON THE STATUS
OF WOMEN**

§7029. Commission established

The Permanent Commission on the Status of Women, established by section 12004-I, subsection 88-A and referred to in this chapter as "the commission," is an independent commission. The commission shall promote, carry out and coordinate programs designed to improve opportunities for women in the State.

§7030. Membership

The commission consists of 17 members, including 7 appointed by the Governor, 5 appointed by the President of the Senate and 5 appointed by the Speaker of the House of Representatives. In making these appointments, the Governor, the President of the Senate and the Speaker of the House of Representatives shall consider and appoint residents of the State who have a knowledge of problems facing women in the State, who have experience in advocacy relating to women's issues and who provide leadership in programs or activities that improve opportunities for women. The members of the commission must be chosen from throughout the State, and the majority of members must be women. A member of the Legislature may not be appointed to the commission. The Governor shall appoint 7 members, each of whom represents one

of the following interests: minorities, the elderly, low-income people, persons with disabilities, youth, working with victims of domestic violence and federally recognized tribes in the State.

§7030-A. Term of office

Members of the commission are appointed for 2-year terms, except that, of those members first appointed, 4 appointed by the Governor, 2 appointed by the President of the Senate and 2 appointed by the Speaker of the House must be appointed for one-year terms. The term of office of each member must be designated at the time of appointment.

Members of the commission may serve after the expiration of their terms until their successors have taken office. The Governor, the President of the Senate and the Speaker of the House may terminate the membership of their respective appointees for good cause. The reason for the termination must be communicated in writing to a member whose membership is terminated. The membership of any member of the commission must be terminated if the member is absent from 3 consecutive meetings without communicating good cause to the chair of the commission.

§7030-B. Vacancies

A member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed serves only for the remainder of that term and must be appointed by the same appointing authority. Any vacancy on the commission does not affect its powers.

§7030-C. Chair

The Governor shall select from among the members of the commission a chair and a vice-chair, both of whom shall serve for one year. These selections must be made each year prior to the first meeting of the commission. The chair is authorized to appoint subcommittees.

§7030-D. Powers and duties

The commission shall advise and consult with the Governor and the Legislature about, and assist them in improving, opportunities for women in the State by:

1. Research. Carrying out research programs necessary to determine the status of women in the State;

2. Activities. Promoting and coordinating activities on state and local levels designed to meet the problems of women in the State;

3. Advocate. Serving as an advocate for women in making recommendations on proposed budgetary, legislative and policy actions to the Governor, the Legislature and other officials of the State and the Federal Government with respect to state and federal

policies, programs and other activities affecting or relating to women in the State;

4. Information. Informing the public about the presence or absence of opportunities for women in the State;

5. Meetings. Conducting public hearings, conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to the problems of women; and

6. Reports. Making a biennial report to the Governor and the Legislature concerning the work and interests of the commission.

§7030-E. Meetings; compensation

The commission shall meet at the call of the chair not less than 4 times each year.

§7030-F. Staff support

The Secretary of State shall provide staffing support as required.

Sec. 2. 5 MRSA §12004-I, sub-§88-A is enacted to read:

88-A.

Women	<u>Permanent Commission on the Status of Women</u>	<u>Not Authorized</u>	<u>5 MRSA §7029</u>
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 22, 2009.

CHAPTER 192

H.P. 308 - L.D. 420

**An Act To Amend Certain
Laws Related to the
Department of Agriculture,
Food and Rural Resources,
Division of Quality Assurance
and Regulation**

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

Sec. 1. 10 MRSA §2623, sub-§1, as enacted by PL 2001, c. 491, §1, is amended to read:

1. Sales of commodities. Except as otherwise provided by the State Sealer, sales of commodities must comply with the following:

A. Commodities in liquid form must be sold by liquid measure or by weight;

B. Commodities not in liquid form must be sold only by weight, by measure or by count; and

C. A seller selling commodities in liquid form and using temperature compensators ~~must~~ shall have the seller's entire fleet of vehicles equipped with temperature compensators or have prior approval by the State Sealer for regional use of temperature compensators; and ~~must~~ shall provide accurate and adequate quantity information that permits the buyer to make price and quantity comparisons. Such equipment must be sealed and in use throughout the year;

D. Beginning January 1, 2010 all new delivery vehicles using vehicle tank meters and intended for the retail sale of refined petroleum products in the State must be equipped with automatic temperature compensating meters. A seller selling refined petroleum products and using temperature compensators shall have the seller's entire fleet of vehicles equipped with temperature compensators; and

E. Beginning January 1, 2015 all delivery vehicles using vehicle tank meters and intended for the retail sale of refined petroleum products in the State must be equipped with automatic temperature compensating meters. A seller selling refined petroleum products and using temperature compensators shall have the seller's entire fleet of vehicles equipped with temperature compensators, and they must be in use throughout the year.

Sec. 2. 10 MRSA §2627, as enacted by PL 1973, c. 91, §10, is amended by inserting at the end a new paragraph to read:

Whenever a package commodity or consumer commodity, as defined in Title 7, section 523, subsection 3, is advertised for retail sale, there must be a declaration of the price of the item either on each individual item, on the shelf where the item is located or on a placard or sign immediately adjacent to the item.

Sec. 3. 10 MRSA §2631 is enacted to read:

§2631. Conformity to national engine fuels and automotive lubricants regulations

The engine fuel and automotive lubricants requirements, as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology uniform regulation "Uniform Engine Fuels and Automotive Lubricants Regulation," apply to any internal combustion engine fuels, lubricating oils or other similar products stored, sold, distributed, transported, exposed for sale or offered for sale, distribution or transportation in the

State, except as specifically modified, amended or rejected by a regulation issued by the state sealer.

See title page for effective date.

**CHAPTER 193
H.P. 267 - L.D. 331**

**An Act To Clarify the Duties of
Municipal Treasurers, Clerks
and Tax Collectors**

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

Sec. 1. 30-A MRSA §2655 is enacted to read:

§2655. Prohibition on commingling funds

A clerk is prohibited from commingling personal funds with any funds collected for a municipality while performing the duty of clerk.

Sec. 2. 30-A MRSA §5603, sub-§2, ¶C, 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, is further amended to read:

C. Maintain a bank account in the municipality's name for the deposit of cash receipts. The treasurer shall deposit ~~the all~~ cash balance receipts in the bank within 10 days ~~when it exceeds \$100.~~ The treasurer may not commingle funds of the municipality with any personal funds or in any personal account of the treasurer.

Sec. 3. 36 MRSA §759-A is enacted to read:

§759-A. Prohibition on commingling funds

A tax collector is prohibited from commingling personal funds with any funds collected for a municipality while performing the duty of tax collector.

See title page for effective date.

**CHAPTER 194
S.P. 80 - L.D. 239**

**An Act To Eliminate the
Repeal Date on Nonhospital
Expenditures in the Capital
Investment Fund**

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 statutory repeal of the law setting aside 12.5% of the Capital Investment Fund for

nonhospital projects takes effect July 1, 2009, which is prior to the expiration of the 90-day period; 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. 2 MRSA §102, sub-§3, as amended by PL 2007, c. 94, §1, is further amended to read:

3. Nonhospital capital expenditures. ~~For the first 7 years of the plan, the~~ The nonhospital component of the capital investment fund must be at least 12.5% of the total.

This subsection is repealed July 1, 2009.

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

Effective May 22, 2009.

**CHAPTER 195
S.P. 258 - L.D. 683**

**An Act To Promote
Cost-effective and Broad-based
Vision Care for Maine Citizens
by Clarifying the Scope of
Prescription Authority by an
Optometrist**

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

Sec. 1. 32 MRSA §2411, sub-§1, ¶A, as amended by PL 1995, c. 439, §1, is further amended to read:

A. The examination of the eye and related structures without the use of invasive surgery or tissue-altering lasers to ~~ascertain~~ diagnose defects, abnormalities or diseases of the eye;

Sec. 2. 32 MRSA §2411, sub-§3, as amended by PL 1995, c. 606, §1, is further amended to read:

3. Pharmaceutical agent. "Pharmaceutical agent" means any ~~topical medicinal~~ diagnostic and therapeutic substances for use in the diagnosis, cure, treatment, management or prevention of ocular conditions and diseases, ~~and oral medicinal diagnostic and therapeutic substances and quantities for use in the diagnosis, cure, treatment or prevention of ocular conditions and diseases under section 2430, subsection 2~~ but does not include drugs administered

exclusively by injection, except injections for the emergency treatment of anaphylactic shock.

Sec. 3. 32 MRSA §2411, sub-§5, ¶B, as amended by PL 1995, c. 439, §4, is further amended to read:

B. Any pharmaceutical agent administered exclusively by subdermal injection, intramuscular injection, intravenous injection, subcutaneous injection or retrobulbar injections, except injections for the emergency treatment of anaphylactic shock; and

Sec. 4. 32 MRSA §2417, sub-§4, ¶D, as amended by PL 1993, c. 600, Pt. A, §146, is further amended to read:

D. For pharmaceutical agents all prescriptions must include:

- (1) The patient's name;
- (2) The date;
- (3) The name, quantity and dosage of drugs;
- (4) The number of refills;
- (5) The name of the prescriber;
- (6) The drug license number of the prescriber;
- (7) A sequential number; and
- (8) The prescriber's directions for usage.

Sale of pharmaceutical agents by an optometrist is prohibited. Nothing in this paragraph may be construed to restrict the dispensation or sale by an optometrist of contact lenses that contain and deliver pharmaceutical agents authorized under this chapter for use or prescription.

Sec. 5. 32 MRSA §2417, sub-§5, ¶C, as enacted by PL 1973, c. 788, §16, is amended to read:

C. The conduct of the lawful practice of optometry in accordance with the standards established by this ~~section~~ chapter.

Sec. 6. 32 MRSA §2430, sub-§2, as enacted by PL 1995, c. 606, §9, is amended to read:

2. Therapeutic pharmaceutical agents; use permitted. An optometrist who has received an advanced therapeutic license may use and prescribe any ~~topical~~ therapeutic pharmaceutical agent, except for the treatment of glaucoma unless the requirements of section ~~2430-A~~ 2430-B have been met, ~~and any of the following types and quantities of oral therapeutic pharmaceutical agents including any drug identified in schedules III, IV and V as described in 21 United States Code, Section 812, for any purpose associated with ocular conditions and diseases: except for oral chemotherapeutic agents, oral immunosuppressive agents and oral immunostimulant agents, and except~~

that an optometrist who has received an advanced therapeutic license may prescribe one 5-day supply of any analgesic identified in schedules III, IV and V as described in 21 United States Code, Section 812.

- A. ~~One 10-day supply of oral antibiotics;~~
- B. ~~One 72-hour supply of oral antivirals with referral to a physician;~~
- C. ~~One 72-hour supply of oral antihistamines;~~
- D. ~~One 7-day supply of oral nonsteroidal antiinflammatories; and~~
- E. ~~One 3-day supply of any analgesic identified in schedules III, IV and V as described in the United States Code, Title 21, Section 812.~~

Sec. 7. 32 MRSA §2430-A, as enacted by PL 1995, c. 606, §9, is repealed.

Sec. 8. 32 MRSA §2430-B is enacted to read:

§2430-B. Treatment of glaucoma

1. Optometrists qualified. An optometrist who graduated from optometric college in the year 1996 or thereafter and who is an advanced therapeutic licensee is authorized to independently treat glaucoma.

2. Consultation required. In order to be authorized to independently treat glaucoma, an advanced therapeutic licensee who graduated from optometric college prior to 1996 must provide evidence to the board of no more than 30 glaucoma-related consultations with a physician in accordance with this section. For purposes of this section, "physician" means a licensed physician specializing in diseases of the eye. The board shall form a glaucoma consultation subcommittee comprised of 2 optometrists appointed by the board and 2 physicians appointed by the Board of Licensure in Medicine to review evidence of consultations submitted pursuant to this section in accordance with the following criteria.

A. The glaucoma-related consultations must be conducted as follows:

- (1) A new or existing glaucoma or glaucoma-suspect patient is examined and diagnosed by the optometrist;
- (2) The optometrist develops a proposed treatment plan and forwards the plan with examination documentation to a physician for consultation;
- (3) The physician examines the patient and reviews the optometrist's examination documentation and proposed treatment plan; and
- (4) The physician, optometrist and patient mutually agree to and document a treatment plan.

B. An advanced therapeutic licensee may petition the glaucoma consultation subcommittee to reduce or waive the number of consultations required. A reduction or waiver may be granted by a majority vote of the subcommittee. If the subcommittee is evenly divided on the question of a specific waiver or reduction, then the request for waiver or reduction must be referred to the board. The board shall hold a hearing on the request for waiver or reduction and shall render a decision. The subcommittee or the board, in evaluating a request for a waiver or reduction in the number of cases, shall consider, among other things:

- (1) Optometric college education and course work;
- (2) Any residency or practical experience;
- (3) Certifications in other states;
- (4) Any partial completion of the consultation regimen under paragraph A;
- (5) Ongoing education; and
- (6) Any other factors considered relevant by the subcommittee or board.

C. An optometrist who has been licensed and practiced under the laws of another state and has been authorized to independently treat glaucoma in that state may petition the glaucoma consultation subcommittee for a waiver of the consultation requirement. If the optometrist graduated from optometric college in 1996 or thereafter, the waiver must be granted. The subcommittee shall evaluate the education, licensure and experience of an optometrist who graduated prior to 1996 and, if they are equivalent to that of an advanced therapeutic licensee in this State authorized under this section to treat glaucoma independently, shall waive the consultation requirements of this section.

See title page for effective date.

**CHAPTER 196
H.P. 437 - L.D. 623**

**An Act To Provide the Office
of Chief Medical Examiner
Access to Controlled
Substances Prescription
Monitoring Program Data for
the Purpose of Conducting
Cause of Death Investigations**

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

Sec. 1. 22 MRSA §7250, sub-§4, ¶D, as enacted by PL 2003, c. 483, §1, is amended to read:

D. A patient to whom a prescription is written, insofar as the information relates to that patient; ~~and~~

Sec. 2. 22 MRSA §7250, sub-§4, ¶E, as enacted by PL 2003, c. 483, §1, is amended to read:

E. Office personnel or personnel of any vendor or contractor, as necessary for establishing and maintaining the program's electronic system; ~~and~~

Sec. 3. 22 MRSA §7250, sub-§4, ¶F is enacted to read:

F. The Office of Chief Medical Examiner for the purpose of conducting an investigation or inquiry into the cause, manner and circumstances of death in a medical examiner case as described in section 3025. Prescription monitoring information in the possession or under the control of the Office of Chief Medical Examiner is confidential and, notwithstanding section 3022, may not be disseminated. Information that is not prescription monitoring information and is separately acquired following access to prescription monitoring information pursuant to this paragraph remains subject to protection or dissemination in accordance with section 3022.

See title page for effective date.

**CHAPTER 197
H.P. 769 - L.D. 1114**

**An Act To Facilitate the
Marketing of Power Produced
by Small Generators**

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

Sec. 1. 35-A MRSA §3201, sub-§7-A is enacted to read:

7-A. Efficient combined heat and power system. "Efficient combined heat and power system" means a system that:

A. Produces heat and electricity from one fuel input, without restriction to specific fuel or generating technology;

B. Has an electric generating capacity rating of at least one kilowatt and not more than 30 kilowatts and a fuel system efficiency of not less than 80% in the production of heat and electricity, or has an electric generating capacity of at least 31 kilowatts and a fuel system efficiency of not less than 65% in the production of heat and electricity;

C. May work in combination with supplemental or parallel conventional heating systems;

D. Is manufactured, installed and operated in accordance with applicable government and industry standards; and

E. Is connected to the electric grid and operated in conjunction with the facilities of a transmission and distribution utility.

Sec. 2. 35-A MRSA §3201, sub-§8-A is enacted to read:

8-A. Eligible small generator. "Eligible small generator" means a generator that has a generating capacity of 5 megawatts or less and generates electricity using:

A. A renewable resource, as defined in section 3210, subsection 2, paragraph C; or

B. An efficient combined heat and power system.

Sec. 3. 35-A MRSA §3210-A, sub-§2, as enacted by PL 2003, c. 555, §1, is amended to read:

2. Transmission and distribution utility administration. Transmission and distribution utilities shall administer the purchase and sale of electricity to a standard-offer service provider required under ~~this section~~ subsection 1. Administrative costs incurred by a transmission and distribution utility under this subsection must be paid, in a manner established by the commission, by the generators of the electricity the purchase and sale of which the utility administers.

Sec. 4. 35-A MRSA §3210-A, sub-§2-A is enacted to read:

2-A. Purchase by competitive electricity providers. In addition to its obligations under subsection 2, a transmission and distribution utility may administer on behalf of any eligible small generator the purchase and sale of electricity to a competitive electricity provider. In carrying out this function, a transmission and distribution utility may in its discretion aggregate the output of multiple eligible small generators for the purpose of obtaining the most favorable purchase price on behalf of the generators. The parties to any resulting sale must be the eligible small generators and the competitive electricity provider.

If a transmission and distribution utility aggregates the output of eligible small generators under this subsection and is unable to sell the aggregated output to a competitive electricity provider, the transmission and distribution utility shall administer the purchase and sale of the aggregated output to a standard-offer service provider in accordance with the provisions of subsections 1 and 2.

Sec. 5. 35-A MRSA §3210-A, sub-§3, as enacted by PL 2003, c. 555, §1, is amended to read:

3. Rules. The commission shall adopt rules to implement ~~this section~~ the provisions of subsections 1 and 2, including, but not limited to, rules identifying how the commission assigns purchasing obligations to particular standard-offer service providers and the timing and manner of such obligations. The commission may adopt rules and may amend any rules necessary to implement the requirements of subsection 2-A, including rules to allow a transmission and distribution utility to collect an administrative fee from participating eligible small generators to cover reasonable costs incurred by the transmission and distribution utility under subsection 2-A. Rules adopted pursuant to this ~~section~~ subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 198

S.P. 96 - L.D. 300

An Act To Increase Child Support Collection by Expanding the New Hire Reporting Requirements

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

Sec. 1. 19-A MRSA §2154, sub-§4-A, as enacted by PL 2003, c. 224, §1, is repealed.

Sec. 2. 19-A MRSA §2154, sub-§4-B is enacted to read:

4-B. Independent contractors. An employer who reports under subsection 1 shall also report the contracting for services in this State with an independent contractor when reimbursement for such services is anticipated to equal or exceed \$2,500.

A. An employer required to report under this subsection may report by mailing a copy of the employer's federal Internal Revenue Service 1099-MISC form, transmitting a facsimile of the 1099-MISC form, sending magnetic tape in a compatible format or by other means, as mutually agreed to by the employer and the department, that will result in timely reporting.

B. The employer shall report the information in this paragraph within 7 days of the earlier of first making payments that in the aggregate equal or exceed \$2,500 in any year to an independent contractor and entering into a contract or contracts with an independent contractor providing for payments that in the aggregate equal or exceed \$2,500 in any year:

(1) The independent contractor's name, address and social security number;

(2) The employer's name, business name, address and telephone number;

(3) The employer's social security number, employment security reference number or unified business identifier number;

(4) The date the contract is executed or, if no contract, the date payments in the aggregate first equal or exceed \$2,500; and

(5) The total dollar amount of the contract, if any, and the contract expiration date.

Sec. 3. 19-A MRSA §2154, sub-§7, as enacted by PL 1997, c. 537, §39 and affected by §62, is amended to read:

7. Transmissions to the National Directory of New Hires. Within 3 business days after the date information regarding a newly hired or rehired employee or independent contractor is entered into the department's computer system, the department shall transmit the information to the National Directory of New Hires maintained by the federal Department of Health and Human Services. After obtaining the information from the Department of Labor, the department shall send the National Directory of New Hires quarterly reports of wages and unemployment compensation benefits paid to persons who are reported to the department under this section as specified by federal regulations.

Sec. 4. 19-A MRSA §2154, sub-§10 is enacted to read:

10. Independent contractor. For purposes of this section, "independent contractor" means an individual who is not an employee of the employer and who receives compensation or executes a contract for services performed for that employer within or without this State. "Independent contractor" does not include a direct seller as defined in 26 United States Code, Section 3508(b)(2).

See title page for effective date.

CHAPTER 199
S.P. 165 - L.D. 462

An Act To Amend the Retail Tobacco and Liquor Licensing 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, prompt implementation of revised licensing procedures for retail tobacco establishment licenses is necessary to ensure that prorated licensing

fees are assessed for licenses set to expire as of March 31, 2010, and timely implementation of the new licensing system is related to the public health; 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 §1552, sub-§1, as amended by PL 2005, c. 12, Pt. TT, §1, is further amended to read:

1. Application process; license fees. An applicant for an annual retail tobacco license shall file an application in the form required by the department. The department shall make provisions for applications under this section. ~~The fee for a retail tobacco license must be determined~~ The department shall determine annually by the department by rulemaking the fee for a retail tobacco license, including the proration of an initial license that is issued for less than one year. The applicant shall enclose the fee with the application for the license. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §1552, sub-§2, as amended by PL 2003, c. 673, Pt. CC, §1, is further amended to read:

2. Term of license. All retail tobacco licenses are valid for ~~one year~~ a term beginning April 1st and ending the following March 31st, or in the case of an initial license issued after April 1st, for a term beginning on the date of issue and ending the following March 31st, unless suspended, revoked or not subject to the transfer under section 1553. Licenses that have been suspended or revoked may be reinstated, as permitted by the District Court decision issued under subchapter 2, upon the receipt of an application for reinstatement and payment of all penalties and an application fee of \$50.

Sec. 3. 22 MRSA §1552, sub-§3-A, as enacted by PL 2005, c. 145, §2, is amended to read:

3-A. Seasonal mobile tobacco vendor license. An applicant who is a seasonal mobile tobacco vendor may purchase a single annual license authorizing that vendor to operate at 2 or more agricultural fairs, festivals or exhibitions held during the agricultural fair season. A license issued under this subsection must clearly specify the name and location of each fair, festival or exhibition at which the licensee is authorized to operate and, for each location, the specific dates and number of machines for which the licensee is authorized. A licensee may not operate at any agricultural

fair, festival or exhibit except as specifically provided in that license. A seasonal mobile tobacco vendor license expires upon the conclusion of the agricultural fairs, festivals or exhibitions for which it was issued. Upon issuing a license under this subsection, the department shall immediately provide the information required by this subsection to the Office of the Attorney General for purposes of inspection and enforcement.

Sec. 4. 22 MRSA §1557, as amended by PL 1995, c. 593, §6 and PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

§1557. Jurisdiction; District Court

1. Jurisdiction. The District Court, pursuant to the Maine Administrative Procedure Act, shall conduct hearings on all matters concerning violations by tobacco licensees of any state law related to tobacco sales. Notwithstanding Title 5, chapter 375, subchapter ~~VI~~ 6, the District Court Judge has exclusive jurisdiction over all violations of this chapter by licensees and their agents or employees when ~~no~~ a criminal penalty is ~~not~~ provided.

2. Powers. The District Court may impose fines ~~or on licensees and their agents or employees and suspend or revoke licenses in accordance with this chapter.~~

3. Injunction. If the person licensed to sell tobacco products has engaged in or is about to engage in any act or practice that violates this chapter, the District Court may grant a permanent or temporary injunction, restraining order or other order as appropriate.

Sec. 5. 22 MRSA §1558, sub-§2, as enacted by PL 1995, c. 470, §9 and affected by §19 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

2. Notice and hearing. Except as provided under subsection 7, upon receipt of a signed complaint prepared under subsection 1, paragraph A, ~~the District Court shall notify the licensee and hold a hearing~~ notice must be provided and a hearing must be held according to the following procedures.

A. ~~The District Court commissioner or the commissioner's designee shall notify the licensee or the licensee's agent or employee by serving the licensee or the licensee's agent or employee with a copy of the complaint and a notice that states the time and place of the hearing and that the licensee or the licensee's agent or employee may appear in person or be represented by counsel at the hearing. Service of the complaint and hearing notice upon the licensee is sufficient when served in hand by the commissioner's designee or when sent by registered or certified mail at least 7 days before the date of the hearing to the address given~~

~~by the licensee at the time of application for a license. Service of the complaint and hearing notice upon a licensee's agent or employee is sufficient when served in hand by the commissioner's designee or when sent by registered or certified mail at least 7 days before the date of the hearing to the address given by the agent or employee at the time the agent or employee was initially notified by the department of the violation. The commissioner or the commissioner's designee shall file proof of service with the District Court.~~

B. The District Court shall conduct a hearing limited to the facts, laws and rules specified in the complaint.

C. The District Court shall conduct the hearing in the following manner.

(1) ~~The District Court may subpoena and examine witnesses, administer oaths and subpoena and administer oaths to witnesses and issue subpoenas at the request of any party, including subpoenas to compel the attendance of parents and legal guardians of unemancipated minors.~~

(a) The department shall pay to the witnesses the legal fees for travel and attendance, except that, notwithstanding Title 16, section 253, the department is not required to pay the fees before the travel and attendance occur.

(2) Hearsay testimony is not admissible during the hearing. ~~The licensees, agents or employees named in the complaint have the right to have all witnesses testify in person at the hearing.~~

(3) ~~The District Court shall state in writing the findings and render a decision in each case based on the facts, laws and rules cited in the complaint. The findings must specify the facts found and the laws or rules violated.~~

Sec. 6. 22 MRSA §1558, sub-§8, as amended by PL 2005, c. 223, §5, is further amended to read:

8. Fines. Notwithstanding any other provisions of this Title, the District Court may impose on a licensee or the licensee's agent or employee a fine of a specific sum of not less than \$50 nor more than \$1,500 for any one offense. The fine is independent of any fine or forfeiture adjudged under subchapter ~~I~~ 1 or ~~H~~ 2 and may be imposed instead of or in addition to any suspension or revocation of a license.

A. The District Court shall maintain a record of all fines received by the court. Any fines received must be credited as follows: 1/2 to the Department of Health and Human Services in a nonlapsing account to be used by the department to defray administrative costs of retail tobacco licensing

and 1/2 to a nonlapsing account to be used by the Attorney General to support enforcement and responsible retailing education programs. Annually, the court shall report to the Office of Substance Abuse the total amount of fines collected.

Sec. 7. 28-A MRSA §803, sub-§2, as amended by PL 1997, c. 373, §77 and PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

2. Notice and hearing. Except as provided under subsection 6, upon receipt of a signed complaint prepared under subsection 1, paragraph A, ~~the District Court Judge shall notify the licensee and hold a hearing~~ notice must be provided and a hearing must be held according to the following procedures.

A. ~~The District Court Judge commissioner or the commissioner's designee shall notify the licensee or the licensee's agent or employee by serving on the licensee or the licensee's agent or employee a copy of the complaint and a notice stating the time and place of the hearing and that the licensee or the licensee's agent or employee may appear in person or by counsel at the hearing. Service of the complaint and hearing notice upon the licensee is sufficient if when served in hand by the commissioner's designee or when sent by registered or certified mail at least 7 days before the date of the hearing to the address given by the licensee at the time of the licensee's application for a license. Service of the complaint and hearing notice upon a licensee's agent or employee is sufficient when served in hand by the commissioner's designee or when sent by registered or certified mail at least 7 days before the date of the hearing to the address given by the agent or employee at the time the agent or employee was initially notified by the bureau of the violation. The commissioner or the commissioner's designee shall file proof of service with the District Court.~~

B. The District Court ~~Judge~~ shall conduct a hearing limited to the facts, the law and rules of the bureau, as specified in the complaint.

C. The District Court ~~Judge~~ shall conduct the hearing in the following manner.

(1) ~~The District Court Judge may subpoena and examine witnesses, administer oaths and subpoena and administer oaths to witnesses and issue subpoenas at the request of any party, including subpoenas to compel the attendance of parents and legal guardians of unemancipated minors.~~

(a) The bureau shall pay to the witnesses the legal fees for travel and attendance, except that, notwithstanding Title 16, section 253, the bureau is not required to

pay the fees before the travel and attendance occur.

(2) Hearsay testimony is not admissible during the hearing. The licensees, agents or employees named in the complaint have the right to have all witnesses testify in person at the hearing.

(3) The District Court ~~Judge~~ shall conduct hearings in one or more designated places that are the most convenient and economical for all parties concerned in the hearing.

D. The District Court ~~Judge~~ shall ~~state in writing the findings and~~ render a decision in each case, based upon the facts, the law and the rules of the bureau. The findings must specify the facts found and the law or rules found to be violated.

Sec. 8. 28-A MRSA §803, sub-§8, as enacted by PL 1987, c. 45, Pt. A, §4 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

8. Fines. Notwithstanding any other provisions of this Title, ~~an~~ the District Court Judge may impose a fine of a specific sum on a licensee or the licensee's agent or employee, of not less than \$50 nor more than \$1,500, for any one offense. Such a fine may be imposed instead of or in addition to any suspension or revocation of a license by the court.

A. The District Court Judge shall maintain a record of all fines received by the court and shall pay the fines into the General Fund by the 15th day of each month.

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

Effective May 26, 2009.

CHAPTER 200
S.P. 93 - L.D. 276

**An Act To Protect the Integrity
of the State's Carbon Dioxide
Budget Trading Program and
Auction Process and To
Provide Allocations to the
Energy and Carbon Savings
Trust Fund**

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 State Legislature enacted the Regional Greenhouse Gas Initiative Act of 2007,

or RGGI, which is designed to stabilize and then reduce anthropogenic emissions of carbon dioxide, a greenhouse gas, from large electrical generating sources using a cap-and-trade mechanism; and

Whereas, the cap-and-trade mechanism uses an auction platform to sell state allocations of carbon dioxide allowances that will generate revenue for the State for purposes of electrical and fossil fuel conservation; and

Whereas, RGGI established the Energy and Carbon Savings Trust to oversee the expenditure of auction revenue on cost-effective electrical and fossil fuel conservation measures, investments and arrangements that will provide the citizens of the State with measurable economic and greenhouse gas reduction benefits; and

Whereas, RGGI also established the Energy and Carbon Savings Trust Fund, for the Energy and Carbon Savings Trust, to receive and expend revenue money associated with the auctioned sale of RGGI allowances but did not provide for allocation for receipt and expenditure of the auction revenues within the Energy and Carbon Savings Trust Fund; and

Whereas, the current statutory limit on the administrative costs of the Energy and Carbon Savings Trust may not enable the trust to adequately perform certain functions necessary to ensure that the expenditures from the Energy and Carbon Savings Trust Fund meet the statutory obligations of the trust; and

Whereas, the participating RGGI states conducted an auction in September 2008 and an auction in December 2008, and auctions are expected to continue at quarterly intervals in the future; and

Whereas, this much-needed revenue could be used to decrease electrical and heating energy costs beginning this winter for the State's citizens; and

Whereas, the Governor has declared that emergency conditions exist this winter for many citizens due to the unprecedented increases in petroleum product prices; and

Whereas, in addition, the primary purpose of the RGGI auction platform is to sell the State's allocations of carbon dioxide allowances at prices that are reflective of a competitive market that is free from collusion and market manipulation among the auction participants; and

Whereas, the release of RGGI information specific to any one account holder, including all auction bids and awards, carbon dioxide allowance and carbon dioxide offset allowance holdings and transactions or any applications and financial security information or summaries thereof, has the potential to increase collusive or market manipulative behavior in RGGI auctions; and

Whereas, there is an immediate need to ensure future RGGI auctions will have robust competitive market conditions; and

Whereas, Public Law 2007, chapter 317, section 15 established a system under which the proceeds from the sale of carbon dioxide allowances are returned to electric customers as direct credits on their bills when the price of the allowances in the regional allowance market rises above a statutorily established price ceiling; 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. 35-A MRSA §10008, sub-§5, as amended by PL 2007, c. 695, Pt. A, §42, is further amended to read:

5. Ceiling on energy efficiency spending; rebates to electric ratepayers; rules. There is established a ceiling on energy efficiency spending from the trust equal to \$5 per carbon dioxide allowance. Until that price ceiling is adjusted or removed, only the first \$5 of each carbon dioxide allowance sold and deposited in the trust fund may be awarded to or directed to qualified projects for purposes of energy efficiency improvements. While the ceiling is in place, revenue received by the trust from an allowance value above \$5 must be transferred to the commission for use by the commission pursuant to sections 301 and 1322 for rebates to electric ratepayers calculated on a per-kilowatt-hour basis. The commission shall adopt rules to implement this subsection. The rules must establish a system under which proceeds from the sale of carbon dioxide allowances may be returned to electric ratepayers as direct credits on their bills at times of heightened price pressure in regional carbon dioxide allowance markets due to an extraordinary circumstance. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 35-A MRSA §10008, sub-§6, ¶G, as amended by PL 2007, c. 608, §2, is repealed and the following enacted in its place:

G. No more than \$800,000 of trust fund receipts in any one year may be used for the costs of administering the trust pursuant to this section. The limit on administrative costs established in this paragraph does not apply to the following costs that may be funded by the trust:

(1) Costs of the Department of Environmental Protection for participating in the regional or-

ganization as defined in Title 38, section 580-A, subsection 20 and for administering the allowance auction under Title 38, chapter 3-B; and

(2) Costs of the Attorney General for activities pertaining to the tracking and monitoring of allowance trading activity and managing and evaluating the trust's funding of conservation programs.

Sec. 3. 38 MRSA §580-A, sub-§1-A is enacted to read:

1-A. Account. "Account" means a general account or a compliance account.

Sec. 4. 38 MRSA §580-A, sub-§4, as enacted by PL 2007, c. 317, §17, is amended to read:

4. Carbon dioxide budget unit compliance account or compliance account. "Carbon dioxide budget unit compliance account" or "compliance account" means the account established by the department for a carbon dioxide budget unit wherein carbon dioxide budget units deposit carbon dioxide emissions allowances and carbon dioxide offset allowances are held and available for compliance purposes under the carbon dioxide cap-and-trade program.

Sec. 5. 38 MRSA §580-A, sub-§6-A is enacted to read:

6-A. Carbon dioxide general account or general account. "Carbon dioxide general account" or "general account" means the account established by the department upon the request of an entity wherein the entity may hold carbon dioxide allowances and carbon dioxide offset allowances. The general account is separate from the compliance account.

Sec. 6. 38 MRSA §580-A, sub-§18-A is enacted to read:

18-A. Proprietary information. "Proprietary information" means production, commercial or financial information claimed as confidential on documents required to be submitted to participate in an auction, the disclosure of which would impair the competitive position of the account holder and would make available information that is not otherwise available.

Sec. 7. 38 MRSA §580-B, sub-§7, as enacted by PL 2007, c. 317, §17, is amended to read:

7. Allocation of carbon dioxide emissions allowances. The department shall allocate 100% of the annual carbon dioxide emissions allowances for public benefit to produce funds for carbon reduction and energy conservation, as specified in Title 35-A, section 10008. Except as provided in subsection 7-A and subsection 8, the department shall sell the carbon dioxide emissions allowances at public auction, in accordance with rules adopted under subsection 4. Revenue resulting from the sale of allowances must be deposited

in the Energy and Carbon Savings Trust Fund established under Title 35-A, section 10008.

Sec. 8. 38 MRSA §580-B, sub-§10, ¶E, as enacted by PL 2007, c. 317, §17, is amended to read:

E. Management and cost-effectiveness of the State's energy conservation and carbon reduction programs and efforts funded by the Energy and Carbon Savings Trust established pursuant to Title 35-A, section 10008; ~~and~~

Sec. 9. 38 MRSA §580-B, sub-§10, ¶F, as enacted by PL 2007, c. 317, §17, is amended to read:

F. The extent to which funds from the Energy and Carbon Savings Trust established pursuant to Title 35-A, section 10008 serve customers from all classes of the State's transmission and distribution utilities; ~~and~~

Sec. 10. 38 MRSA §580-B, sub-§10, ¶G is enacted to read:

G. The revenues and expenditures of the Energy and Carbon Savings Trust Fund, established pursuant to Title 35-A, section 10008.

Sec. 11. 38 MRSA §580-B, sub-§11 is enacted to read:

11. Confidentiality. To protect the integrity of individual auctions administered under the carbon dioxide cap-and-trade program established in this section, the following records are confidential as provided in this subsection.

A. Except as provided in this paragraph, the following records are confidential for a period of 3 years beginning at the time of application, submission, award or record creation by the department or its agents:

- (1) Auction bid and award information specific to any one account holder;
- (2) Carbon dioxide allowance and carbon dioxide offset allowance account holdings; and
- (3) Carbon dioxide allowance and carbon dioxide offset allowance transactions.

This paragraph does not prohibit the release of carbon dioxide allowance and carbon dioxide offset allowance account holdings and transactions in an aggregated form that does not permit the identification of any person or entity.

The commissioner may release information described in subparagraph (1), (2) or (3) before the expiration of the 3-year period if the commissioner determines that confidentiality of that information is no longer required to protect the integrity of individual auctions administered under the carbon dioxide cap-and-trade program.

B. The following records remain confidential and may not be disclosed except pursuant to a court order or upon the written consent of the account holder:

(1) Proprietary information contained in documents required to be submitted to participate in an auction conducted under the carbon dioxide cap-and-trade program; and

(2) Carbon dioxide allowance and carbon dioxide offset allowance transaction prices. This subparagraph does not prohibit the release of transaction prices calculated in an aggregated manner that does not permit the identification of any person or entity.

Records containing any emission, offset or allowance tracking information submitted for the purpose of demonstrating compliance with the carbon dioxide cap-and-trade program and rules adopted to implement the program are public records subject to disclosure under Title 1, chapter 13.

Sec. 12. Public Law 2007, c. 317, §24, sub-§3 is repealed.

Sec. 13. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Energy and Carbon Savings Trust Fund N027

Initiative: Provides an allocation to the Energy and Carbon Savings Trust Fund that will be used to reduce electricity consumption and greenhouse gas emissions.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$30,000,000	\$30,000,000	\$30,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000,000	\$30,000,000	\$30,000,000

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

Effective May 26, 2009.

CHAPTER 201

H.P. 133 - L.D. 154

An Act To Enhance the Safety of Forestry Workers and Contracted Farm Workers

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 bill provides protections for forestry workers and contracted farm workers; and

Whereas, such protections need to take effect 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 enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §641, as enacted by PL 2003, c. 616, §1, is amended to read:

§641. Rule of construction

This subchapter must be liberally construed in light of the purposes of the law to ensure a safe working environment and safe transportation for forestry workers and migrant and seasonal farm workers and to prevent unfair competition in the marketplace by businesses whose practices would undermine safety and other employment standards.

Sec. 2. 26 MRSA §642, as enacted by PL 2003, c. 616, §1, is amended to read:

§642. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Bureau. "Bureau" means the Department of Labor, Bureau of Labor Standards.

2. Code of Federal Regulations. "Code of Federal Regulations" means the Code of Federal Regulations as of January 1, ~~2003~~ 2008.

3. Employer. "Employer" means ~~a person or entity that suffers or permits any forestry worker to work;~~

A. With regard to a forestry worker, a person or entity that suffers or permits any forestry worker to work; and

B. With regard to a migrant and seasonal farm worker, a farm labor contractor.

3-A. Farm labor contractor. "Farm labor contractor" means a person or entity that employs migrant and seasonal farm workers and that is required to register with the United States Department of Labor under the federal Migrant and Seasonal Agricultural Worker Protection Act.

4. Forestry worker. "Forestry worker" or "worker" means a person employed on a temporary or seasonal basis to perform reforestation activities, including, but not limited to, precommercial thinning, tree planting and brush clearing.

5. Migrant and seasonal farm worker. "Migrant and seasonal farm worker" means a person employed by a farm labor contractor on a temporary or seasonal basis to perform farm labor.

6. Worker. "Worker" means a forestry worker or migrant and seasonal farm worker.

Sec. 3. 26 MRSA §643, sub-§1, as enacted by PL 2003, c. 616, §1, is amended to read:

1. Requirement. An employer shall provide safe transportation for forestry workers between the workers' lodgings and work sites each day at no cost to the workers.

A. A vehicle used to transport workers must meet the standards set forth in 29 Code of Federal Regulations, Section 500.105, regardless of the number of miles traveled or the type of vehicle used, and must include a working seat belt for each worker being transported. Any vehicle used to transport forestry workers may not have any apparatus attached to the rear of the vehicle that interferes with the operation of the rear door. Equipment or any other materials that interfere with the operation of any doors or windows may not be attached to or stored in the vehicle. The number of occupants in any vehicle, other than a bus, may not exceed ~~14~~ the manufacturer's design specifications except in no instance may it exceed 12 at any time. In the case of a 15-passenger van, compliance with this standard must be achieved by removal of the seating immediately behind the rear axle, resulting in the number of passengers in the vehicle at any one time not exceeding 11. Attachments are not allowed on the roofs of vans for the purpose of carrying gear.

B. Any person driving a vehicle used to transport workers must meet the driver qualifications and must follow the standards for driving set forth in 29 Code of Federal Regulations, Section 500.105.

C. Each vehicle used to transport workers must be equipped with a first aid kit consistent with 29 Code of Federal Regulations, section 1910.266, Appendix A and communications equipment capable of providing the most immediate access to emergency medical services. A vehicle equipped with such equipment and a driver must be available at or near the work site at all times during the work day. Emergency action plans, written in easily understandable English and in the language of the forestry worker crews, must be developed and maintained for each job site. Plans must in-

clude information on how to transport injured workers to the nearest emergency facility and how to direct emergency workers to the location of an injured worker who can not be moved.

D. An employer must make reasonable efforts to limit the driving hours of any one driver in a day and to reduce driver fatigue generally. Hours of operation must also comply with the limitations set forth in 29 Code of Federal Regulations, Section 500.105. Except in an emergency, a worker who engages in reforestation or agricultural labor activities may not operate a vehicle more than 2 hours per day.

For purposes of this paragraph, "agricultural labor" has the same meaning as in section 1043, subsection 1.

E. A vehicle used to transport workers must be insured for at least the same minimum liability insurance as is required by the State.

F. Each employer shall provide to each worker and to the Department of Labor a copy of off-road driving safety standards consistent with those promoted in relevant safe driver training courses.

G. Each contract regarding or resulting in the employment of any forestry worker must include a provision requiring the contractor who employs forestry such workers to abide by this subchapter.

Sec. 4. 26 MRSA §643-A is enacted to read:

§643-A. First aid requirements

An employer must comply with the standards for first aid set forth in 29 Code of Federal Regulations, Section 1910.151 (2008).

Sec. 5. 26 MRSA §643-B is enacted to read:

§643-B. Farm labor contractor registration

Each farm labor contractor employing migrant and seasonal farm workers shall file a copy of its federal registration under the federal Migrant and Seasonal Agricultural Worker Protection Act with the bureau. The filing must include in-state contact information for the farm labor contractor or the farm labor contractor's representative.

Sec. 6. 26 MRSA §644, first ¶, as enacted by PL 2003, c. 616, §1, is amended to read:

An employer or other person may not intimidate, threaten, restrain, coerce, blacklist, discharge, fail to recruit, fail to rehire or in any manner discriminate or retaliate against a forestry worker because the worker has:

Sec. 7. 26 MRSA §644, sub-§3, as enacted by PL 2003, c. 616, §1, is amended to read:

3. Discussions. Discussed any matter that is a subject of or is related in any way to this subchapter,

or any other lawful matter, with any other person, including, but not limited to, that forestry worker's employer or the employer's agent or employee; or

Sec. 8. 26 MRSA §645, as enacted by PL 2003, c. 616, §1, is amended to read:

§645. Waiver of rights prohibited

Any agreement by a forestry worker purporting to waive or modify any of the worker's rights under this subchapter is void as contrary to public policy.

Sec. 9. 26 MRSA §646, sub-§1, as enacted by PL 2003, c. 616, §1, is amended to read:

1. Joint and several liability. If more than one person or entity is an employer of the same forestry worker or group of workers, each such person or entity is jointly and severally liable for all violations of this subchapter.

Sec. 10. 26 MRSA §646, sub-§2, as enacted by PL 2003, c. 616, §1, is amended to read:

2. Enforcement by bureau. The bureau may inspect vehicles subject to this subchapter and used to transport forestry workers and may enforce compliance with this subchapter in accordance with this section.

A. A duly designated officer of the bureau may enter into any structure or upon any real property in or on which a vehicle subject to this subchapter and used to transport forestry workers is found in accordance with the process established in section 587 in order to determine compliance with this subchapter and any rules adopted to implement this subchapter.

B. Upon the written request of the bureau, the Department of Transportation and the Department of Public Safety shall provide any technical services that may be required by the bureau to assist with inspections and enforcement of this subchapter.

Sec. 11. 26 MRSA §872, sub-§1, as enacted by PL 2005, c. 461, §1, is amended to read:

1. Definition. For the purposes of this section, "bond worker" means a person who has been described under 8 United States Code, Section 1101(a)(15)(H)(ii)(b) and granted permission to work temporarily in the United States.

Sec. 12. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 26, chapter 7, subchapter 2-A, in the subchapter headnote, the words "employment standards in the forestry industry" are amended to read "employment standards in the forestry industry and farming" 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 May 26, 2009.

CHAPTER 202

H.P. 563 - L.D. 827

An Act To Exempt Protection from Abuse Orders from the Notification and 30-day Waiting Period Requirements under the Uniform Enforcement of Foreign Judgments Act

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

Whereas, orders or judgments from other states must be filed in Maine to be upheld by law enforcement and Maine courts; and

Whereas, current Maine law requires the person filing a judgment from another state to pay the court fees, including registering, docketing, transcription and other enforcement fees; and

Whereas, the federal Violence Against Women Act prohibits the assessment of fees for such orders; and

Whereas, Maine law needs to be amended as soon as possible to comply with the federal law and to avoid jeopardizing certain federal funds that the State currently receives; 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. 14 MRSA §8004, sub-§4 is enacted to read:

4. Foreign protection orders. Subsections 2 and 3 do not apply if the foreign judgment is an order that qualifies as a protection order as defined by 18 United States Code, Section 2266 or is the equivalent of a protection from abuse order under Title 19-A, Part 4 or a protection from harassment order under Title 5, chapter 337-A.

Sec. 2. 14 MRSA §8006, as enacted by PL 1975, c. 335, is repealed and the following enacted in its place:

§8006. Fees

1. Filing a foreign judgment. Except as provided in subsection 2, a person filing a foreign judgment shall pay to the clerk of courts the fee then provided for the entry of an action. Fees for docketing, transcription or other enforcement proceedings are as provided for judgments of the District Court or Superior Court.

2. Exception. A fee may not be charged for the registration, docketing, transcription or other enforcement proceedings of a foreign judgment or order that qualifies as a protection order as defined by 18 United States Code, Section 2266 or is the equivalent of a protection from abuse order under Title 19-A, Part 4 or a protection from harassment order under Title 5, chapter 337-A.

Sec. 3. 19-A MRSA §1753, sub-§5, as enacted by PL 1999, c. 486, §3 and affected by §6, is amended to read:

5. Confidentiality. If Notwithstanding any other provision of law, if a party alleges in an affidavit or a pleading under oath that the health, safety or liberty of a party or child would be jeopardized by disclosure of identifying information, the information must be sealed and may not be disclosed to the other party or the public unless the court orders the disclosure to be made after a hearing in which the court takes into consideration the health, safety or liberty of the party or child and determines that the disclosure is in the interest of justice.

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

Effective May 26, 2009.

CHAPTER 203

H.P. 596 - L.D. 865

**An Act To Change the Maine
HIV Advisory Committee**

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

Sec. 1. 5 MRSA §19202, sub-§1-A, as enacted by PL 1999, c. 390, §2 and affected by §10, is repealed.

Sec. 2. 5 MRSA §19202, sub-§1-B is enacted to read:

1-B. Duties. The Maine HIV Advisory Committee, as established in section 12004-I, subsection 42

and referred to in this section as "the committee," on behalf of those individuals infected by, at risk for or affected by the human immunodeficiency virus, referred to in this section as "HIV," in the State, shall:

A. Advise the Office of the Governor and state, federal and private sector agencies, officials and committees on HIV-related and AIDS-related policy, planning, budget or rules;

B. Make an annual assessment of emerging HIV-related issues and trends;

C. Initiate and respond to legislation, both state and federal; and

D. Prepare and present, in person, an annual report on the status of HIV in the State to the Office of the Governor and the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 31st of each year.

Sec. 3. 5 MRSA §19202, sub-§2-A, as enacted by PL 1999, c. 390, §4 and affected by §10 and amended by PL 2001, c. 354, §3 and PL 2003, c. 689, Pt. B, §§6 and 7, is repealed.

Sec. 4. 5 MRSA §19202, sub-§2-B is enacted to read:

2-B. Membership. The committee consists of 19 members as provided in this subsection.

A. The committee includes 7 members as follows, of whom only the Legislators are voting members:

(1) Two members of the Legislature, one Senator nominated by the President of the Senate and one Representative nominated by the Speaker of the House of Representatives;

(2) The director of the HIV, STD and viral hepatitis program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention;

(3) A representative of the Department of Education, nominated by the Commissioner of Education;

(4) A representative of the Department of Corrections, nominated by the Commissioner of Corrections;

(5) A representative of the Department of Health and Human Services, Office of Substance Abuse, nominated by the Commissioner of Health and Human Services; and

(6) A representative of the Department of Health and Human Services, Office of MaineCare Services, nominated by the Commissioner of Health and Human Services.

B. The committee shall identify 12 additional representatives for membership as described in this paragraph, with broad input from persons with HIV or at risk for HIV infection or from organizations with extensive participation of persons with HIV, organizations interested in and working on HIV and AIDS prevention and health, other community-based organizations providing HIV and AIDS services, rural health centers and the public:

- (1) Three persons who have HIV/AIDS;
- (2) Two health care professionals involved with HIV treatment and care issues;
- (3) Two providers of HIV-related prevention or social services;
- (4) One representative of a state HIV community planning group;
- (5) One representative of the statewide AIDS alliance under section 19251, subsection 4;
- (6) One representative of a statewide coordinating council for public health; and
- (7) Two at-large representatives including but not limited to: homeless persons, high-risk groups, family planning, mental health, higher education, civil rights or disability rights.

Sec. 5. 5 MRSA §19202, sub-§3, as corrected by RR 2003, c. 2, §10, is amended to read:

3. Terms. The term of office of each voting member is 3 years; except that of the members first chosen by the membership committee pursuant to subsection 2-A, 1/3 must be chosen for a term of one year, 1/3 for a term of 2 years and 1/3 for a term of 3 years; ~~members chosen after nomination by the Commissioner of Health and Human Services, the Commissioner of Education, the Commissioner of Corrections or the Commissioner of Public Safety nonvoting members serve during the nominating duration of the commissioner's term of office; for the agency that each member represents and Legislators serve during the term for which they were elected.~~ The membership shall annually elect a chair and vice-chair. The chair is the presiding member of the committee. All vacancies must be filled for the balance of the unexpired term in the same manner as original appointments.

Sec. 6. 5 MRSA §19202, sub-§4, as amended by PL 1999, c. 390, §7 and affected by §10, is further amended to read:

4. Meetings. The committee shall meet at least 4 times a year and more frequently if needed to respond to the duties of this committee as specified in subsection 1-A 1-B. Special meetings may be called by the chair and must be called at the request of the State Epidemiologist, ~~the Director of the Bureau of Health,~~

~~the Director of Disease Control, the Director of Sexually Transmitted Diseases Department of Health and Human Services, Maine Center for Disease Control and Prevention or by 3 or more members of the committee.~~

Sec. 7. Transition. Notwithstanding the appointment provisions of the Maine Revised Statutes, Title 5, section 19202, subsection 2-B, those members of the Maine HIV Advisory Committee on September 30, 2009 under former Title 5, section 19202, subsection 2-A may continue to serve on the committee for the balance of their terms of office as provided under Title 5, section 19202, subsection 3. Notwithstanding Title 5, section 19202, subsection 3, a person who is not a member of the committee on September 30, 2009 and who is appointed to the committee pursuant to Title 5, section 19202, subsection 2-B serves a 3-year term.

Sec. 8. Effective date. This Act takes effect October 1, 2009.

Effective October 1, 2009.

CHAPTER 204

H.P. 882 - L.D. 1263

An Act To Amend the Laws Concerning Child Abuse and Neglect Councils

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

Sec. 1. 22 MRSA §3871, as amended by PL 1993, c. 142, §2, is further amended to read:

§3871. Purpose

The purpose of this chapter is to encourage and maintain coordinated community efforts in each county to prevent child abuse and neglect through the provision of family-strengthening programs, including, but not limited to, public awareness activities, child safety education, parent education, support and information for parents, referral to services and training for professionals, and to ensure adequate intervention and treatment for abused and neglected children and their families.

Sec. 2. 22 MRSA §3872, sub-§1-A, as enacted by PL 1993, c. 142, §2, is amended to read:

1-A. Child abuse and neglect prevention council. "Child abuse and neglect prevention council" means a community organization that provides continuous year-round service as a county's primary organization that serves to encourage and coordinate community efforts ~~in primary prevention and the treatment of child abuse and neglect to prevent child abuse from occurring.~~ Services may include public

awareness activities, child safety education, parent education, support and information for parents, referral to services and training for professionals.

Sec. 3. 22 MRSA §3872, sub-§2, as amended by PL 1993, c. 142, §2 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

2. Fiscal agent. "Fiscal agent" means an incorporated community organization, agency or institution designated by the child abuse and neglect prevention council and authorized by the Department of Health and Human Services to receive and distribute grants to that child abuse and neglect prevention council.

Sec. 4. 22 MRSA §3872, sub-§3, as amended by PL 1993, c. 142, §2, is further amended to read:

3. Maine Child Abuse Prevention Councils. "~~Maine Association of Child Abuse and Neglect Pre-~~vention Councils" means the statewide organization composed of a majority of the child abuse and neglect prevention councils. ~~The association shall~~ organization must have at least one representative from each member council. The association shall establish standards of practice by which it may evaluate the effectiveness of each individual council's strategies to combat child abuse and neglect and organization shall work collaboratively to maintain a list of core activities offered in each of the counties represented by its membership and shall also maintain a statewide network that works to develop statewide plans and effective implementation strategies.

Sec. 5. 22 MRSA §3872-A, as enacted by PL 1993, c. 142, §3, is amended to read:

§3872-A. Child abuse and neglect prevention council's responsibilities

1. Duties. A child abuse and neglect prevention council shall review existing data to assess and monitor the extent and causes of child abuse and neglect in its county and carry out the following activities:

- A. Coordinate services, utilizing community, state and federal resources to ensure that direct services are being provided to children and families, including education and support services;
- B. Provide training to professionals who ~~deal~~ work directly with children and families; and
- C. Provide education and awareness concerning child abuse and neglect and its prevention.

Sec. 6. 22 MRSA §3873, as amended by PL 1993, c. 142, §4, is further amended to read:

§3873. Authorization for expenditure of funds

The department and other state agencies shall, from funds authorized to the department and state agencies, make grants to, or purchase services from, the child abuse and neglect prevention councils or fiscal agents to further the purposes of this chapter.

1. Funding authorized. Grants or funds must be made on a competitive basis and allocated to child abuse and neglect prevention councils according to rules adopted or amended by the commissioner. Grants or funds in excess of \$15,000 must be made on a one-to-one matching basis with contributions from the community. Community contributions may be donations of cash or may be in-kind contributions, as determined by departmental rule.

2. Distribution of funds. Grants or funds must be awarded or allocated to support existing child abuse and neglect prevention councils and to assist the establishment of new child abuse and neglect prevention councils. It is the intent of this chapter to support a statewide network of child abuse and neglect prevention councils in each county as resources permit. Nothing in this chapter requires the department to fully fund the activities of any child abuse and neglect prevention council.

3. Consultation with Maine Child Abuse Prevention Councils. ~~The Maine Association of Child Abuse and Neglect Councils shall advise the department regarding the distribution of grants before any grants are awarded. The Maine Association of Child Abuse and Neglect Prevention Councils, in conjunction with the department, shall develop a plan, updated annually, establishing a statewide strategy for child abuse and neglect prevention in local counties and communities. This plan must be implemented at least one month before January 1, 1994 and updated annually.~~ Grants or allocated funds must be awarded in accordance with the goals and strategies set out in the plan.

Sec. 7. 22 MRSA §3874, as amended by PL 1993, c. 142, §4, is further amended to read:

§3874. Fiscal agents

A fiscal agent receiving grants or funds under this chapter shall act only in an administrative capacity to receive and distribute grant or fund money to the child abuse and neglect prevention councils, as described in the rules adopted by the department for regulating the local administration of these programs.

Sec. 8. 22 MRSA §3875-A, as enacted by PL 1993, c. 142, §6, is amended to read:

§3875-A. Child abuse and neglect prevention councils; membership

The child abuse and neglect prevention councils are responsible for governing facilitating the community programs under this chapter. Each council shall establish a governing or advisory board of directors. The board must be diverse with broad-based participation in each county. Terms of the directors and methods of appointment or election of members must be determined by the child abuse and neglect prevention

council's bylaws or by rules of procedure adopted for the advisory board if an advisory board is established.

Sec. 9. 22 MRSA §3883, sub-§2, ¶C, as enacted by PL 1993, c. 600, Pt. A, §16, is amended to read:

C. Four members of the Maine Association of Child Abuse and Neglect Prevention Councils, selected by that association organization. Of the initial appointees, one is appointed for a one-year term, one is appointed for a 2-year term and 2 are appointed for 3-year terms. After the initial appointments, appointees are appointed for 3-year terms;

Sec. 10. 22 MRSA §3884-A, sub-§1, ¶I, as enacted by PL 2001, c. 11, §2, is amended to read:

I. Develop plans, with the cooperation of the child abuse and neglect prevention councils established under chapter 1057, to provide a stable base for funding the councils in amounts no lower than the amounts provided in the biennial budget of fiscal years 1999-00 and 2000-01.

Sec. 11. 22 MRSA §3890-A, sub-§2, as enacted by PL 1993, c. 600, Pt. A, §16, is amended to read:

2. Dissolution of fund. Upon dissolution of the fund, the members shall transfer any unexpended General Fund appropriations to the State and pay or make provisions for the payment of all other liabilities of the fund.

All other principal and accrued interest in the fund must be transferred to the Maine Association of Child Abuse and Neglect Prevention Councils and restricted to the support of primary prevention of child abuse and neglect in the State.

Sec. 12. 36 MRSA §1760, sub-§49, as amended by PL 2005, c. 622, §7, is further amended to read:

49. Child abuse and neglect prevention councils; child advocacy organizations; community action agencies. Sales to:

A. Incorporated, nonprofit child abuse and neglect prevention councils as defined in Title 22, section 3872, subsection 1-A;

B. Statewide organizations that advocate for children and that are members of the Medicaid Advisory Committee; and

C. Community action agencies designated in accordance with Title 22, section 5324.

Sec. 13. 36 MRSA §2557, sub-§13, as amended by PL 2005, c. 622, §11, is further amended to read:

13. Child abuse and neglect prevention councils; child advocacy organizations; community action agencies. Sales to:

A. Incorporated, nonprofit child abuse and neglect prevention councils as defined in Title 22, section 3872, subsection 1-A;

B. Statewide organizations that advocate for children and that are members of the Medicaid Advisory Committee; and

C. Community action agencies designated in accordance with Title 22, section 5324;

Sec. 14. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 22, chapter 1057, in the chapter headnote, the words "child abuse and neglect councils" are amended to read "child abuse and neglect prevention councils" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 205

H.P. 419 - L.D. 581

An Act To Allow Law Enforcement Officers To Obtain a Personal Recognizance Bond in Certain Cases

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

Sec. 1. 14 MRSA §3135, 2nd ¶, as amended by PL 1987, c. 708, §10, is further amended to read:

After a civil order of arrest has been issued, the sheriff shall cause the individual named in the order to be arrested and shall deliver him the individual without undue delay to the division of the District Court designated in the civil order of arrest or obtain from the debtor a personal recognizance bond to appear in court at the specified date and time. Should the debtor fail to appear at that time a warrant may issue for the debtor's arrest. The sheriff may take such steps as he determines determined necessary for his the sheriff's safety or the safety of others then present, including searching the debtor for weapons, if he the sheriff has a reasonable suspicion that the debtor has a weapon, and handcuffing the debtor if that is necessary to transport the debtor to the court or to cause the debtor to remain peaceably at the court. Upon arrival at the court, the sheriff shall notify the clerk or bailiff that the debtor is present and may release the debtor into the custody of the bailiff. The sheriff shall instruct the debtor that the debtor must wait at the court until re-

leased by the court or clerk. Upon release of the debtor into the custody of the bailiff, the sheriff need not remain with the debtor at the court. A debtor who fails to appear for the disclosure hearing after being released upon the debtor's personal recognizance commits a Class E crime.

Sec. 2. 14 MRSA §3135, 4th ¶, as amended by PL 1995, c. 694, Pt. D, §20 and affected by Pt. E, §2, is further amended to read:

Unless the judgment debtor shows good cause for failure to appear after being duly served with a disclosure subpoena under section 3123, a contempt subpoena under section 3136 or an order to appear and disclose under Title 19-A, section 2361, the debtor must be ordered to pay the costs of issuing and serving the civil order for arrest. The costs of issuing and serving the civil order for arrest are \$25 plus mileage at a rate of ~~22¢~~ 42¢ per mile. The fee payable to sheriffs and their deputies for civil orders for arrest is governed by Title 30-A, section 421, subsection 6.

Sec. 3. 30-A MRSA §421, sub-§6, as amended by PL 1991, c. 498, §2, is further amended to read:

6. Civil arrests and custody. For civil arrests and custody under the arrest, including arrest and custody under paternity proceedings, \$25 plus mileage at a rate of ~~22¢~~ 42¢ per mile;

See title page for effective date.

CHAPTER 206

H.P. 804 - L.D. 1165

An Act To Improve Children's Safety in Public Swimming Pools

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

Sec. 1. 22 MRSA §2666, sub-§4 is enacted to read:

4. Anti-entrapment devices required. Every public pool and public spa must comply with the federal swimming pool and spa drain cover standards as specified in the Virginia Graeme Baker Pool and Spa Safety Act, 15 United States Code, Sections 8001 to 8006. The Maine Center for Disease Control and Prevention shall enforce the provisions of this subsection provided federal funds are available to cover all costs associated with this enforcement activity. Enforcement includes, but is not limited to, the closure of any

public pool or public spa that does not meet the requirements of the federal swimming pool and spa drain cover standards.

See title page for effective date.

CHAPTER 207

H.P. 624 - L.D. 906

An Act Relating to Sales Tax on Certain Trailers

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

Sec. 1. 36 MRSA §1752, sub-§19-A, as enacted by PL 2007, c. 375, §1, is amended to read:

19-A. Trailer. "Trailer" means a vehicle without motive power and mounted on wheels that is designed to carry persons or property and to be drawn by a motor vehicle and not operated on tracks. "Trailer" includes a camper trailer as defined in section 1481, subsection 1-A but without restriction on length.

Sec. 2. 36 MRSA §1765, sub-§7, as amended by PL 1989, c. 533, §9, is further amended to read:

7. Special mobile equipment. Special mobile equipment; or

Sec. 3. 36 MRSA §1765, sub-§8, as amended by PL 2007, c. 375, §3, is further amended to read:

8. Trailers and truck campers. Trailers; ~~or~~ and truck campers.

Sec. 4. 36 MRSA §1765, sub-§9, as amended by PL 2007, c. 375, §3, is repealed.

Sec. 5. 36 MRSA §1765, last ¶, as enacted by PL 2007, c. 627, §50 and affected by §96, is amended to read:

The trade-in credit allowed by this section is not available unless the items traded are in the same category; ~~except that when a truck camper is taken in trade for a camper trailer or a camper trailer is taken in trade for a truck camper, the~~ The tax must be levied only upon the difference between the sale price of the purchased property and the trade-in allowance of the property taken in trade.

See title page for effective date.

**CHAPTER 208
S.P. 365 - L.D. 982**

**An Act To Amend the Laws
Governing Legislative Ethics**

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

Sec. 1. 1 MRSA §1009, as enacted by PL 2005, c. 301, §2, is amended to read:

§1009. Recommendations to Legislature

Following a general election, the commission may solicit suggestions for improving campaign financing and reporting and the administration of the other areas within the commission's jurisdiction. The commission shall review the suggestions and may submit legislation within 90 days of the general election based on those suggestions or on proposals by individual members of the commission or its staff.

Sec. 2. 1 MRSA §1012, sub-§2-A is enacted to read:

2-A. Domestic partner. "Domestic partner" means the partner of a Legislator who:

A. Has been legally domiciled with the Legislator for at least 12 months;

B. Is not legally married to or legally separated from an individual;

C. Is the sole partner of the Legislator and expects to remain so; and

D. Is jointly responsible with the Legislator for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.

Sec. 3. 1 MRSA §1012, sub-§6, as enacted by PL 1989, c. 561, §4, is amended to read:

6. Immediate family. "Immediate family" means a Legislator's spouse, domestic partner or dependent children.

Sec. 4. 1 MRSA §1012, sub-§8, as enacted by PL 1989, c. 561, §4, is amended to read:

8. Relative. "Relative" means an individual who is related to the Legislator or the Legislator's spouse as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, domestic partner, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or

half sister, and ~~shall be deemed to include~~ includes the fiance or fiancée of the Legislator.

See title page for effective date.

**CHAPTER 209
H.P. 810 - L.D. 1171**

**An Act To Amend the Laws
Governing Outdoor Wood
Boilers**

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

Sec. 1. 38 MRSA §582, sub-§8-C, ¶A, as enacted by PL 2007, c. 442, §1, is amended to read:

A. Designed to burn wood, biomass fuel products or other solid fuels;

Sec. 2. 38 MRSA §582, sub-§8-C, ¶B, as enacted by PL 2007, c. 442, §1, is amended to read:

B. That the manufacturer specifies for outdoor installation or in structures not normally occupied by humans or is an indoor-rated device housed in a modular or containerized structure; and

Sec. 3. 38 MRSA §582, sub-§8-C, ¶C, as enacted by PL 2007, c. 442, §1, is amended to read:

C. That heats building space and or water, or both, through the distribution, typically through pipes for a fluid or ducts for air, of a fluid or air heated in the device, typically water or a mixture of water and antifreeze.

Sec. 4. 38 MRSA §610-B, sub-§2-A is enacted to read:

2-A. Voluntary, technology-forcing emission standard. An outdoor wood boiler meeting a particulate matter emission limit of 0.06 pounds per million British Thermal Units heat output is not subject to a setback requirement as long as it meets the stack height requirements for an outdoor wood boiler meeting the emission standard in subsection 2 in accordance with rules adopted by the department.

Sec. 5. 38 MRSA §610-C, sub-§3, as enacted by PL 2007, c. 680, §2, is amended to read:

3. Application of fund. The department shall apply the money in the fund toward the upgrade, purchase and replacement of outdoor wood boilers ~~installed prior to February 1, 2008 and~~ determined by the department to constitute a nuisance condition or threat to public health or safety. The department shall adopt rules that include, but are not limited to, criteria for determining whether an outdoor wood boiler constitutes a nuisance condition or threat to public health or safety and is eligible for use of the fund, compensa-

tion criteria and amounts and procedures for certification and verification of removal and possible replacement of eligible outdoor wood boilers. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 6. Outdoor wood boiler rules. The Department of Environmental Protection shall adopt rule amendments to Chapter 150: Control of Emissions from Outdoor Wood Boilers, a rule of the Department of Environmental Protection, Bureau of Air Quality Control, that:

1. Change the current requirement that any person intending to install or operate a commercial outdoor wood boiler must obtain an evaluation, a report and installation recommendations from a professional engineer to a requirement that the evaluation, report and installation recommendations must be obtained from a qualified professional, including a professional engineer or a master solid fuel burner technician;
2. Amend the definition of "commercial outdoor wood boiler" to exclude outdoor wood boilers used solely for space heating or domestic hot water; and
3. Allow a person who upgrades or replaces a nuisance outdoor wood boiler when money is not available from the Outdoor Wood Boiler Fund to be eligible for reimbursement from the fund when money is available.

Notwithstanding anything to the contrary in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A and Title 38, section 610-B, last paragraph, the Department of Environmental Protection is not required to hold hearings or conduct other formal proceedings prior to adopting the rules amendments in accordance with subsections 1 and 2. Notwithstanding Title 38, section 610-B, last paragraph, the initial rule amendments adopted pursuant to subsection 3 are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. After adoption of the initial rule amendments pursuant to this section, any further rule amendment adopted pursuant to this section is considered a major substantive rule and is subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 210
H.P. 979 - L.D. 1400**

**An Act To Designate July 12th
as Wyeth Day**

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 July 12, 2009, the birthday of Andrew Wyeth; 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. 1 MRSA §150-D is enacted to read:

§150-D. Wyeth Day

The Governor shall annually issue a proclamation designating July 12th of each year as Wyeth Day in recognition of the birthday of Andrew Wyeth, one of America's great artists. The observance is created to honor Andrew Wyeth, who had long and lasting ties with this State, and his family and their strong contributions to the State's artistic and cultural heritage and is meant to coincide with appropriate commemorative activities throughout the State. The Department of Education shall make appropriate information available to the people and the schools within the limits of its budget.

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

Effective May 26, 2009.

**CHAPTER 211
S.P. 182 - L.D. 479**

**An Act To Recognize Maine
Youth Camps**

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

PART A

Sec. A-1. 22 MRSA §2491, sub-§7, as amended by PL 1979, c. 672, Pt. A, §59, is further amended to read:

7. Eating establishment. "Eating establishment" means any place where food or drink is prepared and served, or served to the public for consumption on the premises, or catering establishments, or establishments dispensing food from vending machines, or establishments preparing foods for vending machines dispensing foods other than in original sealed packages, such as hotels, motels, boarding homes, restaurants, mobile eating places, coffee shops, cafeterias, short order cafes, luncheonettes, grills, tearooms, sandwich shops, soda fountains, bars, cocktail lounges, night clubs, roadside stands, industrial feeding establishments,

private or public institutions routinely serving foods, retail frozen dairy product establishments, airports, parks, theaters, ~~vacation~~ recreational camps, youth camps or any other catering or nonalcoholic drinking establishments or operations where food is prepared and served or served for consumption on the premises, or catering establishments where food is prepared, or where foods are prepared for vending machines dispensing food other than in original sealed packages.

Sec. A-2. 22 MRSA §2491, sub-§11, as enacted by PL 1975, c. 496, §3, is amended to read:

11. Recreational camp. "Recreational camp" means and includes day camps, boys' and girls', family, hunting, fishing and similar camps.

Sec. A-3. 22 MRSA §2491, sub-§16 is enacted to read:

16. Youth camp. "Youth camp" means a combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children with social, recreational, spiritual and educational objectives and operated and used for 5 or more consecutive days during one or more seasons of the year. "Youth camp" includes day camps, residential camps and trip and travel camps.

Sec. A-4. 22 MRSA §2492, sub-§1, ¶D, as enacted by PL 2003, c. 452, Pt. K, §20 and affected by Pt. X, §2, is amended to read:

D. A recreational camp; or

Sec. A-5. 22 MRSA §2492, sub-§1, ¶E, as enacted by PL 2003, c. 452, Pt. K, §20 and affected by Pt. X, §2, is amended to read:

E. A camping area; or

Sec. A-6. 22 MRSA §2492, sub-§1, ¶F is enacted to read:

F. A youth camp.

Sec. A-7. 22 MRSA §2494, first ¶, as amended by PL 2007, c. 539, Pt. F, §1, is further amended to read:

Each application for, or for renewal of, a license to operate an eating establishment, eating and lodging place, lodging place, recreational camp, youth camp or camping area within the meaning of this chapter must be accompanied by a fee, appropriate to the size of the establishment, place, camp or area of the licensee, determined by the department and not to exceed the fees listed below. All fees collected by the department must be deposited into a special revenue account established for this purpose. No such fee may be refunded. No license may be assignable or transferable. The fees may not exceed:

Sec. A-8. 22 MRSA §2495, first ¶, as amended by PL 1983, c. 553, §21, is further amended to read:

The department shall, within 30 days following receipt of application, issue an annual license to operate any eating establishment, eating and lodging place, lodging place, recreational camp, youth camp or camping area which that is found to comply with this chapter and the ~~regulations~~ rules adopted by the department.

Sec. A-9. 22 MRSA §2496, sub-§2, as enacted by PL 2005, c. 140, §1, is amended to read:

2. Youth camps; emergency medication. A recreational youth camp for boys or girls must have a written policy authorizing campers to self-administer emergency medication, including, but not limited to, an asthma inhaler or an epinephrine pen. The written policy must include the following requirements:

A. A camper who self-administers emergency medication must have the prior written approval of the camper's primary health care provider and the camper's parent or guardian;

B. The camper's parent or guardian must submit written verification to the youth camp from the camper's primary health care provider confirming that the camper has the knowledge and the skills to safely self-administer the emergency medication in camp;

C. The youth camp health staff must evaluate the camper's technique to ensure proper and effective use of the emergency medication in camp; and

D. The emergency medication must be readily available to the camper.

Sec. A-10. 22 MRSA §2498, sub-§1, ¶A, as amended by PL 2003, c. 673, Pt. X, §3, is further amended to read:

A. The department may impose penalties for violations of this chapter, or the rules enacted adopted pursuant to this chapter, on any eating establishment, eating and lodging place, lodging place, recreational camp, youth camp or camping area. The penalties may not be greater than \$100 for each violation. Each day that the violation remains uncorrected may be counted as a separate offense. Penalties may be imposed for each violation of the rules.

Sec. A-11. 22 MRSA §2498, sub-§1, ¶B, as enacted by PL 1991, c. 528, Pt. J, §5 and affected by Pt. RRR and enacted by c. 591, Pt. J, §5, is amended to read:

B. The department may direct an eating establishment, eating and lodging place, lodging place, recreational camp, youth camp or camping area to correct any violations in a manner and within a time frame that the department determines is appropriate to ensure compliance with state rules or to protect the public health. Failure to correct vio-

lations within the time frames constitutes a separate finable violation.

Sec. A-12. 22 MRSA §2498, sub-§1, ¶C, as corrected by RR 2005, c. 2, §17, is amended to read:

C. Any person, corporation, firm or copartnership that operates any eating establishment, eating and lodging place, lodging place, recreational camp, youth camp or camping area without first obtaining a license as required by this chapter must be punished, upon adjudication of unlicensed operation, by a fine of not less than \$25 nor more than \$200, and upon a 2nd or subsequent adjudication of unlicensed operation must be punished by a fine of not less than \$200 nor more than \$500. Each day any such person, corporation, firm or copartnership operates without obtaining a license constitutes a separate offense.

Sec. A-13. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 22, chapter 562, in the chapter headnote, the words "camping areas and eating establishments" are amended to read "camping areas, recreational camps, youth camps and eating establishments" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

PART B

Sec. B-1. 5 MRSA §12004-I, sub-§24, as amended by PL 2003, c. 414, Pt. B, §9 and affected by c. 614, §9, is further amended to read:

24.

Environment:	Junior	Expenses	12 MRSA
Natural	Maine	Only	§10154
Resources	Guides and		
	<u>Youth</u>		
	<u>Camp</u> Trip		
	Leaders		
	Curriculum		
	Advisory		
	Board		

Sec. B-2. 5 MRSA §13090-F, sub-§1, ¶C, as amended by PL 2005, c. 33, §1, is further amended to read:

C. Thirteen members of major tourism trade associations, including:

- (1) At least one member representing a statewide organization of hotels, motels and inns;
- (2) At least one member representing a statewide organization of restaurants;

(3) At least one member representing a statewide organization of campground owners;

(4) At least one member representing the retail sector in the State;

(5) At least one member representing the motorcoach industry;

(6) At least one member representing the air transportation industry;

(7) At least one member representing arts and cultural organizations; and

(8) At least one member representing a statewide organization of children's youth camps; and

Sec. B-3. 12 MRSA §1806, sub-§4, ¶H, as corrected by RR 2003, c. 2, §15, is amended to read:

H. Violates the requirements for a youth camp trip leader permit issued under section 12860; or

Sec. B-4. 12 MRSA §9001-A, sub-§1, as enacted by PL 1995, c. 586, §3, is amended to read:

1. Licensed camping facility. "Licensed camping facility" means a recreational camp, youth camp or camping area licensed under Title 22, ~~chapter 562~~ section 2495.

Sec. B-5. 12 MRSA §10154, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9 and amended by c. 689, Pt. B, §6, is further amended to read:

§10154. Junior Maine Guides and Youth Camp Trip Leaders Curriculum Advisory Board

1. Board established. The commissioner shall appoint a board of 5 members to be known as the "Junior Maine Guides and Youth Camp Trip Leaders Curriculum Advisory Board" and referred to in this section as "the board," as established by Title 5, section 12004-I, subsection 24.

2. Membership. The board consists of one member from the department, one member from the Department of Health and Human Services and 3 members of the public, one of whom must be a Maine youth camp director. Appointments to the board are for 3 years or until successors are appointed.

3. Duties. The board has the duty to advise the commissioner on the adoption of a youth camp trip leader safety course curriculum and on the adoption of rules for the administration of this section and sections 12859 and 12860.

4. Compensation. The public members of the board are entitled to compensation as provided in Title 5, chapter 379.

Sec. B-6. 12 MRSA §10910, sub-§2, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9 and amended by c. 689, Pt. B, §6, is further amended to read:

2. Exception. This section does not apply to any person who operates a watercraft in connection with a ~~boys or girls~~ youth camp located in this State and licensed by the Department of Health and Human Services or located in another state and licensed in a similar manner in that state.

Sec. B-7. 12 MRSA §12502, as amended by PL 2003, c. 655, Pt. B, §248 and affected by §422, is further amended to read:

§12502. Youth camp fishing license

1. Issuance of youth camp fishing license. Upon application, the commissioner shall issue to a ~~boys or girls~~ youth camp licensed under Title 22, section 2495 a youth camp fishing license that will permit any of the ~~boys or girls~~ campers, under 16 years of age, to fish in the lake or pond adjacent to the main location of the youth camp. The fee for this permit is \$75. Persons who fish under a youth camp fishing license, as provided in this subsection, are subject to this Part.

2. Penalties. The following penalties apply to violations of this section.

A. A person who violates the terms of a special privilege under this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates the terms of a special privilege under this section 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.

Each day a person violates the terms of a special privilege under this section is a separate offense.

Sec. B-8. 12 MRSA §12852, first ¶, as affected by PL 2003, c. 614, §9 and repealed and replaced by c. 655, Pt. B, §315 and affected by §422, is amended to read:

The following penalties apply to violations of rules regulating licensed guides or youth camp trip leaders and course instructor certificates.

Sec. B-9. 12 MRSA §12852, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §315 and affected by §422, is amended to read:

1. Civil. Notwithstanding section 10650, a person who violates a rule regulating licensed guides or youth camp trip leaders and course instructor certificates commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

Sec. B-10. 12 MRSA §12852, sub-§2, as enacted by PL 2003, c. 655, Pt. B, §315 and affected by §422, is amended to read:

2. Criminal. A person who violates a rule regulating licensed guides or youth camp trip leaders and course instructor certificates 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. B-11. 12 MRSA §12853, as amended by PL 2005, c. 12, Pt. III, §30, is further amended to read:

§12853. License, fees and requirements; youth camp trip leader exception

1. Prohibition. Except as provided in subsection 7, a person may not act as a guide without a valid license issued under this chapter.

2. Penalty. A person who violates subsection 1 commits a Class D crime for which the court shall impose a sentencing alternative involving a term of imprisonment of 3 days, none of which may be suspended. The court shall also impose a fine of \$1,000, none of which may be suspended. A person violates subsection 1 each day that person acts as a guide without a valid license issued under this chapter.

3. New applications. A person wishing to be licensed as a guide shall submit an application to the commissioner.

A. The commissioner shall provide application forms that request all relevant information the commissioner considers necessary.

B. Failure or refusal to satisfactorily answer any question in the application is a basis for the commissioner not to accept the application.

C. The commissioner shall decide whether the application is acceptable within 5 working days of receipt.

D. The commissioner shall notify each applicant at least 2 weeks prior to the examination required under section 12855.

4. Qualifications. In order to qualify for a guide license, a person must:

A. Be at least 18 years of age;

B. Pass the guide examination in accordance with section 12855;

C. If a first-time applicant, be currently certified in first aid through completion of any standard first aid course that meets the criteria established by rule of the commissioner;

D. If not a first-time applicant, submit satisfactory evidence, as determined by the commissioner, of having held a guide license in this State; and

E. Meet all requirements established by rules of the commissioner.

For purposes of this subsection, "first-time applicant" means an applicant who has not previously been issued a guide license in this State.

5. Fee. The fee for a 3-year guide license is \$81.

6. Term of license. A guide license entitles a person to act as a guide through December 31st of the 2nd complete year following the year of issuance.

7. Exception. A person holding a youth camp trip leader permit under section 12860 may, without a guide license, conduct trips including adults under the auspices of the ~~boys and girls~~ youth camp that employs those adults, subject to all the requirements of section 12860.

Sec. B-12. 12 MRSA §12860, as amended by PL 2005, c. 12, Pt. III, §31, is further amended to read:
§12860. Youth camp trip leader permit

1. When permit required. ~~Boys and girls~~ Youth camps licensed by the Department of Health and Human Services under Title 22, section 2495, or located in another state and licensed in a similar manner, if the laws of the other state so require, conducting trip camping shall:

- A. Provide at least one staff member over 18 years of age for each 6 campers; and
- B. Ensure that the staff member in charge of the trip holds a valid youth camp trip leader permit.

1-A. Prohibition. A person may not conduct trip camping under subsection 1 without a youth camp trip leader permit issued under this section. Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

2. Application. A person wishing a youth camp trip leader permit ~~shall~~ must submit an application on forms provided by the commissioner and ~~shall~~ pay the application fee.

3. Qualifications. To qualify initially for a youth camp trip leader permit, an applicant must:

- A. Show successful completion of an approved youth camp trip leader safety course or complete an application provided by the commissioner outlining in detail the applicant's experience and training as a youth camp trip leader; and
- B. Meet any other requirements established by rule by the commissioner.

4. Special waiver. Waiver of the course requirement by the commissioner on the basis of the applicant's experience and payment of the application

fee qualifies the applicant for a youth camp trip leader permit.

5. Curriculum. With the advice of the Junior Maine Guides and Youth Camp Trip Leaders Curriculum Advisory Board, the commissioner shall review and adopt a youth camp trip leader safety course curriculum that includes, but is not limited to:

- A. Training in first aid;
- B. Training in water safety, including lifesaving techniques as appropriate; and
- C. ~~Trip~~ Youth camp trip leader qualifications and required experience for the special waiver procedure in subsection 4.

The commissioner shall publish the curriculum adopted or approved by the Junior Maine Guides and Youth Camp Trip Leaders Curriculum Advisory Board and a current list of courses, with the approved curriculum, by name and address.

6. Fee. The initial qualifying fee for a youth camp trip leader permit is \$20. The permit may be renewed upon payment of \$15 if requirements of the department are met.

7. Enforcement. Wardens of the department, the rangers of the Bureau of Forestry and rangers of the Department of Conservation, Bureau of Parks and Lands may enforce this section and may terminate any trip that is considered unsafe or in violation of this section. The commissioner shall adopt standards for what is considered an unsafe trip. The commissioner shall consider previous violations of this section when issuing or reissuing youth camp trip leader permits.

Sec. B-13. 12 MRSA §12904, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7 and c. 614, §9, is further amended to read:

§12904. Exceptions

This chapter does not apply to the operation of canoes or kayaks. This chapter does not apply to guides or youth camp trip leaders licensed under chapter 927 or motorboat operators licensed under chapter 935, unless those persons are in the business of conducting commercial white-collar trips.

Sec. B-14. 12 MRSA §13068-A, sub-§4, ~~¶B~~, as amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

- B. Notwithstanding paragraph A:

(1) Canoes, owned by a ~~boys or girls~~ summer youth camp located upon internal waters in the State and duly licensed by the Department of Health and Human Services and utilized by campers under the direction and supervision of a youth camp counselor at least 18 years of age or older during training and instruction periods on waters adjacent to the main loca-

tion of the youth camp within a distance of 500 feet from the shoreline of that camp, are exempt from this subsection; and

(2) Log rafts, carrying not more than 2 persons and used on ponds or lakes or internal waters of less than 50 acres in area, are exempt from carrying personal flotation devices.

Sec. B-15. 17-A MRSA §253, sub-§2, ¶G, as amended by PL 2001, c. 383, §15 and affected by §156, is further amended to read:

G. The other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, day care facility, residential child care facility, drug treatment center, youth camp licensed under Title 22, section 2495 or similar school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person. Violation of this paragraph is a Class C crime;

Sec. B-16. 17-A MRSA §261, sub-§4, as enacted by PL 2007, c. 393, §1, is amended to read:

4. For purposes of this section, "sex offender restricted zone" means the real property comprising a public or private elementary or middle school; the real property comprising a child care center, a child care facility, a day care operated by a family child care provider, a nursery school or a small child care facility as defined under Title 22, section 8301-A; or an athletic field, park, playground, recreational facility, children's youth camp licensed under Title 22, section 2495 or other place where children are the primary users.

Sec. B-17. 22 MRSA §1711-C, sub-§6, ¶M, as enacted by PL 1999, c. 512, Pt. A, §5 and affected by §7, is amended to read:

M. To schools, educational institutions, youth camps licensed under section 2495, correctional facilities, health care practitioners and facilities, providers of emergency services or a branch of federal or state military forces, information regarding immunization of an individual;

Sec. B-18. 22 MRSA §4011-A, sub-§1, ¶A, as amended by PL 2009, c. 41, §1, is further amended to read:

A. When acting in a professional capacity:

- (1) An allopathic or osteopathic physician, resident or intern;
- (2) An emergency medical services person;
- (3) A medical examiner;
- (4) A physician's assistant;

- (5) A dentist;
- (6) A dental hygienist;
- (7) A dental assistant;
- (8) A chiropractor;
- (9) A podiatrist;
- (10) A registered or licensed practical nurse;
- (11) A teacher;
- (12) A guidance counselor;
- (13) A school official;
- (14) A children's summer youth camp administrator or counselor;
- (15) A social worker;
- (16) A court-appointed special advocate or guardian ad litem for the child;
- (17) A homemaker;
- (18) A home health aide;
- (19) A medical or social service worker;
- (20) A psychologist;
- (21) Child care personnel;
- (22) A mental health professional;
- (23) A law enforcement official;
- (24) A state or municipal fire inspector;
- (25) A municipal code enforcement official;
- (26) A commercial film and photographic print processor;
- (27) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications;
- (28) A chair of a professional licensing board that has jurisdiction over mandated reporters;
- (29) A humane agent employed by the Department of Agriculture, Food and Rural Resources;
- (30) A sexual assault counselor;
- (31) A family or domestic violence victim advocate; and
- (32) A school bus driver or school bus attendant;

Sec. B-19. 22 MRSA §8101, sub-§1, ¶B, as enacted by PL 1981, c. 260, §4, is amended to read:

B. A children's youth camp established solely for recreational and educational purposes licensed under section 2495; or

Sec. B-20. 22 MRSA §8301-A, sub-§1-A, ¶B, as amended by PL 2007, c. 324, §16, is further amended to read:

B. "Child care facility" means a child care center, small child care facility or nursery school. "Child care facility" does not include a facility operated by a family child care provider, a ~~summer youth camp established solely for recreational and educational purposes~~ licensed under section 2495, programs offering instruction to children for the purpose of teaching a skill such as karate, dance or basketball, a formal public or private school in the nature of a kindergarten or elementary or secondary school approved by the Commissioner of Education in accordance with Title 20-A or a private school recognized by the Department of Education as a provider of equivalent instruction for the purpose of compulsory school attendance. Any program for children under 5 years of age that is located in a private school and programs that contract with one or more Child Development Services System sites are required to be licensed as a child care facility.

Sec. B-21. 22 MRSA §8301-A, sub-§1-A, ¶D, as enacted by PL 2001, c. 645, §6, is amended to read:

D. "Nursery school" means a house or other place in which a person or combination of persons maintains or otherwise carries out for consideration during the day a regular program that provides care for 3 or more children 33 months of age or older and under 8 years of age, provided that:

- (1) No session conducted for the children is longer than 3 1/2 hours in length;
- (2) No more than 2 sessions are conducted per day;
- (3) Each child in attendance at the nursery school attends only one session per day; and
- (4) No hot meal is served to the children.

"Nursery school" does not include any facility operated as a child care center or small child care facility licensed under subsection 2, a ~~summer youth camp established solely for recreational and educational purposes~~ licensed under section 2495 or a public or private school in the nature of a kindergarten approved by the Commissioner of Education, in accordance with Title 20-A.

Sec. B-22. 26 MRSA §663, sub-§3, ¶F, as repealed and replaced by PL 1975, c. 92, is repealed and the following enacted in its place:

F. Those employees who are counselors or junior counselors or counselors-in-training at organized camps licensed under Title 22, section 2495 and

those employees of organized camps and similar seasonal recreation programs not requiring such licensure that are operated as or by nonprofit organizations who are under 18 years of age;

Sec. B-23. 26 MRSA §774, sub-§4, as amended by PL 1993, c. 434, §5, is further amended to read:

4. Exemptions. Work performed in the planting, cultivating or harvesting of field crops or other agricultural employment, including the initial processing of farm crops, not in direct contact with hazardous machinery or hazardous substances, work performed as an employed or in-training theatrical actor or film actor or work performed as a summer camp employee in a ~~children's youth camp licensed under Title 22, section 2495~~ is exempt from this section, provided a minor under 16 years of age has been excused by the local superintendent of schools in accordance with the policy established by the Commissioner of Education and the Director of the Bureau of Labor Standards. Work performed in the taking or catching of lobsters, fish or other marine organisms by any methods or means, or in the operating of ferries or excursion boats, is exempt from subsection 1, paragraphs A and C.

Sec. B-24. 26 MRSA §1043, sub-§11, ¶F, as amended by PL 2007, c. 230, §1, is further amended to read:

F. The term "employment" does not include:

(1) Service performed in the employ of this State, or of any political subdivision thereof, or of any instrumentality of this State or its political subdivisions, except as provided by this subsection;

(2) Service performed in the employ of the United States Government or an instrumentality of the United States immune under the Constitution of the United States from the contributions imposed by this chapter, except that on and after January 1, 1940 to the extent that the Congress of the United States has permitted states to require any instrumentalities of the United States to make payments into an unemployment compensation fund under a state unemployment compensation or employment security law, all of the provisions of this chapter are applicable to such instrumentalities and to services performed for such instrumentalities in the same manner, to the same extent and on the same terms as to all other employers, employing units, individuals and services. If this State is not certified for any year by the Secretary of Labor under section 3304 of the Federal Internal Revenue Code, the payments required of such instrumentalities with respect to that year

must be refunded by the commissioner from the fund in the same manner and within the same period as is provided in section 1225, subsection 5, with respect to contributions erroneously collected;

(3) Service with respect to which unemployment compensation is payable under an unemployment compensation system or employment security system established by an Act of Congress. The commissioner is authorized and directed to enter into agreements with the proper agencies under such an Act of Congress, which agreements become effective 10 days after publication thereof in the manner provided in section 1082, subsection 2, for regulations, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this chapter, acquired rights to unemployment compensation under such an Act of Congress, or who have, after acquiring potential rights to unemployment compensation under such an Act of Congress, acquired rights to benefits under this chapter;

(4) Agricultural labor as defined in subsection 1, except as provided in paragraph A-2;

(4-1) Agricultural labor, if performed by an individual who is an alien, other than a citizen of a contiguous country with which the United States has an agreement with respect to unemployment compensation, admitted to the United States to perform agricultural labor pursuant to the United States Immigration and Nationality Act, Sections 214(c) and 101(a) (15) (H);

(5) Domestic service in a private home, except as provided in paragraph A-3;

(6) Service performed by an individual in the employ of that individual's son, daughter or spouse and service performed by a child under the age of 18 in the employ of that child's father or mother, except for periods of such service for which unemployment insurance contributions are paid;

(6-1) Services performed by a student attending an elementary, secondary or postsecondary school while participating in a cooperative program of education and occupational training or on-the-job training that is part of the school curriculum;

(9) Service performed with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094);

(10) Services performed in the employ of any other state, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing that is wholly owned by one or more states or political subdivisions and any services performed in the employ of any instrumentality of one or more other states or their political subdivisions to the extent that the instrumentality is, with respect to such a service, immune under the Constitution of the United States from the tax imposed by section 3301 of the Federal Internal Revenue Code, except as provided in paragraph A-1, subparagraph (1);

(11) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 501(a) of the Federal Internal Revenue Code other than an organization described in section 401(a) or under section 521 of the Code, if the remuneration for such service is less than \$150;

(16) Service performed in the employ of a foreign government, including service as a consular or other officer or employee or a nondiplomatic representative;

(17) Service performed in the employ of an instrumentality wholly owned by a foreign government:

(a) If the service is of a character similar to that performed in foreign countries by employees of the United States Government or an instrumentality thereof; and

(b) If the commissioner finds that the United States Secretary of State has certified to the United States Secretary of the Treasury that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States Government and of instrumentalities thereof;

(18) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to state law and service performed as an intern in the employ of a hospital by an individual who has completed a 4 years' course in a medical school chartered or approved pursuant to state law;

(19) Service performed by an individual for a person as a real estate broker, a real estate sales representative, an insurance agent or an insurance solicitor, if all such service per-

formed by that individual for that person is performed for remuneration solely by way of commission;

(20) Service performed by an individual under the age of 18 in the delivery or distribution of newspapers or shopping news except delivery or distribution to any point for subsequent delivery or distribution;

(21) Service performed in the employ of any organization that is excluded from the term "employment" as defined in the Federal Unemployment Tax Act solely by reason of section 3306(c)(7) or (8) if:

(a) Service is performed in the employ of a church or convention or association of churches or an organization that is operated primarily for religious purposes and that is operated, supervised, controlled or principally supported by a church or convention or association of churches;

(b) Service is performed by a duly ordained, commissioned or licensed minister of a church in the exercise of that minister's ministry or by a member of a religious order in the exercise of duties required by that order;

(c) Prior to January 1, 1978, service is performed in the employ of a school primarily operated as an elementary, secondary or preparatory school for higher education that is not an institution of higher education;

(d) Service is performed in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who, because of their impaired physical or mental capacity, cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work;

(e) Service is performed as part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof by an individual receiving that work-relief or work-training;

(f) Service is performed in the employ of a hospital as defined in subsection 26 by a patient of that hospital;

(g) Services are performed prior to January 1, 1978 for a hospital in a state prison or other state correctional institution by an inmate of that prison or correctional institution and after December 31, 1977 by an inmate of a custodial or penal institution;

(h) Service is performed in the employ of a school, college or university if that service is performed by a student who is enrolled and is regularly attending classes at such a school, college or university; or

(i) Prior to January 1, 1978, service is performed in the employ of a school that is not an institution of higher education and after December 31, 1977, service is performed in the employ of a governmental entity referred to in paragraph A-1, subparagraph (1) if that service is performed by an individual in the exercise of duties:

(i) As an elected official;

(ii) As a member of a legislative body or a member of the judiciary of a state or political subdivision of a state;

(iii) As a member of the State National Guard or Air National Guard;

(iv) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(v) In a position that, under or pursuant to the laws of this State, is designated as a major nontenured policymaking or advisory position or a policymaking or advisory position the performance of the duties of which ordinarily does not require more than 8 hours per week; or

(vi) As an election official or election worker if the amount of remuneration received by the individual during the calendar year for services as an election official or election worker is less than \$1,000;

(29) Services performed by a hairdresser who holds a booth license and operates within another hairdressing establishment if operated under a booth rental agreement or other rental agreement;

(30) Services performed by a barber who holds a booth license and operates within an-

other barbering establishment if operated under a booth rental agreement or other rental agreement;

(31) Services performed by a contract interviewer engaged in marketing research or public opinion interviewing when such interviewing is conducted in the field or over the telephone on premises not used or controlled by the person for whom such contract services are being provided;

(32) After December 31, 1981, services performed by an individual on a boat engaged in catching fish or other forms of aquatic animal life, unless those services would be included in the definition of "employment" for federal unemployment tax purposes under the Federal Unemployment Act, United States Code, Title 26, Section 3306(c), as it may be amended. Also included in this exemption are services performed in harvesting shellfish for depuration from designated areas as authorized by Title 12, section 6856;

(33) Services performed by a member or leader of a musical group, band or orchestra or an entertainer when the services are performed under terms of a contract entered into by the leader or an agent of the musical group, band, orchestra or entertainer with an employing unit for whom the services are being performed, provided the leader or agent is not an employer by reason of subsection 9 or of section 1222, subsection 3;

(34) Services performed in the delivery or distribution of newspapers or magazines to the ultimate consumer by an individual who is compensated by receiving or retaining a commission or profit on the sale of the newspaper or magazine;

(35) Services performed by a homemaker in the knitted outerwear industry as those terms are defined, on the effective date of this subparagraph, in 29 Code of Federal Regulations, Part 530, Section 530.1;

(36) Service performed by a full-time student, as defined in subsection 30, in the employ of an organized youth camp licensed under Title 22, section 2495 if the full-time student performed services in the employ of the camp for less than 13 calendar weeks in the calendar year and the camp:

(a) Did not operate for more than 7 months in the calendar year and did not operate for more than 7 months in the preceding calendar year; or

(b) Had average gross receipts for any 6 months in the preceding calendar year that were not more than 33 1/3% of its average gross receipts for the other 6 months in the preceding calendar year;

(37) Services performed by an individual as a home stitcher as long as that employment is not subject to federal unemployment tax;

(38) Services performed by a person licensed as a guide as required by Title 12, section 12853, as long as that employment is not subject to federal unemployment tax;

(39) Services performed by a direct seller as defined in 26 United States Code, Section 3508, Subsection (b), Paragraph (2). This subparagraph does not include a person selling major improvements or renovations to the structure of a home, business or property;

(40) Services performed by lessees of taxicabs, as long as that employment is not subject to federal unemployment tax. This subparagraph may not be construed to affect a determination regarding a lessee's status as an independent contractor for workers' compensation purposes;

(41) Services provided by a dance instructor to students of a dance studio when there is a contract between the instructor and the studio under which the instructor's services are not offered exclusively to the studio, the studio does not control the scheduling of the days and times of classes other than beginning and end dates, the instructor is paid by the class and not on an hourly or salary basis, the compensation rate is the result of negotiation between the instructor and the studio and the instructor is given the freedom to develop the curriculum;

(42) Services performed by participants enrolled in programs or projects under the national service laws including the federal National and Community Service Act of 1990, as amended, 42 United States Code, Section 12501 et seq., and the federal Domestic Volunteer Service Act, as amended, 42 United States Code, Section 4950 et seq.;

(43) Services of an author in furnishing text or other material to a publisher who:

(a) Does not control the author's work except to propose topics or to edit material submitted;

(b) Does not restrict the author from publishing elsewhere;

- (c) Furnishes neither a place of employment nor equipment for the author's use;
- (d) Does not direct or control the time devoted to the work; and
- (e) Pays only for material that is accepted for publication.

This exception does not apply if the employment is subject to federal unemployment tax; and

(44) Services provided by an owner-operator of a truck or truck tractor while it is leased to a motor carrier, as defined in 49 Code of Federal Regulations, 390.5 (2000), as long as that employment is not subject to federal unemployment tax.

Sec. B-25. 26 MRSA §1251, sub-§3, ¶A, as amended by PL 1997, c. 293, §9, is further amended to read:

A. Any hotel, motel, inn, variety store, trading post, sporting camp or other lodging facility, including youth camps operated for boys and girls licensed under Title 22, section 2495, restaurants and other eating establishments, which customarily conducts operations that are primarily related to the production of characteristic goods or services for a regularly recurring period or periods of less than 26 weeks in any one calendar year is deemed seasonal.

Sec. B-26. 32 MRSA §82, sub-§2, ¶E, as amended by PL 1993, c. 130, §1, is further amended to read:

E. A person serving as an industrial nurse or safety officer, a school or youth camp nurse, a life guard, a member of a ski patrol, a nurse or technician in a hospital or a physician's office, or other similar occupation in which the person provides on-site emergency treatment at a single facility to the patrons or employees of that facility;

Sec. B-27. 32 MRSA §2575, as amended by PL 2001, c. 492, §4, is further amended to read:

§2575. Youth camp physicians

An osteopathic physician who is a graduate of a school or college of osteopathic medicine approved by the American Osteopathic Association and who is of good repute may, at the discretion of the board, make application for a temporary license to practice as a youth camp physician at a specified youth camp licensed under Title 22, section 2495. Such an osteopathic physician is entitled to practice only on the patients at the youth camp. The license must be obtained each year. Applications for such a temporary license must be made in the same manner as for regular licenses. An examination may not be exacted from ap-

plicants for temporary licenses. The fee may not be more than \$600.

Sec. B-28. 32 MRSA §3277, as amended by PL 2005, c. 162, §5, is further amended to read:

§3277. Youth camp physicians

A physician who is qualified under section 3275 may, at the discretion of the board, be temporarily licensed as a youth camp physician so that the physician may care for the campers in that particular youth camp licensed under Title 22, section 2495 for which the physician was hired and retained as a youth camp physician. That physician is entitled to practice only on patients in the youth camp. The temporary license must be obtained each year. Application for this temporary license must be made in the same form and manner as for regular licensure. An examination may not be exacted from applicants for these temporary licenses. The fee for temporary licensure may not be more than \$400 annually.

Sec. B-29. 32 MRSA §14203, sub-§2, ¶B, as enacted by PL 1991, c. 397, §6, is amended to read:

B. On residents of summer youth camps;

Sec. B-30. 36 MRSA §1760, sub-§6, ¶F, as enacted by PL 2007, c. 529, §3, is amended to read:

F. Served by youth camps licensed by the Department of Health and Human Services and defined in rules adopted by the Department of Health and Human Services as a combination of program and facilities established for the primary purpose of providing an outdoor group living experience with social, recreational, spiritual and educational objectives for children and operated and used for 5 or more consecutive days during one or more seasons of the year, including day camps, residential camps and trip and travel camps and defined in Title 22, section 2491, subsection 16.

Sec. B-31. 36 MRSA §1760, sub-§59, as amended by PL 1989, c. 700, Pt. A, §169, is further amended to read:

59. Sales to certain incorporated nonprofit educational organizations. Incorporated nonprofit educational organizations which that are receiving, or have received, funding from the Department of Education; and which that provide educational programs specifically designed for teaching young people how to make decisions about drugs, alcohol and interpersonal relationships at a residential youth camp setting.

Sec. B-32. 36 MRSA §2557, sub-§19, as enacted by PL 2003, c. 673, Pt. V, §25 and affected by §29, is amended to read:

19. **Certain incorporated nonprofit educational organizations.** Sales to incorporated nonprofit educational organizations that are receiving, or have received, funding from the Department of Education and that provide educational programs specifically designed for teaching young people how to make decisions about drugs, alcohol and interpersonal relationships at a residential youth camp setting;

Sec. B-33. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 12, chapter 927, in the chapter headnote, the words "guides and trip leaders" are amended to read "guides and youth camp trip leaders" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 212

S.P. 422 - L.D. 1131

**An Act To Clarify the Law
Regarding the Passing of
School Buses by Bicyclists**

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

Sec. 1. 29-A MRSA §2063, sub-§9 is enacted to read:

9. Passing a school bus. A person operating a bicycle on a way, in a parking area or on school property, on meeting or overtaking a school bus from either direction when the bus has stopped with its red lights flashing to receive or discharge passengers, shall stop the bicycle before reaching the school bus. The person may not proceed until the school bus resumes motion or until signaled by the school bus operator to proceed.

The operator of a bicycle on a way separated by curbing or other physical barrier need not stop on meeting or passing a school bus traveling in a lane separated by the barrier from the lane in which that person is traveling.

See title page for effective date.

**CHAPTER 213
H.P. 274 - L.D. 353**

**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, 2009,
June 30, 2010 and June 30,
2011**

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, 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	2009-10	2010-11
All Other	\$810,393	\$810,393

GENERAL FUND TOTAL	\$810,393	\$810,393
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RETIREE HEALTH INSURANCE FUND	2009-10	2010-11
All Other	\$48,400,235	\$48,400,235

RETIREE HEALTH INSURANCE FUND TOTAL	\$48,400,235	\$48,400,235
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ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14,000	14,000
Personal Services	\$970,990	\$996,153
All Other	\$953,473	\$953,473

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$1,924,463	\$1,949,626
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FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$55,944	\$57,685
All Other	\$5,044,592	\$5,044,592

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	\$5,100,536	\$5,102,277
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Accident - Sickness - Health Insurance 0455

Initiative: Provides funding to cover the projected increase in health insurance rates.

GENERAL FUND	2009-10	2010-11
All Other	\$48,624	\$117,345

GENERAL FUND TOTAL	\$48,624	\$117,345
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Accident - Sickness - Health Insurance 0455

Initiative: Eliminates one Secretary position in accordance with Public Law 2007, chapter 653, Part C, section 2.

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$53,584)	(\$56,788)

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	(\$53,584)	(\$56,788)
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Accident - Sickness - Health Insurance 0455

Initiative: Reduces funding to bring the baseline allocation into line with the funding for the administrative costs for this program. It excludes the allocation for the payment of health insurance premiums which will be paid from the costs of goods sold account in this fund.

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2009-10	2010-11
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All Other	(\$4,987,358)	(\$4,987,358)
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FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	(\$4,987,358)	(\$4,987,358)
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Accident - Sickness - Health Insurance 0455

Initiative: Establishes one part-time Accountant I position beginning January 1, 2010 to support the administration of the health credit premium program and provides related All Other funding. This program is anticipated to generate \$3.8 million in General Fund savings over the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$14,117	\$29,727
All Other	\$2,900	\$5,800

GENERAL FUND TOTAL	\$17,017	\$35,527
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ACCIDENT - SICKNESS - HEALTH INSURANCE 0455

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$14,117	\$29,727
All Other	\$861,917	\$933,538
GENERAL FUND TOTAL	\$876,034	\$963,265

RETIREE HEALTH INSURANCE FUND	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$917,406	\$939,365
All Other	\$953,473	\$953,473
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$1,870,879	\$1,892,838

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$55,944	\$57,685
All Other	\$57,234	\$57,234
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	\$113,178	\$114,919

Administration - Human Resources 0038

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.500	22.500

Personal Services	\$1,833,216	\$1,886,151
All Other	\$352,345	\$352,345
GENERAL FUND TOTAL	\$2,185,561	\$2,238,496

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$198,097	\$205,412
All Other	\$250,283	\$250,283
OTHER SPECIAL REVENUE FUNDS TOTAL	\$448,380	\$455,695

Administration - Human Resources 0038

Initiative: Transfers one Office Associate I position from the Administration - Human Resources program to the Office of the State Controller and transfers one Office Associate II position from the Office of the State Controller to the Administration - Human Resources program to properly reflect duties performed by these employees.

GENERAL FUND	2009-10	2010-11
Personal Services	\$11,187	\$9,291
GENERAL FUND TOTAL	\$11,187	\$9,291

Administration - Human Resources 0038

Initiative: Reallocates 50% of the cost of one Public Service Coordinator I position to the Human Resources Training account, Other Special Revenue Funds. This account is funded by revenues generated from state employee training programs.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$41,621)	(\$42,247)
GENERAL FUND TOTAL	(\$41,621)	(\$42,247)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$41,621	\$42,247
OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,621	\$42,247

Administration - Human Resources 0038

Initiative: Eliminates one Public Service Coordinator I position that is part of a 4-member unit responsible for

performing job audits, recruitments, functional job analysis processing and Hay System administration.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$75,923)	(\$77,101)
GENERAL FUND TOTAL	(\$75,923)	(\$77,101)

ADMINISTRATION - HUMAN RESOURCES 0038

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$1,726,859	\$1,776,094
All Other	\$352,345	\$352,345
GENERAL FUND TOTAL	\$2,079,204	\$2,128,439

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$239,718	\$247,659
All Other	\$250,283	\$250,283
OTHER SPECIAL REVENUE FUNDS TOTAL	\$490,001	\$497,942

Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,238,596	\$1,258,921
All Other	\$80,946	\$80,946
GENERAL FUND TOTAL	\$1,319,542	\$1,339,867

Budget - Bureau of the 0055

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support

and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$7,477	\$7,477
GENERAL FUND TOTAL	\$7,477	\$7,477

Budget - Bureau of the 0055

Initiative: Reduces funding by not filling one vacant Public Service Coordinator II position.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$117,791)	(\$119,735)
GENERAL FUND TOTAL	(\$117,791)	(\$119,735)

BUDGET - BUREAU OF THE 0055

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,120,805	\$1,139,186
All Other	\$88,423	\$88,423
GENERAL FUND TOTAL	\$1,209,228	\$1,227,609

Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	102.000	102.000
Personal Services	\$5,656,970	\$5,815,234
All Other	\$7,269,233	\$7,269,233
GENERAL FUND TOTAL	\$12,926,203	\$13,084,467

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$464,400	\$464,400
OTHER SPECIAL REVENUE FUNDS TOTAL	\$464,400	\$464,400

REAL PROPERTY LEASE INTERNAL SERVICE FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

Personal Services	\$270,916	\$277,722
All Other	\$23,611,933	\$23,611,933
	<hr/>	<hr/>
REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL	\$23,882,849	\$23,889,655

Buildings and Grounds Operations 0080

Initiative: Provides funding for current contractual lease agreements for state leased space.

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2009-10	2010-11
All Other	\$1,487,649	\$1,984,670
	<hr/>	<hr/>
REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL	\$1,487,649	\$1,984,670

Buildings and Grounds Operations 0080

Initiative: Adjusts funding between the Public Improvements - Planning and Construction - Administration program, the Building and Grounds Operations program and the Purchases - Division of program to properly align funding for legal services provided by the Attorney General's Office.

GENERAL FUND	2009-10	2010-11
All Other	(\$23,571)	(\$23,571)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$23,571)	(\$23,571)

Buildings and Grounds Operations 0080

Initiative: Reduces funding for fuel by closing the staff building at the Blaine House.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,125)	(\$5,125)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$5,125)	(\$5,125)

Buildings and Grounds Operations 0080

Initiative: Deappropriates funds as a result of the negotiation of new rates for electricity services.

GENERAL FUND	2009-10	2010-11
All Other	(\$240,684)	(\$240,684)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$240,684)	(\$240,684)

Buildings and Grounds Operations 0080

Initiative: Provides funding for the state match for the Capital Riverfront Improvement District project. Any unexpended funding for this project at the end of fiscal years 2009-10 and 2010-11 carries forward to be used for its intended purpose.

GENERAL FUND	2009-10	2010-11
All Other	\$30,000	\$30,000
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GENERAL FUND TOTAL	\$30,000	\$30,000

BUILDINGS AND GROUNDS OPERATIONS 0080

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	102.000	102.000
Personal Services	\$5,656,970	\$5,815,234
All Other	\$7,029,853	\$7,029,853
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$12,686,823	\$12,845,087

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$464,400	\$464,400
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$464,400	\$464,400

REAL PROPERTY LEASE INTERNAL SERVICE FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$270,916	\$277,722
All Other	\$25,099,582	\$25,596,603
	<hr/>	<hr/>
REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL	\$25,370,498	\$25,874,325

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

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$40,000	\$40,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000

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

Initiative: Reduces funding for several accounts in the Bureau of General Services - Capital Construction and Improvement Reserve Fund program within the Bureau of General Services to stay within available resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$25,000)	(\$25,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$25,000)	(\$25,000)

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

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,000	\$15,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,000	\$15,000

Bureau of Revenue Services Fund 0885

Initiative: BASELINE BUDGET

BUREAU OF REVENUE SERVICES FUND	2009-10	2010-11
All Other	\$150,000	\$150,000
BUREAU OF REVENUE SERVICES FUND TOTAL	\$150,000	\$150,000

BUREAU OF REVENUE SERVICES FUND 0885

PROGRAM SUMMARY

BUREAU OF REVENUE SERVICES FUND	2009-10	2010-11
All Other	\$150,000	\$150,000
BUREAU OF REVENUE SERVICES FUND TOTAL	\$150,000	\$150,000

Capital Construction/Repairs/Improvements - Administration 0059

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$94,405	\$94,405

GENERAL FUND TOTAL	\$94,405	\$94,405
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,177,974	\$1,177,974
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,177,974	\$1,177,974

Capital Construction/Repairs/Improvements - Administration 0059

Initiative: Reduces funding to bring the allocation into line with projected resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$229,615)	(\$229,615)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$229,615)	(\$229,615)

CAPITAL CONSTRUCTION/REPAIRS/IMPROVEMENTS - ADMINISTRATION 0059

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$94,405	\$94,405
GENERAL FUND TOTAL	\$94,405	\$94,405
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	15,000	15,000
Personal Services	\$933,189	\$959,530
All Other	\$6,095,627	\$6,095,627
CENTRAL MOTOR POOL TOTAL	\$7,028,816	\$7,055,157

Central Fleet Management 0703

Initiative: Reorganizes one Auto Mechanic I position to a Fleet Support Specialist position as approved by the Bureau of Human Resources.

CENTRAL MOTOR POOL	2009-10	2010-11
Personal Services	\$2,472	\$2,664
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CENTRAL MOTOR POOL TOTAL	\$2,472	\$2,664

Central Fleet Management 0703

Initiative: Transfers the operation of the light-duty fleet operated by the Department of Transportation to the Department of Administrative and Financial Services, Bureau of General Services, Central Fleet Management program. Establishes one Motor Transport Technician Assistant position and one Fleet Support Specialist position in the Central Fleet Management program and eliminates 2 positions in the Department of Transportation.

CENTRAL MOTOR POOL	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$106,161	\$111,663
All Other	\$2,140,696	\$2,351,201
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CENTRAL MOTOR POOL TOTAL	\$2,246,857	\$2,462,864

CENTRAL FLEET MANAGEMENT 0703

PROGRAM SUMMARY

CENTRAL MOTOR POOL	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,041,822	\$1,073,857
All Other	\$8,236,323	\$8,446,828
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CENTRAL MOTOR POOL TOTAL	\$9,278,145	\$9,520,685

Central Services - Purchases 0004

Initiative: BASELINE BUDGET

POSTAL, PRINTING AND SUPPLY FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
POSITIONS - FTE COUNT	0.375	0.375
Personal Services	\$2,301,982	\$2,386,969

All Other	\$1,388,858	\$1,388,858
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POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$3,690,840	\$3,775,827

Central Services - Purchases 0004

Initiative: Provides funding for equipment rental associated with the consolidation of state postal operations.

POSTAL, PRINTING AND SUPPLY FUND	2009-10	2010-11
All Other	\$120,619	\$108,635
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POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$120,619	\$108,635

CENTRAL SERVICES - PURCHASES 0004

PROGRAM SUMMARY

POSTAL, PRINTING AND SUPPLY FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
POSITIONS - FTE COUNT	0.375	0.375
Personal Services	\$2,301,982	\$2,386,969
All Other	\$1,509,477	\$1,497,493
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POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$3,811,459	\$3,884,462

County Tax Reimbursement 0263

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,091,475	\$1,091,475
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,091,475	\$1,091,475

County Tax Reimbursement 0263

Initiative: Provides funding for anticipated excise tax reimbursements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$116,185	\$152,420
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$116,185	\$152,420

**COUNTY TAX REIMBURSEMENT 0263
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,207,660	\$1,243,895
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,207,660	\$1,243,895

Debt Service - Government Facilities Authority 0893

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$19,745,063	\$19,745,063
GENERAL FUND TOTAL	\$19,745,063	\$19,745,063

Debt Service - Government Facilities Authority 0893

Initiative: Deappropriates one-time savings for debt service in fiscal year 2009-10 due to the delay in the issuance of securities for capital repair projects from fiscal year 2008-09 to fiscal year 2009-10.

GENERAL FUND	2009-10	2010-11
All Other	(\$400,000)	\$0
GENERAL FUND TOTAL	(\$400,000)	\$0

DEBT SERVICE - GOVERNMENT FACILITIES AUTHORITY 0893

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$19,345,063	\$19,745,063
GENERAL FUND TOTAL	\$19,345,063	\$19,745,063

Elderly Tax Deferral Program 0650

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$29,000	\$29,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,000	\$29,000

Elderly Tax Deferral Program 0650

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

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$1,000)	(\$1,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,000)	(\$1,000)

**ELDERLY TAX DEFERRAL PROGRAM 0650
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$28,000	\$28,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,000	\$28,000

Financial and Personnel Services - Division of 0713

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$497,302	\$497,302
FEDERAL EXPENDITURES FUND TOTAL	\$497,302	\$497,302

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	306.500	306.500
Personal Services	\$21,227,079	\$21,879,099
All Other	\$2,026,545	\$2,026,545
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$23,253,624	\$23,905,644

Financial and Personnel Services - Division of 0713

Initiative: Provides funding for rent and STA-CAP costs for the Security and Employment Service Center.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
All Other	\$65,000	\$65,000
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$65,000	\$65,000

Financial and Personnel Services - Division of 0713

Initiative: Eliminates one Office Specialist I position and one Office Associate I position due to a reorganization of the Transportation Service Center.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$115,005)	(\$117,182)
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$115,005)	(\$117,182)

Financial and Personnel Services - Division of 0713

Initiative: Eliminates one vacant Office Specialist I position in the General Government Service Center to achieve savings and stay within projected available resources.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$35,095)	(\$37,180)
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$35,095)	(\$37,180)

Financial and Personnel Services - Division of 0713

Initiative: Eliminates one Public Service Manager III position in the Health and Human Services Service Center as part of the realignment of duties within the service center.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$123,378)	(\$126,155)
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$123,378)	(\$126,155)

Financial and Personnel Services - Division of 0713

Initiative: Reduces funding in the Health and Human Services Service Center in order to stay within projected available resources.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
All Other	(\$98,733)	(\$98,733)
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$98,733)	(\$98,733)

Financial and Personnel Services - Division of 0713

Initiative: Reduces funding in the Corrections Service Center in order to stay within projected available resources.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
All Other	(\$50,000)	(\$50,000)
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$50,000)	(\$50,000)

FINANCIAL AND PERSONNEL SERVICES - DIVISION OF 0713

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$497,302	\$497,302
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$497,302	\$497,302

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$30,000	\$30,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000
FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	302,500	302,500
Personal Services	\$20,953,601	\$21,598,582
All Other	\$1,942,812	\$1,942,812
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$22,896,413	\$23,541,394

Fund for Efficient Delivery of Local and Regional Services - Administration Z047

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

Fund for Efficient Delivery of Local and Regional Services - Administration Z047

Initiative: Eliminates funding for cooperative services grants.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$500,000)	(\$500,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500,000)	(\$500,000)

FUND FOR EFFICIENT DELIVERY OF LOCAL AND REGIONAL SERVICES - ADMINISTRATION Z047

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Homestead Property Tax Exemption - Mandate Reimbursement 0887

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$31,000	\$31,000
GENERAL FUND TOTAL	\$31,000	\$31,000

Homestead Property Tax Exemption - Mandate Reimbursement 0887

Initiative: Eliminates baseline funding for Homestead Property Tax Exemption Mandate Reimbursement program.

GENERAL FUND	2009-10	2010-11
All Other	(\$31,000)	(\$31,000)
GENERAL FUND TOTAL	(\$31,000)	(\$31,000)

HOMESTEAD PROPERTY TAX EXEMPTION - MANDATE REIMBURSEMENT 0887

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Homestead Property Tax Exemption Reimbursement 0886

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$28,276,398	\$28,276,398
GENERAL FUND TOTAL	\$28,276,398	\$28,276,398

Homestead Property Tax Exemption Reimbursement 0886

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

GENERAL FUND	2009-10	2010-11
All Other	\$160,167	\$159,102
GENERAL FUND TOTAL	\$160,167	\$159,102

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Reduces homestead exemption to \$10,000 beginning in fiscal year 2010-11 on an ongoing basis.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$6,897,042)
GENERAL FUND TOTAL	\$0	(\$6,897,042)

HOMESTEAD PROPERTY TAX EXEMPTION REIMBURSEMENT 0886

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$28,436,565	\$21,538,458
GENERAL FUND TOTAL	\$28,436,565	\$21,538,458

Information Services 0155

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$783,338	\$783,338
GENERAL FUND TOTAL	\$783,338	\$783,338

OFFICE OF INFORMATION SERVICES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	506.500	506.500
Personal Services	\$46,125,780	\$46,567,972
All Other	\$16,762,880	\$16,762,880
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$62,888,660	\$63,330,852

Information Services 0155

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal year 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$192,152	\$192,152
GENERAL FUND TOTAL	\$192,152	\$192,152

Information Services 0155

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

GENERAL FUND	2009-10	2010-11
All Other	\$787,183	\$787,183
GENERAL FUND TOTAL	\$787,183	\$787,183

Information Services 0155

Initiative: Adjusts funding for new information technology system development and support.

GENERAL FUND	2009-10	2010-11
All Other	\$1,971,870	\$2,595,159
GENERAL FUND TOTAL	\$1,971,870	\$2,595,159

Information Services 0155

Initiative: Adjusts funding for debt service for approved development projects.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$3,448,505)
GENERAL FUND TOTAL	\$0	(\$3,448,505)

Information Services 0155

Initiative: Reduces funding for administrative functions and support of the Office of Geographic Information Systems.

GENERAL FUND	2009-10	2010-11
All Other	(\$192,285)	(\$189,715)
GENERAL FUND TOTAL	(\$192,285)	(\$189,715)

Information Services 0155

Initiative: Eliminates one Office Assistant II position, one Radio Mechanic position and one Secretary position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OFFICE OF INFORMATION SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$127,736)	(\$135,091)

OFFICE OF INFORMATION SERVICES FUND TOTAL	(\$127,736)	(\$135,091)
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Information Services 0155

Initiative: Continues one limited-period Public Service Manager III position that was established by financial order and eliminates one vacant Management Analyst II position to provide the offsetting headcount.

OFFICE OF INFORMATION SERVICES FUND	2009-10	2010-11
Personal Services	\$54,222	\$54,601
All Other	\$27	\$28
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$54,249	\$54,629

Information Services 0155

Initiative: Transfers funding for the budget, accounting and human resource systems and related applications to the Information Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$7,409,169	\$7,408,791
GENERAL FUND TOTAL	\$7,409,169	\$7,408,791

Information Services 0155

Initiative: Provides funding on a one-time basis for computer programming costs associated with the implementation of the health credit premium program.

GENERAL FUND	2009-10	2010-11
All Other	\$20,000	\$0
GENERAL FUND TOTAL	\$20,000	\$0

INFORMATION SERVICES 0155

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$10,971,427	\$8,128,403
GENERAL FUND TOTAL	\$10,971,427	\$8,128,403

OFFICE OF INFORMATION SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	503.500	503.500

Personal Services	\$46,052,266	\$46,487,482
All Other	\$16,762,907	\$16,762,908
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$62,815,173	\$63,250,390

Lottery Operations 0023

Initiative: BASELINE BUDGET

STATE LOTTERY FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$1,825,682	\$1,878,626
All Other	\$2,332,139	\$2,332,139
STATE LOTTERY FUND TOTAL	\$4,157,821	\$4,210,765

LOTTERY OPERATIONS 0023

PROGRAM SUMMARY

STATE LOTTERY FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$1,825,682	\$1,878,626
All Other	\$2,332,139	\$2,332,139
STATE LOTTERY FUND TOTAL	\$4,157,821	\$4,210,765

Mandate BETE - Reimburse Municipalities Z065

Initiative: BASELINE BUDGET

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

Mandate BETE - Reimburse Municipalities Z065

Initiative: Provides funding to reflect anticipated growth in the business equipment tax exemption program.

GENERAL FUND	2009-10	2010-11
All Other	\$10,000	\$15,000
GENERAL FUND TOTAL	\$10,000	\$15,000

MANDATE BETE - REIMBURSE MUNICIPALITIES Z065

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$30,000	\$35,000
GENERAL FUND TOTAL	\$30,000	\$35,000

Office of the Commissioner - Administrative and Financial Services 0718

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$455,871	\$466,885
All Other	\$21,068	\$21,068
GENERAL FUND TOTAL	\$476,939	\$487,953

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$455,871	\$466,885
All Other	\$21,068	\$21,068
GENERAL FUND TOTAL	\$476,939	\$487,953

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,127,864	\$1,153,836
All Other	\$165,246	\$165,246
GENERAL FUND TOTAL	\$1,293,110	\$1,319,082

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$49,172	\$49,172
OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,172	\$49,172

Public Improvements - Planning/Construction - Administration 0057

Initiative: Adjusts funding between the Public Improvements - Planning and Construction - Administration program, the Building and Grounds Operations program and the Purchases - Division of program to properly align funding for legal services provided by the Attorney General's office.

GENERAL FUND	2009-10	2010-11
All Other	(\$26,042)	(\$26,042)
GENERAL FUND TOTAL	(\$26,042)	(\$26,042)

Public Improvements - Planning/Construction - Administration 0057

Initiative: Reduces funding to stay within available resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$48,172)	(\$48,172)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$48,172)	(\$48,172)

PUBLIC IMPROVEMENTS - PLANNING/CONSTRUCTION - ADMINISTRATION 0057

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,127,864	\$1,153,836
All Other	\$139,204	\$139,204

GENERAL FUND TOTAL	\$1,267,068	\$1,293,040
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,000	\$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000	\$1,000

Purchases - Division of 0007

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$321,602	\$326,949
All Other	\$83,619	\$83,619
GENERAL FUND TOTAL	\$405,221	\$410,568

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000

Purchases - Division of 0007

Initiative: Establishes 2 Public Service Manager I positions and provides funding for related All Other costs to implement the recommendations of a recent 3rd-party analysis of the Division of Purchases.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$159,834	\$169,251
All Other	\$78,009	\$78,009
GENERAL FUND TOTAL	\$237,843	\$247,260

Purchases - Division of 0007

Initiative: Adjusts funding between the Public Improvements - Planning and Construction - Administration program, the Building and Grounds Operations program and the Purchases - Division of program to properly align funding for legal services provided by the Attorney General's office.

GENERAL FUND	2009-10	2010-11
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All Other	\$49,613	\$49,613
GENERAL FUND TOTAL	\$49,613	\$49,613

PURCHASES - DIVISION OF 0007 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$481,436	\$496,200
All Other	\$211,241	\$211,241
GENERAL FUND TOTAL	\$692,677	\$707,441

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	324.000	324.000
POSITIONS - FTE COUNT	0.769	0.769
Personal Services	\$22,473,337	\$23,147,772
All Other	\$14,544,614	\$14,544,614
GENERAL FUND TOTAL	\$37,017,951	\$37,692,386

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$5,000	\$5,000
FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,493,500	\$4,493,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,493,500	\$4,493,500

Revenue Services - Bureau of 0002

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

GENERAL FUND	2009-10	2010-11
All Other	\$272,333	\$272,333
GENERAL FUND TOTAL	\$272,333	\$272,333

Revenue Services - Bureau of 0002

Initiative: Provides funding that reflects anticipated revenues necessary to pay contingency-related expenditures resulting from the collection of past-due taxes.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,339,878	\$1,424,943
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,339,878	\$1,424,943

Revenue Services - Bureau of 0002

Initiative: Provides funding for updating the economic database information used for revenue projections provided to the Revenue Forecasting Committee.

GENERAL FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

Revenue Services - Bureau of 0002

Initiative: Provides funding to cover escalator costs and contractual obligations associated with leased properties.

GENERAL FUND	2009-10	2010-11
All Other	\$198,326	\$227,953
GENERAL FUND TOTAL	\$198,326	\$227,953

Revenue Services - Bureau of 0002

Initiative: Provides funding to reimburse the media production companies the amount they are entitled to in accordance with the Maine Revised Statutes, Title 36, section 6902, subsection 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11

All Other	\$250,000	\$250,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$250,000	\$250,000

Revenue Services - Bureau of 0002

Initiative: Eliminates one Public Service Coordinator II position, 3 Office Assistant II positions and one Office Associate I position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(5,000)	(5,000)
Personal Services	(\$283,787)	(\$298,983)
GENERAL FUND TOTAL	(\$283,787)	(\$298,983)

Revenue Services - Bureau of 0002

Initiative: Eliminates one Accounting Associate II position established in Public Law 2007, chapter 629. This position is no longer required due to the citizens' repeal of the beverage tax.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(1,000)	(1,000)
Personal Services	(\$57,821)	(\$61,295)
GENERAL FUND TOTAL	(\$57,821)	(\$61,295)

Revenue Services - Bureau of 0002

Initiative: Provides funding on a one-time basis to cover additional computer programming costs, modifications to tax returns and notifications to affected taxpayers associated with the proposed legislation that amends Maine law to convert the excise tax on smokeless tobacco to a weight-based tax.

GENERAL FUND	2009-10	2010-11
All Other	\$30,050	\$0
GENERAL FUND TOTAL	\$30,050	\$0

Revenue Services - Bureau of 0002

Initiative: Provides funding to continue an overtime project to enhance revenue discovery and revenue collections. The project will raise net additional undedicated revenue to the General Fund of \$1,908,000 in fiscal years 2009-10 and 2010-11.

GENERAL FUND	2009-10	2010-11
Personal Services	\$222,600	\$222,600

All Other	\$20,000	\$20,000
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GENERAL FUND TOTAL	\$242,600	\$242,600

Revenue Services - Bureau of 0002

Initiative: Establishes 2 Senior Revenue Agent positions for the criminal investigations unit to provide deterrence to tax delinquents and focus on those individuals and businesses that intentionally failed to file a tax return, failed to pay tax or filed a fraudulent tax return. It is anticipated that these positions will generate net additional undedicated revenue to the General Fund of \$524,700 in each fiscal year.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$141,450	\$149,680
All Other	\$22,121	\$15,401
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$163,571	\$165,081

Revenue Services - Bureau of 0002

Initiative: Provides funding on a one-time basis for computer programming costs associated with the provision in this Act to include prior taxable gifts in the Maine taxable estate.

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

Revenue Services - Bureau of 0002

Initiative: Provides funding for the reprinting of tax withholding tables.

GENERAL FUND	2009-10	2010-11
All Other	\$36,668	\$0
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$36,668	\$0

Revenue Services - Bureau of 0002

Initiative: Provides funding for one income tax collections contractor.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$758,470	\$758,526
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$758,470	\$758,526

Revenue Services - Bureau of 0002

Initiative: Provides funding for contractor expenses related to financial data matching.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$83,000	\$44,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$83,000	\$44,000

Revenue Services - Bureau of 0002

Initiative: Provides funding for one Management Analyst II position for the data warehouse project.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,779	\$74,851
All Other	\$9,850	\$6,650
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$80,629	\$81,501

Revenue Services - Bureau of 0002

Initiative: Provides funding for contract services for the data warehouse project.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$255,750	\$2,261,600
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$255,750	\$2,261,600

Revenue Services - Bureau of 0002

Initiative: Provides funding for the depositor matching program to collect overdue taxes.

GENERAL FUND	2009-10	2010-11
Personal Services	\$128,294	\$134,709
All Other	\$19,700	\$13,650
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$147,994	\$148,359

REVENUE SERVICES - BUREAU OF 0002 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	321.000	321.000
POSITIONS - FTE COUNT	0.769	0.769

Personal Services	\$22,694,852	\$23,369,334
All Other	\$15,464,662	\$15,400,601

GENERAL FUND TOTAL	\$38,159,514	\$38,769,935
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$5,000	\$5,000

FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,180,598	\$9,232,569

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,180,598	\$9,232,569
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Risk Management - Claims 0008

Initiative: BASELINE BUDGET

RISK MANAGEMENT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUN	5.000	5.000
Personal Services	\$408,889	\$419,278
All Other	\$3,515,976	\$3,515,976

RISK MANAGEMENT FUND TOTAL	\$3,924,865	\$3,935,254
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STATE-ADMINISTERED FUND	2009-10	2010-11
All Other	\$2,043,128	\$2,043,128

STATE-ADMINISTERED FUND TOTAL	\$2,043,128	\$2,043,128
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Risk Management - Claims 0008

Initiative: Provides funding to reflect actual expenditures relating to risk management operations.

RISK MANAGEMENT FUND	2009-10	2010-11
All Other	\$20,012	\$20,012

RISK MANAGEMENT FUND TOTAL	\$20,012	\$20,012
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RISK MANAGEMENT - CLAIMS 0008

PROGRAM SUMMARY

RISK MANAGEMENT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUN	5.000	5.000
Personal Services	\$408,889	\$419,278
All Other	\$3,535,988	\$3,535,988

RISK MANAGEMENT FUND TOTAL	\$3,944,877	\$3,955,266
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STATE-ADMINISTERED FUND	2009-10	2010-11
All Other	\$2,043,128	\$2,043,128

STATE-ADMINISTERED FUND TOTAL	\$2,043,128	\$2,043,128
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Snow Grooming Property Tax Exemption Reimbursement Z024

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$18,565	\$18,565

GENERAL FUND TOTAL	\$18,565	\$18,565
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Snow Grooming Property Tax Exemption Reimbursement Z024

Initiative: Provides funding for an anticipated increase in reimbursements to municipalities.

GENERAL FUND	2009-10	2010-11
All Other	(\$130)	\$935

GENERAL FUND TOTAL	(\$130)	\$935
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SNOW GROOMING PROPERTY TAX EXEMPTION REIMBURSEMENT Z024

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$18,435	\$19,500

GENERAL FUND TOTAL	\$18,435	\$19,500
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Solid Waste Management Fund 0659

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26,000	26,000
Personal Services	\$2,280,767	\$2,343,098
All Other	\$7,678,498	\$7,678,498
GENERAL FUND TOTAL	\$9,959,265	\$10,021,596

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,000	\$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000	\$1,000

State Controller - Office of the 0056

Initiative: Transfers one Office Associate I position from the Administration - Human Resources program to the Office of the State Controller and transfers one Office Associate II position from the Office of the State Controller to the Administration - Bureau of Human Resources program to properly reflect duties performed by these employees.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$11,187)	(\$9,291)
GENERAL FUND TOTAL	(\$11,187)	(\$9,291)

State Controller - Office of the 0056

Initiative: Eliminates funding for the printing of the budget document. The budget document will only be published online.

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

State Controller - Office of the 0056

Initiative: Transfers funding for the budget, accounting and human resource systems and related applications to the Information Services program.

GENERAL FUND	2009-10	2010-11
All Other	(\$7,409,169)	(\$7,408,791)
GENERAL FUND TOTAL	(\$7,409,169)	(\$7,408,791)

STATE CONTROLLER - OFFICE OF THE 0056

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26,000	26,000
Personal Services	\$2,269,580	\$2,333,807
All Other	\$249,329	\$249,707
GENERAL FUND TOTAL	\$2,518,909	\$2,583,514

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
All Other	\$3,423,253	\$3,423,253
GENERAL FUND TOTAL	\$3,423,253	\$3,423,253

Statewide Radio Network System 0112

Initiative: Reduces funding for the projected debt service costs in fiscal year 2009-10 due to the delay in the sale of \$10,000,000 in securities and provides funding in fiscal year 2010-11 for the projected sale of \$15,000,000 in certificate of participation securities

for the Statewide Radio and Network System, in accordance with Public Law 2007, chapter 240, Part R.

GENERAL FUND	2009-10	2010-11
All Other	(\$874,851)	\$2,804,122
GENERAL FUND TOTAL	(\$874,851)	\$2,804,122

Statewide Radio Network System 0112

Initiative: Deappropriates debt service savings due to an unanticipated delay in the public safety radio system project.

GENERAL FUND	2009-10	2010-11
All Other	(\$895,675)	(\$895,675)
GENERAL FUND TOTAL	(\$895,675)	(\$895,675)

STATEWIDE RADIO NETWORK SYSTEM 0112

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,652,727	\$5,331,700
GENERAL FUND TOTAL	\$1,652,727	\$5,331,700

Trade Adjustment Assistance Health Insurance Z001

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$20,962	\$20,962
FEDERAL EXPENDITURES FUND TOTAL	\$20,962	\$20,962

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$200,000	\$200,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000
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Trade Adjustment Assistance Health Insurance Z001

Initiative: Reduces funding to stay within projected available resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$125,000)	(\$125,000)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$125,000)	(\$125,000)
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TRADE ADJUSTMENT ASSISTANCE HEALTH INSURANCE Z001

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$20,962	\$20,962
FEDERAL EXPENDITURES FUND TOTAL	\$20,962	\$20,962

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$75,000	\$75,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000
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Tree Growth Tax Reimbursement 0261

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$5,550,000	\$5,550,000
GENERAL FUND TOTAL	\$5,550,000	\$5,550,000

Tree Growth Tax Reimbursement 0261

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

GENERAL FUND	2009-10	2010-11
All Other	\$300,000	\$700,000
GENERAL FUND TOTAL	\$300,000	\$700,000

Tree Growth Tax Reimbursement 0261

Initiative: Reduces funding by 10% in the Tree Growth Tax Reimbursement program.

GENERAL FUND	2009-10	2010-11
All Other	(\$585,000)	(\$625,000)
GENERAL FUND TOTAL	(\$585,000)	(\$625,000)

Tree Growth Tax Reimbursement 0261

Initiative: Reduces funding by an additional 5% to maintain costs within the available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$292,500)	(\$312,500)
GENERAL FUND TOTAL	(\$292,500)	(\$312,500)

**TREE GROWTH TAX REIMBURSEMENT 0261
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
All Other	\$4,972,500	\$5,312,500
GENERAL FUND TOTAL	\$4,972,500	\$5,312,500

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$9,627,065	\$9,627,065
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,627,065	\$9,627,065

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: Provides funding at an anticipated level for services provided to the residents of the unorganized territories.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,208,715	\$1,858,865
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,208,715	\$1,858,865

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: Allocates funds to distribute payments to counties for 2 new tax increment financing districts established within the unorganized territories.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,100,000	\$2,400,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,100,000	\$2,400,000

UNORGANIZED TERRITORY EDUCATION AND SERVICES FUND - FINANCE 0573

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$11,935,780	\$13,885,930
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,935,780	\$13,885,930

**Veterans' Organization Tax Reimbursement Z062
Initiative: BASELINE BUDGET**

GENERAL FUND	2009-10	2010-11
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	2009-10	2010-11
All Other	(\$272,892)	(\$262,892)
GENERAL FUND TOTAL	(\$272,892)	(\$262,892)

VETERANS' ORGANIZATION TAX REIMBURSEMENT Z062

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$50,000	\$60,000
GENERAL FUND TOTAL	\$50,000	\$60,000

Veterans Tax Reimbursement 0407

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$1,095,211	\$1,095,211
GENERAL FUND TOTAL	\$1,095,211	\$1,095,211

Veterans Tax Reimbursement 0407

Initiative: Reduces funding to an anticipated level for veterans tax reimbursements.

GENERAL FUND	2009-10	2010-11
All Other	(\$45,211)	(\$20,211)
GENERAL FUND TOTAL	(\$45,211)	(\$20,211)

Veterans Tax Reimbursement 0407

Initiative: Reduces funding in the Veterans Tax Reimbursement program to achieve targeted reduction savings.

GENERAL FUND	2009-10	2010-11
All Other	(\$39,521)	(\$39,521)
GENERAL FUND TOTAL	(\$39,521)	(\$39,521)

VETERANS TAX REIMBURSEMENT 0407 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,010,479	\$1,035,479
GENERAL FUND TOTAL	\$1,010,479	\$1,035,479

Waste Facility Tax Reimbursement 0907

Initiative: BASELINE BUDGET

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

Waste Facility Tax Reimbursement 0907

Initiative: Provides funding for tax reimbursements to cities and towns for waste facilities.

GENERAL FUND	2009-10	2010-11
All Other	\$1,000	\$2,000
GENERAL FUND TOTAL	\$1,000	\$2,000

WASTE FACILITY TAX REIMBURSEMENT 0907 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$11,000	\$12,000
GENERAL FUND TOTAL	\$11,000	\$12,000

Workers' Compensation Management Fund Program 0802

Initiative: BASELINE BUDGET

WORKERS' COMPENSATION MANAGEMENT FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,300,237	\$1,324,673
All Other	\$18,112,182	\$18,112,182
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$19,412,419	\$19,436,855

Workers' Compensation Management Fund Program 0802

Initiative: Eliminates one Public Health Nurse II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

WORKERS' COMPENSATION MANAGEMENT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$74,230)	(\$78,225)
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	(\$74,230)	(\$78,225)

WORKERS' COMPENSATION MANAGEMENT FUND PROGRAM 0802 PROGRAM SUMMARY

WORKERS' COMPENSATION MANAGEMENT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,226,007	\$1,246,448
All Other	\$18,112,182	\$18,112,182

WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$19,338,189	\$19,358,630
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$126,558,997	\$122,318,791
FEDERAL EXPENDITURES FUND	\$523,264	\$523,264

OTHER SPECIAL REVENUE FUNDS	\$22,395,798	\$26,442,095
FINANCIAL AND PERSONNEL SERVICES FUND	\$22,896,413	\$23,541,394
POSTAL, PRINTING AND SUPPLY FUND	\$3,811,459	\$3,884,462
OFFICE OF INFORMATION SERVICES FUND	\$62,815,173	\$63,250,390
RISK MANAGEMENT FUND	\$3,944,877	\$3,955,266
WORKERS' COMPENSATION MANAGEMENT FUND	\$19,338,189	\$19,358,630
CENTRAL MOTOR POOL	\$9,278,145	\$9,520,685
REAL PROPERTY LEASE INTERNAL SERVICE FUND	\$25,370,498	\$25,874,325
BUREAU OF REVENUE SERVICES FUND	\$150,000	\$150,000
RETIREE HEALTH INSURANCE FUND	\$48,400,235	\$48,400,235
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	\$1,870,879	\$1,892,838
STATE-ADMINISTERED FUND	\$2,043,128	\$2,043,128
STATE LOTTERY FUND	\$4,157,821	\$4,210,765
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$113,178	\$114,919
DEPARTMENT TOTAL - ALL FUNDS	\$353,668,054	\$355,481,187

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	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	10.500	10.500
POSITIONS - FTE COUNT	0.238	0.238
Personal Services	\$786,851	\$818,012
All Other	\$652,636	\$652,636
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,439,487	\$1,470,648

ANIMAL WELFARE FUND 0946

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.500	10.500
POSITIONS - FTE COUNT	0.238	0.238
Personal Services	\$786,851	\$818,012
All Other	\$652,636	\$652,636
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,439,487	\$1,470,648

Beverage Container Enforcement Fund 0971

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,644	\$71,976
All Other	\$17,715	\$17,715
GENERAL FUND TOTAL	\$88,359	\$89,691

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$183,115	\$193,916
All Other	\$108,520	\$108,520
OTHER SPECIAL REVENUE FUNDS TOTAL	\$291,635	\$302,436

Beverage Container Enforcement Fund 0971

Initiative: Reduces funding in professional services, travel, rents, general operations, technology and of fice supplies to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$15,388)	(\$15,204)
GENERAL FUND TOTAL	(\$15,388)	(\$15,204)

BEVERAGE CONTAINER ENFORCEMENT FUND 0971

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,644	\$71,976
All Other	\$2,327	\$2,511
GENERAL FUND TOTAL	\$72,971	\$74,487

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$183,115	\$193,916
All Other	\$108,520	\$108,520

OTHER SPECIAL REVENUE FUNDS TOTAL	\$291,635	\$302,436
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Certified Seed Fund 0787

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
POSITIONS - FTE COUNT	3.760	3.760
Personal Services	\$653,678	\$671,953
All Other	\$372,051	\$372,051

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,025,729	\$1,044,004
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Certified Seed Fund 0787

Initiative: Eliminates 2 intermittent Lab Assistant positions, 2 seasonal Certified Seed Specialist positions, one Certified Seed Specialist position and one intermittent Seed Potato Inspector position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(1.866)	(1.866)
Personal Services	(\$149,623)	(\$157,322)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$149,623)	(\$157,322)

CERTIFIED SEED FUND 0787

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	1.894	1.894
Personal Services	\$504,055	\$514,631
All Other	\$372,051	\$372,051

OTHER SPECIAL REVENUE FUNDS TOTAL	\$876,106	\$886,682
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Division of Animal Health and Industry 0394

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$1,088,221	\$1,119,856
All Other	\$451,969	\$451,969
GENERAL FUND TOTAL	\$1,540,190	\$1,571,825

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.500	4.500
Personal Services	\$324,842	\$341,679
All Other	\$892,087	\$892,087

FEDERAL EXPENDITURES FUND TOTAL	\$1,216,929	\$1,233,766
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$32,883	\$34,771
All Other	\$223,133	\$223,133

	\$256,016	\$257,904
OTHER SPECIAL REVENUE FUNDS TOTAL		

Division of Animal Health and Industry 0394

Initiative: Reduces funding to match actual activity.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$29,636)	(\$29,636)

	(\$29,636)	(\$29,636)
OTHER SPECIAL REVENUE FUNDS TOTAL		

Division of Animal Health and Industry 0394

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$87	\$114

	\$87	\$114
FEDERAL EXPENDITURES FUND TOTAL		

Division of Animal Health and Industry 0394

Initiative: Reorganizes one Public Service Coordinator II position from 80 hours to 40 hours biweekly.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$53,516)	(\$54,259)
GENERAL FUND TOTAL	(\$53,516)	(\$54,259)

Division of Animal Health and Industry 0394

Initiative: Eliminates one Office Associate II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$58,514)	(\$59,534)
GENERAL FUND TOTAL	(\$58,514)	(\$59,534)

Division of Animal Health and Industry 0394

Initiative: Transfers 2 Dairy Inspector positions and related All Other costs from the Division of Animal Health and Industry program to the Division of Qual-

ity Assurance and Regulation program to align function with funding.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$145,127)	(\$148,108)
All Other	(\$10,500)	(\$10,500)
GENERAL FUND TOTAL	(\$155,627)	(\$158,608)

Division of Animal Health and Industry 0394

Initiative: Transfers one Agricultural Resources Management Coordinator position from the General Fund to Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$91,250)	(\$92,780)
GENERAL FUND TOTAL	(\$91,250)	(\$92,780)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,250	\$92,780

	\$91,250	\$92,780
OTHER SPECIAL REVENUE FUNDS TOTAL		

Division of Animal Health and Industry 0394

Initiative: Reallocates 25% of the cost of one Office Associate II position from the Division of Plant Industry program to the Division of Animal Health and Industry program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$14,235	\$14,675
GENERAL FUND TOTAL	\$14,235	\$14,675

Division of Animal Health and Industry 0394

Initiative: Establishes one 1/2-time Public Service Coordinator II position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$53,516	\$54,259

FEDERAL EXPENDITURES	\$53,516	\$54,259
FUND TOTAL		

DIVISION OF ANIMAL HEALTH AND INDUSTRY 0394
PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$754,049	\$779,850
All Other	\$441,469	\$441,469
GENERAL FUND TOTAL	\$1,195,518	\$1,221,319

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$378,358	\$395,938
All Other	\$892,174	\$892,201
FEDERAL EXPENDITURES FUND TOTAL	\$1,270,532	\$1,288,139

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$124,133	\$127,551
All Other	\$193,497	\$193,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$317,630	\$321,048

Division of Market and Production Development 0833

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$595,781	\$606,654
All Other	\$145,070	\$145,070
GENERAL FUND TOTAL	\$740,851	\$751,724

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$38,058	\$38,464
All Other	\$1,050,301	\$1,050,301

FEDERAL EXPENDITURES FUND TOTAL	\$1,088,359	\$1,088,765
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$164,005	\$166,793
All Other	\$454,553	\$454,553

OTHER SPECIAL REVENUE FUNDS TOTAL	\$618,558	\$621,346
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Division of Market and Production Development 0833

Initiative: Reduces funding to match actual activity.

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

Division of Market and Production Development 0833

Initiative: Provides funding for the Specialty Crop Block Grant program received from the United States Department of Agriculture, Marketing and Regulatory Programs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$407,000	\$407,000
FEDERAL EXPENDITURES FUND TOTAL	\$407,000	\$407,000

Division of Market and Production Development 0833

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$480	\$555

OTHER SPECIAL	\$480	\$555
REVENUE FUNDS TOTAL		

Division of Market and Production Development 0833

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$476	\$476
OTHER SPECIAL REVENUE FUNDS TOTAL	\$476	\$476

Division of Market and Production Development 0833

Initiative: Reallocates 50% of the cost of one Agricultural Resource Management Coordinator position from the General Fund to Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$44,246)	(\$44,910)
GENERAL FUND TOTAL	(\$44,246)	(\$44,910)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$44,246	\$44,910
OTHER SPECIAL REVENUE FUNDS TOTAL	\$44,246	\$44,910

Division of Market and Production Development 0833

Initiative: Transfers one Development Project Officer position from the General Fund to the Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$77,737)	(\$78,953)
GENERAL FUND TOTAL	(\$77,737)	(\$78,953)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000

Personal Services	\$77,737	\$78,953
FEDERAL EXPENDITURES FUND TOTAL	\$77,737	\$78,953

Division of Market and Production Development 0833

Initiative: Reallocates 11% of the cost of one Planning and Research Associate II position from the Federal Expenditures Fund to the General Fund within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$6,816	\$6,889
GENERAL FUND TOTAL	\$6,816	\$6,889

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$6,816)	(\$6,889)
FEDERAL EXPENDITURES FUND TOTAL	(\$6,816)	(\$6,889)

Division of Market and Production Development 0833

Initiative: Transfers one Planning and Research Associate II position from the General Fund to Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$73,580)	(\$74,752)
GENERAL FUND TOTAL	(\$73,580)	(\$74,752)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$73,580	\$74,752
OTHER SPECIAL REVENUE FUNDS TOTAL	\$73,580	\$74,752

DIVISION OF MARKET AND PRODUCTION DEVELOPMENT 0833

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$407,034	\$414,928
All Other	\$145,070	\$145,070
GENERAL FUND TOTAL	\$552,104	\$559,998

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$108,979	\$110,528
All Other	\$1,457,301	\$1,457,301
FEDERAL EXPENDITURES FUND TOTAL	\$1,566,280	\$1,567,829

Division of Plant Industry 0831

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	0.481	0.481
Personal Services	\$258,149	\$262,836
All Other	\$45,233	\$45,233
GENERAL FUND TOTAL	\$303,382	\$308,069

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$87,306	\$88,777
All Other	\$196,011	\$196,011

FEDERAL EXPENDITURES	\$283,317	\$284,788
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$59,471	\$61,862
All Other	\$45,970	\$45,970
OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,441	\$107,832

Division of Plant Industry 0831

Initiative: Establishes one limited-period Certified Seed Specialist position and provides funding for All Other costs to support the federal Potato Cyst Nematode Soil Survey and National Organic Program. This position will end on June 11, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$55,746	\$58,748
All Other	\$337,322	\$334,320
FEDERAL EXPENDITURES FUND TOTAL	\$393,068	\$393,068

Division of Plant Industry 0831

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$70	\$81
FEDERAL EXPENDITURES FUND TOTAL	\$70	\$81

Division of Plant Industry 0831

Initiative: Reallocates 10% of the cost of one Public Service Manager II position from the Division of Plant Industry program, General Fund to the Board of Pesticides Control program, Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$11,404)	(\$11,588)
GENERAL FUND TOTAL	(\$11,404)	(\$11,588)

Division of Plant Industry 0831

Initiative: Reallocates 25% of the cost of one Office Associate II position from the Division of Plant Industry program to the Division of Animal Health and Industry program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$14,235)	(\$14,675)
GENERAL FUND TOTAL	(\$14,235)	(\$14,675)

Division of Plant Industry 0831

Initiative: Eliminates one intermittent Office Assistant II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	(\$24,923)	(\$26,376)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$24,923)	(\$26,376)

DIVISION OF PLANT INDUSTRY 0831 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	0.481	0.481
Personal Services	\$232,510	\$236,573
All Other	\$45,233	\$45,233
GENERAL FUND TOTAL	\$277,743	\$281,806
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$143,052	\$147,525
All Other	\$533,403	\$530,412
FEDERAL EXPENDITURES FUND TOTAL	\$676,455	\$677,937

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$34,548	\$35,486
All Other	\$45,970	\$45,970
OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,518	\$81,456

Division of Quality Assurance and Regulation 0393

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$1,979,315	\$2,044,585
All Other	\$433,656	\$433,656
GENERAL FUND TOTAL	\$2,412,971	\$2,478,241

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
POSITIONS - FTE COUNT	16.569	16.569
Personal Services	\$1,988,587	\$2,059,213
All Other	\$311,018	\$311,018
FEDERAL EXPENDITURES FUND TOTAL	\$2,299,605	\$2,370,231

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$116,330	\$121,430
All Other	\$151,491	\$151,491
OTHER SPECIAL REVENUE FUNDS TOTAL	\$267,821	\$272,921

Division of Quality Assurance and Regulation 0393

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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All Other	\$142	\$178
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FEDERAL EXPENDITURES FUND TOTAL	\$142	\$178

Division of Quality Assurance and Regulation 0393

Initiative: Transfers 2 Dairy Inspector positions and related All Other costs from the Division of Animal Health and Industry program to the Division of Quality Assurance and Regulation program to align function with funding.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$145,127	\$148,108
All Other	\$10,500	\$10,500
<hr/>	<hr/>	<hr/>
GENERAL FUND TOTAL	\$155,627	\$158,608

Division of Quality Assurance and Regulation 0393

Initiative: Transfers one Food Inspection Supervisor position from the General Fund to the Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$84,103)	(\$85,681)
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GENERAL FUND TOTAL	(\$84,103)	(\$85,681)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,103	\$85,681
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FEDERAL EXPENDITURES FUND TOTAL	\$84,103	\$85,681

Division of Quality Assurance and Regulation 0393

Initiative: Eliminates funding for one Consumer Protection Inspector position.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$62,239)	(\$65,941)
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GENERAL FUND TOTAL	(\$62,239)	(\$65,941)

Division of Quality Assurance and Regulation 0393

Initiative: Eliminates one intermittent Produce Inspector Aide position, 2 intermittent Produce Inspector I positions, 2 seasonal Produce Inspector I positions, 5 seasonal Produce Inspector II positions, one intermittent Produce Inspector II position, 4 intermittent Egg/Poultry Inspector positions, 2 Egg/Poultry Inspector positions and one Quality Compliance Inspector position in the Federal Expenditures Fund and one Audio Visual Specialist position in the Other Special Revenue Funds in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
POSITIONS - FTE COUNT	(6.788)	(6.788)
Personal Services	(\$532,763)	(\$560,345)
<hr/>	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$532,763)	(\$560,345)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$55,636)	(\$58,638)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$55,636)	(\$58,638)

Division of Quality Assurance and Regulation 0393

Initiative: Reduces funding for rent to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$9,460)	(\$7,192)
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GENERAL FUND TOTAL	(\$9,460)	(\$7,192)

Division of Quality Assurance and Regulation 0393

Initiative: Restores 2 Egg/Poultry Processing Inspector positions and 2 seasonal Produce Inspector II positions.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	1.654	1.654
Personal Services	\$201,386	\$212,056

FEDERAL EXPENDITURES	\$201,386	\$212,056
FUND TOTAL		

Personal Services	\$155,114	\$159,884
All Other	\$111,627	\$111,627

FEDERAL EXPENDITURES	\$266,741	\$271,511
FUND TOTAL		

DIVISION OF QUALITY ASSURANCE AND REGULATION 0393

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	29.000	29.000
Personal Services	\$1,978,100	\$2,041,071
All Other	\$434,696	\$436,964
GENERAL FUND TOTAL	\$2,412,796	\$2,478,035

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
POSITIONS - FTE COUNT	11.435	11.435
Personal Services	\$1,741,313	\$1,796,605
All Other	\$311,160	\$311,196
FEDERAL EXPENDITURES FUND TOTAL	\$2,052,473	\$2,107,801

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$60,694	\$62,792
All Other	\$151,491	\$151,491
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,185	\$214,283

Food Assistance Program 0816

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$211,605	\$211,605
GENERAL FUND TOTAL	\$211,605	\$211,605

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Food Assistance Program 0816

Initiative: Transfers one Temporary Food Assistance Program Director position and one Planning and Research Associate I position from the Federal Expenditures Fund to the General Fund within the same program and transfers All Other to Personal Services in the General Fund to fund the transfer.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$155,114	\$159,884
All Other	(\$155,114)	(\$159,884)
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$155,114)	(\$159,884)
All Other	\$155,114	\$159,884

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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FOOD ASSISTANCE PROGRAM 0816

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$155,114	\$159,884
All Other	\$56,491	\$51,721

GENERAL FUND TOTAL	\$211,605	\$211,605
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$266,741	\$271,511

FEDERAL EXPENDITURES	\$266,741	\$271,511
FUND TOTAL		

Harness Racing Commission 0320

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	2.808	2.808
Personal Services	\$516,671	\$530,241
All Other	\$17,971,310	\$17,971,310
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,487,981	\$18,501,551

Harness Racing Commission 0320

Initiative: Reduces funding to match actual activity.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$700,537)	(\$710,843)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$700,537)	(\$710,843)

Harness Racing Commission 0320

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$371	\$491
OTHER SPECIAL REVENUE FUNDS TOTAL	\$371	\$491

Harness Racing Commission 0320

Initiative: Provides funding to fully fund the harness racing operating account.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$282,137	\$282,137
OTHER SPECIAL REVENUE FUNDS TOTAL	\$282,137	\$282,137

Harness Racing Commission 0320

Initiative: Reduces funding to bring allocations into line with projected available resources based on the rejections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$4,453,257)	(\$4,433,172)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,453,257)	(\$4,433,172)

HARNES RACING COMMISSION 0320

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	2.808	2.808
Personal Services	\$516,671	\$530,241
All Other	\$13,100,024	\$13,109,923
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,616,695	\$13,640,164

Maine Farms for the Future Program 0925

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$295,000	\$295,000
GENERAL FUND TOTAL	\$295,000	\$295,000

MAINE FARMS FOR THE FUTURE PROGRAM 0925

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$295,000	\$295,000
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GENERAL FUND TOTAL	\$295,000	\$295,000

Milk Commission 0188

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$235,066	\$244,402
All Other	\$7,969,768	\$7,969,768
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,204,834	\$8,214,170

Milk Commission 0188

Initiative: Reduces funding to match actual activity.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$2,049,525)	(\$2,049,525)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,049,525)	(\$2,049,525)

Milk Commission 0188

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$90	\$113
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$90	\$113

Milk Commission 0188

Initiative: Reduces funding to bring allocations into line with projected available resources based on the reprojections by the Revenue Forecasting Committee.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$15,275)	(\$15,275)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$15,275)	(\$15,275)

Milk Commission 0188

Initiative: Adjusts allocation to the Maine Milk Pool for fiscal years 2009-10 and 2010-11 based on proposed legislation that would cap the milk subsidy at \$13,349,600 for the 2010-2011 biennium.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,849,600	(\$5,500,000)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,849,600	(\$5,500,000)

MILK COMMISSION 0188

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$235,066	\$244,402
All Other	\$13,754,658	\$405,081
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,989,724	\$649,483

Office of the Commissioner 0401

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$418,288	\$429,738
All Other	\$971,474	\$971,474
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GENERAL FUND TOTAL	\$1,389,762	\$1,401,212

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$166,332	\$166,332
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$166,332	\$166,332

Office of the Commissioner 0401

Initiative: Adjusts funding for the same level of support services from the Natural Resources Service Center for fiscal years 2009-10 and 2010-11 based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$2,000	\$2,796

GENERAL FUND TOTAL	\$2,000	\$2,796
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$42,765	\$50,870
OTHER SPECIAL REVENUE FUNDS TOTAL	\$42,765	\$50,870

Office of the Commissioner 0401

Initiative: Provides funding for a grant received from the United States Department of Agriculture, Farm Service Agency for Maine's Agriculture Mediation program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$72,500	\$72,500
FEDERAL EXPENDITURES FUND TOTAL	\$72,500	\$72,500

Office of the Commissioner 0401

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$9,067	\$8,450
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,067	\$8,450

Office of the Commissioner 0401

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,301	\$2,301

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,301	\$2,301
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Office of the Commissioner 0401

Initiative: Reduces funding in technology to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$19,883)	(\$23,124)
GENERAL FUND TOTAL	(\$19,883)	(\$23,124)

OFFICE OF THE COMMISSIONER 0401 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	4.000	4.000
Personal Services	\$418,288	\$429,738
All Other	\$953,591	\$951,146
GENERAL FUND TOTAL	\$1,371,879	\$1,380,884

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$72,500	\$72,500
FEDERAL EXPENDITURES FUND TOTAL	\$72,500	\$72,500

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$220,465	\$227,953
OTHER SPECIAL REVENUE FUNDS TOTAL	\$220,465	\$227,953

Pesticides Control - Board of 0287

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	2.500	2.500
POSITIONS - FTE COUNCIL	3.027	3.027
Personal Services	\$310,301	\$323,247
All Other	\$211,511	\$211,511

FEDERAL EXPENDITURES FUND TOTAL	\$521,812	\$534,758
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,072,247	\$1,099,919
All Other	\$238,184	\$238,184
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,310,431	\$1,338,103

Pesticides Control - Board of 0287

Initiative: Adjusts funding for vehicle lease costs based upon calculations provided by Central Fleet Management.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$71	\$119
FEDERAL EXPENDITURES FUND TOTAL	\$71	\$119
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$142	\$167
OTHER SPECIAL REVENUE FUNDS TOTAL	\$142	\$167

Pesticides Control - Board of 0287

Initiative: Reallocates 10% of the cost of one Public Service Manager II position from the Division of Plant Industry program, General Fund to the Board of Pesticides Control program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$11,404	\$11,588
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,404	\$11,588

Pesticides Control - Board of 0287

Initiative: Eliminates one intermittent Pesticide Control Technician position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - FTE COUNT	(0.240)	(0.240)
Personal Services	(\$13,723)	(\$14,443)
FEDERAL EXPENDITURES FUND TOTAL	(\$13,723)	(\$14,443)

PESTICIDES CONTROL - BOARD OF 0287

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
POSITIONS - FTE COUNT	2.787	2.787
Personal Services	\$296,578	\$308,804
All Other	\$211,582	\$211,630
FEDERAL EXPENDITURES FUND TOTAL	\$508,160	\$520,434
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,083,651	\$1,111,507
All Other	\$238,326	\$238,351
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,321,977	\$1,349,858

Potato Quality Control - Reducing Inspection Costs 0459

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$200,418	\$200,418
GENERAL FUND TOTAL	\$200,418	\$200,418

Potato Quality Control - Reducing Inspection Costs 0459

Initiative: Reduces funding in professional services to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$125,000)	(\$125,000)
GENERAL FUND TOTAL	(\$125,000)	(\$125,000)

POTATO QUALITY CONTROL - REDUCING INSPECTION COSTS 0459
PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$75,418	\$75,418
GENERAL FUND TOTAL	\$75,418	\$75,418

Rural Rehabilitation 0894

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$16,316	\$16,316
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,316	\$16,316

RURAL REHABILITATION 0894
PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$16,316	\$16,316
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,316	\$16,316

Seed Potato Board 0397

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$262,501	\$262,501
GENERAL FUND TOTAL	\$262,501	\$262,501

SEED POTATO BOARD FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
POSITIONS - FTE COUNT	3.776	3.776

Personal Services	\$594,824	\$612,624
All Other	\$227,330	\$227,330
SEED POTATO BOARD FUND TOTAL	\$822,154	\$839,954

Seed Potato Board 0397

Initiative: Reduces funding for transfers to the Seed Potato Board operating account to maintain costs within available resources and reduces funding associated with the privatization of the Porter Farm facility.

GENERAL FUND	2009-10	2010-11
All Other	(\$37,501)	(\$100,000)
GENERAL FUND TOTAL	(\$37,501)	(\$100,000)

Seed Potato Board 0397

Initiative: Eliminates one Agricultural Worker I position, 2 intermittent Lab Assistant positions, one Lab Technician I position and 3 intermittent Laborer I positions in accordance with Public Law 2007, chapter 653, Part C, section 2.

SEED POTATO BOARD FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
POSITIONS - FTE COUNT	(1.162)	(1.162)
Personal Services	(\$158,190)	(\$165,971)
SEED POTATO BOARD FUND TOTAL	(\$158,190)	(\$165,971)

SEED POTATO BOARD 0397
PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$225,000	\$162,501
GENERAL FUND TOTAL	\$225,000	\$162,501

SEED POTATO BOARD FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.500	5.500
POSITIONS - FTE COUNT	2.614	2.614
Personal Services	\$436,634	\$446,653
All Other	\$227,330	\$227,330

SEED POTATO BOARD	\$663,964	\$673,983
FUND TOTAL		
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$6,690,034	\$6,741,053
FEDERAL EXPENDITURES FUND	\$6,413,141	\$6,506,151
OTHER SPECIAL REVENUE FUNDS	\$33,119,578	\$19,901,866
SEED POTATO BOARD FUND	\$663,964	\$673,983
DEPARTMENT TOTAL - ALL FUNDS	\$46,886,717	\$33,823,053

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

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$496,893	\$517,196
All Other	\$288,686	\$288,686
GENERAL FUND TOTAL	\$785,579	\$805,882

Arts - Administration 0178

Initiative: Adjusts funding for the Maine State Library for service center costs to allocate funds to reflect actual costs for the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum.

GENERAL FUND	2009-10	2010-11
All Other	\$39,403	\$39,403
GENERAL FUND TOTAL	\$39,403	\$39,403

Arts - Administration 0178

Initiative: Reduces funding for general operations by limiting the printing of materials.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,813)	(\$3,843)
GENERAL FUND TOTAL	(\$1,813)	(\$3,843)

Arts - Administration 0178

Initiative: Reduces funding for membership dues to the New England Foundation for the Arts and the National Assembly of State Arts Agencies.

GENERAL FUND	2009-10	2010-11
All Other	(\$22,745)	(\$22,745)
GENERAL FUND TOTAL	(\$22,745)	(\$22,745)

Arts - Administration 0178

Initiative: Reduces funding by reducing the number of artME workshops held by the Maine Arts Commission across the State.

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

Arts - Administration 0178

Initiative: Reduces funding by limiting contractual services related to website design and maintenance.

GENERAL FUND	2009-10	2010-11
All Other	(\$25,000)	(\$25,000)
GENERAL FUND TOTAL	(\$25,000)	(\$25,000)

Arts - Administration 0178

Initiative: Reduces funding for the Good Idea Grant program.

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

Arts - Administration 0178

Initiative: Reduces funding for contractual services for temporary clerical support.

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

**ARTS - ADMINISTRATION 0178
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$496,893	\$517,196
All Other	\$249,531	\$247,501
GENERAL FUND TOTAL	\$746,424	\$764,697

Arts - General Grants Program 0177

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$357,051	\$357,051
FEDERAL EXPENDITURES FUND TOTAL	\$357,051	\$357,051

**ARTS - GENERAL GRANTS PROGRAM 0177
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$357,051	\$357,051
FEDERAL EXPENDITURES FUND TOTAL	\$357,051	\$357,051

Arts - Sponsored Program 0176

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$241,402	\$254,869
All Other	\$174,493	\$174,493
FEDERAL EXPENDITURES FUND TOTAL	\$415,895	\$429,362

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$102,168	\$102,168
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168

**ARTS - SPONSORED PROGRAM 0176
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$241,402	\$254,869
All Other	\$174,493	\$174,493
FEDERAL EXPENDITURES FUND TOTAL	\$415,895	\$429,362

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$102,168	\$102,168
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168

**ARTS COMMISSION,
MAINE**

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$746,424	\$764,697
FEDERAL EXPENDITURES FUND	\$772,946	\$786,413
OTHER SPECIAL REVENUE FUNDS	\$102,168	\$102,168
DEPARTMENT TOTAL - ALL FUNDS	\$1,621,538	\$1,653,278

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	2009-10	2010-11
All Other	\$32,536	\$32,536
GENERAL FUND TOTAL	\$32,536	\$32,536

Atlantic States Marine Fisheries Commission 0028

Initiative: Reduces funding for the Atlantic States Marine Fisheries Commission to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,254)	(\$3,254)
GENERAL FUND TOTAL	(\$3,254)	(\$3,254)

ATLANTIC STATES MARINE FISHERIES COMMISSION 0028

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$29,282	\$29,282
GENERAL FUND TOTAL	\$29,282	\$29,282

ATLANTIC STATES MARINE FISHERIES COMMISSION

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$29,282	\$29,282
DEPARTMENT TOTAL - ALL FUNDS	\$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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	51.500	51.500
Personal Services	\$4,885,805	\$5,126,130
All Other	\$576,777	\$576,777
GENERAL FUND TOTAL	\$5,462,582	\$5,702,907

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,449,672	\$1,508,328
All Other	\$540,108	\$540,108
FEDERAL EXPENDITURES FUND TOTAL	\$1,989,780	\$2,048,436

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
Personal Services	\$5,503,225	\$5,797,329
All Other	\$677,840	\$677,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,181,065	\$6,475,169

Administration - Attorney General 0310

Initiative: Reduces funding from savings achieved by managing vacancies.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$728,705)	(\$764,796)
GENERAL FUND TOTAL	(\$728,705)	(\$764,796)

Administration - Attorney General 0310

Initiative: Eliminates one Secretary Legal position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$54,310)	(\$57,555)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$54,310)	(\$57,555)

ADMINISTRATION - ATTORNEY GENERAL 0310

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	51.500	51.500
Personal Services	\$4,157,100	\$4,361,334
All Other	\$576,777	\$576,777
GENERAL FUND TOTAL	\$4,733,877	\$4,938,111

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,449,672	\$1,508,328
All Other	\$540,108	\$540,108

FEDERAL EXPENDITURES	\$1,989,780	\$2,048,436
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$5,448,915	\$5,739,774
All Other	\$677,840	\$677,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,126,755	\$6,417,614

Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$907,790	\$929,499
All Other	\$400,829	\$400,829
GENERAL FUND TOTAL	\$1,308,619	\$1,330,328
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993

Chief Medical Examiner - Office of 0412

Initiative: Continues one Field Investigator position in the Office of the Chief Medical Examiner to investigate deaths. This position was previously authorized as a limited-period position in Public Law 2007, chapter 240.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,022	\$60,948
All Other	\$3,244	\$3,244
GENERAL FUND TOTAL	\$61,266	\$64,192

CHIEF MEDICAL EXAMINER - OFFICE OF 0412

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$965,812	\$990,447
All Other	\$404,073	\$404,073
GENERAL FUND TOTAL	\$1,369,885	\$1,394,520
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993

Civil Rights 0039

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,085	\$80,285
All Other	\$177,975	\$177,975
GENERAL FUND TOTAL	\$254,060	\$258,260

Civil Rights 0039

Initiative: Continues one Research Assistant position previously established by Financial Order 003722 F8 and transfers All Other to Personal Services to fund the position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,180	\$78,666
All Other	(\$74,180)	(\$78,666)
GENERAL FUND TOTAL	\$0	\$0

CIVIL RIGHTS 0039

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$150,265	\$158,951
All Other	\$103,795	\$99,309
GENERAL FUND TOTAL	\$254,060	\$258,260

District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	83,000	83,000
Personal Services	\$9,144,273	\$9,280,631
GENERAL FUND TOTAL	\$9,144,273	\$9,280,631
FEDERAL EXPENDITURES FUND		
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$72,723	\$73,875
All Other	\$8,244	\$8,244
FEDERAL EXPENDITURES FUND TOTAL	\$80,967	\$82,119
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$138,723	\$141,434
All Other	\$30,708	\$30,708
OTHER SPECIAL REVENUE FUNDS TOTAL	\$169,431	\$172,142

District Attorneys Salaries 0409

Initiative: Reduces funding to recognize the savings resulting from not granting merit increases for Assistant District Attorney positions in fiscal year 2008-09.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$269,000)	(\$318,000)
GENERAL FUND TOTAL	(\$269,000)	(\$318,000)

District Attorneys Salaries 0409

Initiative: Transfers the remaining 25% allocation of the 7 Assistant District Attorney positions specializing in prosecutorial services related to juvenile offenders from Other Special Revenue Funds to the General Fund within the same program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$138,723)	(\$141,434)
All Other	(\$24,563)	(\$24,563)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$163,286)	(\$165,997)
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DISTRICT ATTORNEYS SALARIES 0409 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	83,000	83,000
Personal Services	\$8,875,273	\$8,962,631
GENERAL FUND TOTAL	\$8,875,273	\$8,962,631
FEDERAL EXPENDITURES FUND		
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$72,723	\$73,875
All Other	\$8,244	\$8,244
FEDERAL EXPENDITURES FUND TOTAL	\$80,967	\$82,119
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$0	\$0
All Other	\$6,145	\$6,145

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,145	\$6,145
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FHM - Attorney General 0947

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,500	1,500
Personal Services	\$141,832	\$149,729
All Other	\$28,184	\$28,342
FUND FOR A HEALTHY MAINE TOTAL	\$170,016	\$178,071

FHM - Attorney General 0947

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11	All Other	\$225,549	\$225,549
All Other	(\$1,070)	(\$2,296)			
			FEDERAL EXPENDITURES	\$225,549	\$225,549
			FUND TOTAL		
FUND FOR A HEALTHY MAINE TOTAL	(\$1,070)	(\$2,296)			
FHM - ATTORNEY GENERAL 0947			OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
PROGRAM SUMMARY			POSITIONS - LEGISLATIVE COUNT	3.000	3.000
FUND FOR A HEALTHY MAINE	2009-10	2010-11	Personal Services	\$215,073	\$228,059
POSITIONS - LEGISLATIVE COUNT	1.500	1.500	All Other	\$566,194	\$566,194
Personal Services	\$141,832	\$149,729			
All Other	\$27,114	\$26,046	OTHER SPECIAL REVENUE FUNDS TOTAL	\$781,267	\$794,253
FUND FOR A HEALTHY MAINE TOTAL	\$168,946	\$175,775			
Human Services Division 0696			VICTIMS' COMPENSATION BOARD 0711		
Initiative: BASELINE BUDGET			PROGRAM SUMMARY		
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11	FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	63.500	63.500	All Other	\$225,549	\$225,549
Personal Services	\$6,091,137	\$6,412,586			
All Other	\$851,473	\$851,473	FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,942,610	\$7,264,059	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
			POSITIONS - LEGISLATIVE COUNT	3.000	3.000
			Personal Services	\$215,073	\$228,059
			All Other	\$566,194	\$566,194
			OTHER SPECIAL REVENUE FUNDS TOTAL	\$781,267	\$794,253
HUMAN SERVICES DIVISION 0696			ATTORNEY GENERAL, DEPARTMENT OF THE		
PROGRAM SUMMARY			DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11	GENERAL FUND	\$15,233,095	\$15,553,522
POSITIONS - LEGISLATIVE COUNT	63.500	63.500	FEDERAL EXPENDITURES FUND	\$2,296,296	\$2,356,104
Personal Services	\$6,091,137	\$6,412,586	FUND FOR A HEALTHY MAINE	\$168,946	\$175,775
All Other	\$851,473	\$851,473	OTHER SPECIAL REVENUE FUNDS	\$13,871,770	\$14,497,064
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,942,610	\$7,264,059	DEPARTMENT TOTAL - ALL FUNDS	\$31,570,107	\$32,582,465
Victims' Compensation Board 0711					
Initiative: BASELINE BUDGET					
FEDERAL EXPENDITURES FUND	2009-10	2010-11			

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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,456,470	\$1,494,977
All Other	\$17,242	\$17,242
GENERAL FUND TOTAL	\$1,473,712	\$1,512,219

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,516,780	\$1,558,720
All Other	\$181,220	\$181,220
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,698,000	\$1,739,940

Audit - Departmental Bureau 0067

Initiative: Transfers one Staff Auditor II position from the General Fund to the Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$37,670)	(\$39,843)
GENERAL FUND TOTAL	(\$37,670)	(\$39,843)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$37,670	\$39,843
OTHER SPECIAL REVENUE FUNDS TOTAL	\$37,670	\$39,843

AUDIT - DEPARTMENTAL BUREAU 0067

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,418,800	\$1,455,134
All Other	\$17,242	\$17,242

GENERAL FUND TOTAL	\$1,436,042	\$1,472,376
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,554,450	\$1,598,563
All Other	\$181,220	\$181,220

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,735,670	\$1,779,783
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Audit - Unorganized Territory 0075

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$152,152	\$156,832
All Other	\$54,559	\$54,559

OTHER SPECIAL REVENUE FUNDS TOTAL	\$206,711	\$211,391
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AUDIT - UNORGANIZED TERRITORY 0075

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$152,152	\$156,832
All Other	\$54,559	\$54,559

OTHER SPECIAL REVENUE FUNDS TOTAL	\$206,711	\$211,391
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AUDIT, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
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GENERAL FUND	\$1,436,042	\$1,472,376
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OTHER SPECIAL REVENUE FUNDS	\$1,942,381	\$1,991,174
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DEPARTMENT TOTAL - ALL FUNDS	\$3,378,423	\$3,463,550
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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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	19.134	19.134
Personal Services	\$2,411,168	\$2,487,006
All Other	\$956,283	\$956,283
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,367,451	\$3,443,289

Baxter State Park Authority 0253

Initiative: Provides funding for 2 new 4X4 pickup trucks.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$0	\$65,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$65,000

Baxter State Park Authority 0253

Initiative: Provides funding for 2 used dump trucks.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$55,000	\$45,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$55,000	\$45,000

Baxter State Park Authority 0253

Initiative: Provides funding for 2 snowmobiles.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$22,000	\$22,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,000	\$22,000
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Baxter State Park Authority 0253

Initiative: Provides funding for unemployment quarterly tax payments.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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 improvements for the 2010-2011 biennium.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Baxter State Park Authority 0253

Initiative: Provides funding for one extended cab pickup truck.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$35,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,000	\$0

Baxter State Park Authority 0253

Initiative: Provides funding for one hybrid sport utility vehicle.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$30,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$0

Baxter State Park Authority 0253

Initiative: Provides funding to move the traveler information station radio tower.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$20,000	\$20,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$20,000

Baxter State Park Authority 0253

Initiative: Provides funding for contracted services and miscellaneous office equipment to meet agency program needs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$107,435	\$118,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107,435	\$118,497

Baxter State Park Authority 0253

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

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000

BAXTER STATE PARK AUTHORITY 0253

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	19.134	19.134
Personal Services	\$2,441,168	\$2,517,006
All Other	\$1,063,718	\$1,074,780
Capital Expenditures	\$242,000	\$232,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,746,886	\$3,823,786

Tree Harvesting Fund 0809

Initiative: BASELINE BUDGET

BAXTER TREE HARVESTING FUND	2009-10	2010-11
All Other	\$150,000	\$150,000

BAXTER TREE HARVESTING FUND TOTAL	\$150,000	\$150,000
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Tree Harvesting Fund 0809

Initiative: Reduces funding to reflect anticipated expenditures.

BAXTER TREE HARVESTING FUND	2009-10	2010-11
All Other	(\$150,000)	(\$150,000)
BAXTER TREE HARVESTING FUND TOTAL	(\$150,000)	(\$150,000)

TREE HARVESTING FUND 0809

PROGRAM SUMMARY

BAXTER TREE HARVESTING FUND	2009-10	2010-11
All Other	\$0	\$0
BAXTER TREE HARVESTING FUND TOTAL	\$0	\$0

BAXTER STATE PARK AUTHORITY

DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$3,746,886	\$3,823,786
BAXTER TREE HARVESTING FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,746,886	\$3,823,786

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	2009-10	2010-11
All Other	\$1,595,000	\$1,595,000

OTHER SPECIAL	\$1,595,000	\$1,595,000
REVENUE FUNDS TOTAL		

**BLUEBERRY COMMISSION 0375
PROGRAM SUMMARY**

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
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	2009-10	2010-11
All Other	\$136,032	\$136,032
GENERAL FUND TOTAL	\$136,032	\$136,032

Centers for Innovation 0911

Initiative: Reduces funding for research projects and reduces staffing by 0.15 full-time equivalent.

GENERAL FUND	2009-10	2010-11
All Other	(\$13,603)	(\$13,603)
GENERAL FUND TOTAL	(\$13,603)	(\$13,603)

**CENTERS FOR INNOVATION 0911
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
All Other	\$122,429	\$122,429
GENERAL FUND TOTAL	\$122,429	\$122,429

CENTERS FOR INNOVATION

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$122,429	\$122,429

DEPARTMENT TOTAL - ALL FUNDS	\$122,429	\$122,429
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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	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
All Other	\$54,429,035	\$54,429,035
GENERAL FUND TOTAL	\$54,429,035	\$54,429,035

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,797,181	\$1,797,181

OTHER SPECIAL	\$1,797,181	\$1,797,181
REVENUE FUNDS TOTAL		

Maine Community College System - Board of Trustees 0556

Initiative: Provides funding for the ongoing cost of collective bargaining agreements authorized for transfer from the General Fund salary plan for fiscal years 2007-08 and 2008-09 in Public Law 2007, chapter 240, Part SSS.

GENERAL FUND	2009-10	2010-11
All Other	\$1,753,149	\$1,753,149
GENERAL FUND TOTAL	\$1,753,149	\$1,753,149

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding to bring allocations into line with projected available resources based on the rejections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$189,534)	(\$180,451)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$189,534)	(\$180,451)

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,491,356)	(\$1,491,356)
GENERAL FUND TOTAL	(\$1,491,356)	(\$1,491,356)

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding only in fiscal years 2009-10 and 2010-11 to maintain costs within available resources due to the May 1, 2009 downward revenue projection.

GENERAL FUND	2009-10	2010-11
All Other	(\$785,604)	(\$785,604)
GENERAL FUND TOTAL	(\$785,604)	(\$785,604)

Maine Community College System - Board of Trustees 0556

Initiative: Provides funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$1,791,041	\$1,791,041
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$1,791,041	\$1,791,041

MAINE COMMUNITY COLLEGE SYSTEM - BOARD OF TRUSTEES 0556

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$53,905,224	\$53,905,224
GENERAL FUND TOTAL	\$53,905,224	\$53,905,224

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,607,647	\$1,616,730
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,607,647	\$1,616,730

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$1,791,041	\$1,791,041
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$1,791,041	\$1,791,041

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$53,905,224	\$53,905,224
OTHER SPECIAL REVENUE FUNDS	\$1,607,647	\$1,616,730
FEDERAL EXPENDITURES FUND ARRA	\$1,791,041	\$1,791,041

DEPARTMENT TOTAL - ALL FUNDS	\$57,303,912	\$57,312,995
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Sec. A-12. Appropriations and allocations.

The following appropriations and allocations are made.

CONSERVATION, DEPARTMENT OF

Administration - Forestry 0223

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$190,535	\$193,681
All Other	\$30,921	\$30,921

GENERAL FUND TOTAL	\$221,456	\$224,602
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$132,604	\$135,202
All Other	\$26,493	\$26,493

FEDERAL EXPENDITURES FUND TOTAL	\$159,097	\$161,695
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$261,376	\$261,376

OTHER SPECIAL REVENUE FUNDS TOTAL	\$261,376	\$261,376
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ADMINISTRATION - FORESTRY 0223

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$190,535	\$193,681
All Other	\$30,921	\$30,921

GENERAL FUND TOTAL	\$221,456	\$224,602
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$132,604	\$135,202
All Other	\$26,493	\$26,493

FEDERAL EXPENDITURES FUND TOTAL	\$159,097	\$161,695
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$261,376	\$261,376

OTHER SPECIAL REVENUE FUNDS TOTAL	\$261,376	\$261,376
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Administrative Services - Conservation 0222

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$352,275	\$359,571
All Other	\$1,532,581	\$1,532,581

GENERAL FUND TOTAL	\$1,884,856	\$1,892,152
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$215,816	\$224,586
All Other	\$914,175	\$914,175

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,129,991	\$1,138,761
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Administrative Services - Conservation 0222

Initiative: Continues one limited-period Public Service Coordinator I position in the Maine State Parks Development Fund program and provides funding for the associated All Other costs in the Administrative Services - Conservation program. This position was originally established in Resolve 2007, chapter 130. This position will end on or before June 30, 2010.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,500	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500	\$0
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Administrative Services - Conservation 0222

Initiative: Provides funding for the same level of support services from the Natural Resources Service Center for fiscal years 2009-10 and 2010-11 based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$26,836	\$32,071
GENERAL FUND TOTAL	\$26,836	\$32,071
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$56,949	\$65,266
OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,949	\$65,266

Administrative Services - Conservation 0222

Initiative: Provides funding for the increased sale of merchandise.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,000	\$15,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,000	\$15,000

Administrative Services - Conservation 0222

Initiative: Adjusts funding for fiscal years 2009-10 and 2010-11 enhancements to existing information technology applications.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,638	\$3,638
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,638	\$3,638

Administrative Services - Conservation 0222

Initiative: Adjusts funding for the cost of radio support services to be provided by the Office of Information Technology.

GENERAL FUND	2009-10	2010-11
All Other	\$157,807	\$157,807
GENERAL FUND TOTAL	\$157,807	\$157,807

Administrative Services - Conservation 0222

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$11,634	\$11,634
GENERAL FUND TOTAL	\$11,634	\$11,634
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,981	\$4,981
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,981	\$4,981

Administrative Services - Conservation 0222

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

GENERAL FUND	2009-10	2010-11
All Other	\$11,387	\$11,387
GENERAL FUND TOTAL	\$11,387	\$11,387
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,332	\$2,332
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,332	\$2,332

Administrative Services - Conservation 0222

Initiative: Transfers one Secretary Specialist position from the General Fund to Other Special Revenue Funds within the same program and reduces general operations, travel and employee training to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(1,000)	(1,000)
Personal Services	(\$72,886)	(\$74,033)
All Other	(\$2,054)	\$0

GENERAL FUND TOTAL	(\$74,940)	(\$74,033)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,886	\$74,033
All Other	(\$2,615)	(\$4,730)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$70,271	\$69,303

Administrative Services - Conservation 0222

Initiative: Eliminates funding for direct-billed services for a portion of one Systems Analyst position in the Office of Information Technology.

GENERAL FUND	2009-10	2010-11
All Other	(\$88,143)	(\$88,143)
GENERAL FUND TOTAL	(\$88,143)	(\$88,143)

Administrative Services - Conservation 0222

Initiative: Eliminates one Hydrogeologist position funded 50% from the Geological Survey program and 50% from the Mining Operations program and reduces funding for associated All Other costs in the Administrative Services - Conservation program.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,500)	(\$2,500)
GENERAL FUND TOTAL	(\$2,500)	(\$2,500)

Administrative Services - Conservation 0222

Initiative: Transfers one seasonal Office Associate II position from the Division of Forest Protection program to the Administrative Services - Conservation program and increases the position to full-time. Also changes the funding from 100% General Fund to 62% General Fund and 38% Other Special Revenue Funds within the Administrative Services - Conservation program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$28,656	\$30,367
GENERAL FUND TOTAL	\$28,656	\$30,367

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$17,692	\$18,759
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,692	\$18,759

ADMINISTRATIVE SERVICES - CONSERVATION 0222 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$308,045	\$315,905
All Other	\$1,647,548	\$1,654,837
GENERAL FUND TOTAL	\$1,955,593	\$1,970,742

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$306,394	\$317,378
All Other	\$996,960	\$1,000,662
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,303,354	\$1,318,040

Boating Facilities Fund 0226

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.500	9.500
POSITIONS - FTE COUNT	1.673	1.673
Personal Services	\$790,540	\$805,454
All Other	\$997,139	\$997,139
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,787,679	\$1,802,593

Boating Facilities Fund 0226

Initiative: Eliminates one part-time Park Maintenance Coordinator position in the Boating Facilities Fund program, Other Special Revenue Funds and reorganizes one part-time Park Maintenance Coordinator position to full-time in the Parks - General Operations program, General Fund and reallocates the funding from

100% General Fund to 50% General Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Boating Facilities Fund program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$213)	(\$204)
All Other	\$1,015	\$1,032
	\$802	\$828

OTHER SPECIAL REVENUE FUNDS TOTAL

Boating Facilities Fund 0226

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

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$216,697)	(\$216,697)
Capital Expenditures	\$598,000	\$615,000
	\$381,303	\$398,303

OTHER SPECIAL REVENUE FUNDS TOTAL

Boating Facilities Fund 0226

Initiative: Provides funding for new capital equipment.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$5,500	\$0
	\$5,500	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL

Boating Facilities Fund 0226

Initiative: Provides funding for capital equipment replacements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$21,000	\$13,000
	\$21,000	\$13,000

OTHER SPECIAL REVENUE FUNDS TOTAL

Boating Facilities Fund 0226

Initiative: Establishes 2 26-week seasonal Navigational Aide Assistant positions in the Boating Facilities Fund program and transfers All Other to Personal

Services to fund the positions. These limited-period positions will end no later than October 31, 2012.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$51,966	\$54,572
All Other	(\$51,966)	(\$54,572)
	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL

Boating Facilities Fund 0226

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,043	\$1,043
	\$1,043	\$1,043

OTHER SPECIAL REVENUE FUNDS TOTAL

Boating Facilities Fund 0226

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,046	\$1,046
	\$1,046	\$1,046

OTHER SPECIAL REVENUE FUNDS TOTAL

BOATING FACILITIES FUND 0226

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	1.673	1.673
Personal Services	\$842,293	\$859,822
All Other	\$731,580	\$728,991
Capital Expenditures	\$624,500	\$628,000
	\$2,198,373	\$2,216,813

OTHER SPECIAL REVENUE FUNDS TOTAL

Coastal Island Registry 0241

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$107	\$107
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107	\$107

COASTAL ISLAND REGISTRY 0241 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$107	\$107
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107	\$107

Division of Forest Protection 0232

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	91.000	91.000
POSITIONS - FTE COUNT	6.315	6.315
Personal Services	\$7,550,138	\$7,732,294
All Other	\$1,917,004	\$1,917,004
GENERAL FUND TOTAL	\$9,467,142	\$9,649,298

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - FTE COUNT	4.122	4.122
Personal Services	\$167,963	\$172,883
All Other	\$512,416	\$512,416
FEDERAL EXPENDITURES FUND TOTAL	\$680,379	\$685,299

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$226,154	\$226,154
OTHER SPECIAL REVENUE FUNDS TOTAL	\$226,154	\$226,154

Division of Forest Protection 0232

Initiative: Provides funding for the approved range changes of one Forest Ranger III position from range

19 to range 21 and 57 Forest Ranger II positions from range 17 to range 19.

GENERAL FUND	2009-10	2010-11
Personal Services	\$284,489	\$288,900
GENERAL FUND TOTAL	\$284,489	\$288,900

Division of Forest Protection 0232

Initiative: Provides funding for the reimbursement of Personal Services costs within the Maine Forest Service in accordance with the federal Office of Management and Budget Circular A-87.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$75,000	\$75,000
All Other	\$1,225	\$1,225
FEDERAL EXPENDITURES FUND TOTAL	\$76,225	\$76,225

Division of Forest Protection 0232

Initiative: Provides funding due to an increase in cooperative forestry assistance grants received from the United States Department of Agriculture.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
FEDERAL EXPENDITURES FUND TOTAL	\$300,000	\$300,000

Division of Forest Protection 0232

Initiative: Provides funding for capital improvements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$80,000	\$80,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,000	\$80,000

Division of Forest Protection 0232

Initiative: Transfers one Forest Ranger III position from the General Fund to the Federal Expenditures Fund in each year of the 2010-2011 biennium and one Supervisor Radio Communications position from the General Fund to the Federal Expenditures Fund in the second year of the 2010-2011 biennium within the same program.

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GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(2.000)
Personal Services	(\$65,131)	(\$144,516)
GENERAL FUND TOTAL	(\$65,131)	(\$144,516)

POSITIONS - FTE COUNT	4.122	4.122
Personal Services	\$308,094	\$392,399
All Other	\$813,641	\$813,641
FEDERAL EXPENDITURES FUND TOTAL	\$1,121,735	\$1,206,040

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	2.000
Personal Services	\$65,131	\$144,516
FEDERAL EXPENDITURES FUND TOTAL	\$65,131	\$144,516

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$226,154	\$226,154
Capital Expenditures	\$80,000	\$80,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$306,154	\$306,154

Division of Forest Protection 0232

Initiative: Transfers one seasonal Office Associate II position from the Division of Forest Protection program to the Administrative Services - Conservation program and increases the position to full-time. Also changes the funding from 100% General Fund to 62% General Fund and 38% Other Special Revenue Funds within the Administrative Services - Conservation program.

GENERAL FUND	2009-10	2010-11
POSITIONS - FTE COUNT	(0.615)	(0.615)
Personal Services	(\$28,656)	(\$30,367)
GENERAL FUND TOTAL	(\$28,656)	(\$30,367)

Forest Fire Control - Municipal Assistance Grants 0300

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$47,356	\$47,356
GENERAL FUND TOTAL	\$47,356	\$47,356

DIVISION OF FOREST PROTECTION 0232 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	90.000	89.000
POSITIONS - FTE COUNT	5.700	5.700
Personal Services	\$7,740,840	\$7,846,311
All Other	\$1,917,004	\$1,917,004
GENERAL FUND TOTAL	\$9,657,844	\$9,763,315

FOREST FIRE CONTROL - MUNICIPAL ASSISTANCE GRANTS 0300 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$47,356	\$47,356
GENERAL FUND TOTAL	\$47,356	\$47,356

Forest Health and Monitoring 0233

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$867,464	\$892,272
All Other	\$96,197	\$96,197
GENERAL FUND TOTAL	\$963,661	\$988,469

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	2.000

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.500	1.500

POSITIONS - FTE COUNT	5.889	5.889
Personal Services	\$693,855	\$718,027
All Other	\$228,628	\$228,628

FEDERAL EXPENDITURES FUND TOTAL	\$922,483	\$946,655
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$56,171	\$56,171

OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,171	\$56,171
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Forest Health and Monitoring 0233

Initiative: Provides funding for the reimbursement of Personal Services costs within the Maine Forest Service in accordance with the federal Office of Management and Budget Circular A-87.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$75,000	\$75,000
All Other	\$1,225	\$1,225

FEDERAL EXPENDITURES FUND TOTAL	\$76,225	\$76,225
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Forest Health and Monitoring 0233

Initiative: Eliminates one part-time Office Assistant II position in the Forest Health and Monitoring program and reorganizes one part-time Office Assistant II position in the Division of Forest Policy and Management program to full-time to be funded 50% in the Forest Health and Monitoring program and 50% in the Division of Forest Policy and Management program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$666)	(\$688)
All Other	\$318	\$334

FEDERAL EXPENDITURES FUND TOTAL	(\$348)	(\$354)
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FOREST HEALTH AND MONITORING 0233

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$867,464	\$892,272
All Other	\$96,197	\$96,197

GENERAL FUND TOTAL	\$963,661	\$988,469
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**FEDERAL
EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
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POSITIONS - FTE COUNT	5.889	5.889
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Personal Services	\$768,189	\$792,339
All Other	\$230,171	\$230,187

FEDERAL EXPENDITURES FUND TOTAL	\$998,360	\$1,022,526
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**OTHER SPECIAL
REVENUE FUNDS**

All Other	\$56,171	\$56,171
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,171	\$56,171
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Forest Policy and Management - Division of 0240

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,616,675	\$1,660,877
All Other	\$345,568	\$345,568

GENERAL FUND TOTAL	\$1,962,243	\$2,006,445
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**FEDERAL
EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	7.500	7.500
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Personal Services	\$534,516	\$554,715
All Other	\$1,343,451	\$1,343,451

FEDERAL EXPENDITURES FUND TOTAL	\$1,877,967	\$1,898,166
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**OTHER SPECIAL
REVENUE FUNDS**

	2009-10	2010-11
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FIRST REGULAR SESSION - 2009

PUBLIC LAW, C. 213

All Other	\$110,258	\$110,258
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$110,258	\$110,258

Forest Policy and Management - Division of 0240

Initiative: Provides funding for the reimbursement of Personal Services costs within the Maine Forest Service in accordance with the federal Office of Management and Budget Circular A-87.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$75,000	\$75,000
All Other	\$1,225	\$1,225
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FEDERAL EXPENDITURES FUND TOTAL	\$76,225	\$76,225

Forest Policy and Management - Division of 0240

Initiative: Eliminates one part-time Office Assistant II position in the Forest Health and Monitoring program and reorganizes one part-time Office Assistant II position in the Division of Forest Policy and Management program to full-time to be funded 50% in the Forest Health and Monitoring program and 50% in the Division of Forest Policy and Management program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	(\$810)	(\$810)
<hr/>		
FEDERAL EXPENDITURES FUND TOTAL	(\$810)	(\$810)

FOREST POLICY AND MANAGEMENT - DIVISION OF 0240

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,616,675	\$1,660,877
All Other	\$345,568	\$345,568
<hr/>		
GENERAL FUND TOTAL	\$1,962,243	\$2,006,445

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$608,706	\$628,905
All Other	\$1,344,676	\$1,344,676
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FEDERAL EXPENDITURES FUND TOTAL	\$1,953,382	\$1,973,581
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$110,258	\$110,258
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$110,258	\$110,258

Forest Recreation Resource Fund 0354

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$88,769	\$90,926
All Other	\$3,352	\$3,352
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$92,121	\$94,278

Forest Recreation Resource Fund 0354

Initiative: Eliminates one seasonal Assistant Park Ranger position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	(0.308)	(0.308)
Personal Services	(\$14,864)	(\$15,567)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$14,864)	(\$15,567)

FOREST RECREATION RESOURCE FUND 0354

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$73,905	\$75,359
All Other	\$3,352	\$3,352
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$77,257	\$78,711

Geological Survey 0237

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$922,060	\$940,498
All Other	\$29,442	\$29,442
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$951,502	\$969,940

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$167,528	\$167,528
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$167,528	\$167,528

Geological Survey 0237

Initiative: Eliminates one Office Associate II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$58,752)	(\$59,769)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$58,752)	(\$59,769)

Geological Survey 0237

Initiative: Eliminates one Hydrogeologist position funded 50% from the Geological Survey program and 50% from the Mining Operations program and reduces funding for associated All Other costs in the Administrative Services - Conservation program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$44,235)	(\$44,900)

GENERAL FUND TOTAL	<hr/>	<hr/>
	(\$44,235)	(\$44,900)

**GEOLOGICAL SURVEY 0237
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$819,073	\$835,829
All Other	\$29,442	\$29,442
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$848,515	\$865,271

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$167,528	\$167,528
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$167,528	\$167,528

Land Management and Planning 0239

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	42.000	42.000
POSITIONS - FTE COUNT	3.463	3.463
Personal Services	\$3,469,803	\$3,566,789
All Other	\$1,554,448	\$1,554,448
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,024,251	\$5,121,237

Land Management and Planning 0239

Initiative: Provides funding for the administration of forest legacy projects.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$37,557	\$37,557
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557

Land Management and Planning 0239

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

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$900,000	\$900,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$900,000	\$900,000

Land Management and Planning 0239

Initiative: Provides funding for capital improvements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$155,000	\$155,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$155,000	\$155,000

Land Management and Planning 0239

Initiative: Provides funding for capital equipment replacements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$24,000	\$24,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$24,000	\$24,000

Land Management and Planning 0239

Initiative: Reorganizes one 26-week seasonal Park Ranger position to one full-time Park Ranger position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	\$26,898	\$27,382
OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,898	\$27,382

Land Management and Planning 0239

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$6,679	\$8,294

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,679	\$8,294
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Land Management and Planning 0239

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,213	\$1,213
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,213	\$1,213

Land Management and Planning 0239

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$763	\$763
OTHER SPECIAL REVENUE FUNDS TOTAL	\$763	\$763

LAND MANAGEMENT AND PLANNING 0239 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$37,557	\$37,557
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	43.000	43.000
POSITIONS - FTE COUNT	2.963	2.963
Personal Services	\$3,496,701	\$3,594,171
All Other	\$1,563,103	\$1,564,718
Capital Expenditures	\$1,079,000	\$1,079,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,138,804	\$6,237,889
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Land Use Regulation Commission 0236

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	25.500	25.500
Personal Services	\$1,934,522	\$1,991,776
All Other	\$242,283	\$242,283
GENERAL FUND TOTAL	\$2,176,805	\$2,234,059

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$268,178	\$268,178
OTHER SPECIAL REVENUE FUNDS TOTAL	\$268,178	\$268,178

Land Use Regulation Commission 0236

Initiative: Eliminates funding for a new vehicle.

GENERAL FUND	2009-10	2010-11
All Other	(\$6,600)	(\$6,600)
GENERAL FUND TOTAL	(\$6,600)	(\$6,600)

Land Use Regulation Commission 0236

Initiative: Reduces funding for a temporary services contract.

GENERAL FUND	2009-10	2010-11
All Other	(\$16,000)	(\$16,000)
GENERAL FUND TOTAL	(\$16,000)	(\$16,000)

Land Use Regulation Commission 0236

Initiative: Reduces funding for a seasonal vehicle rental from Central Fleet Management.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,400)	(\$2,400)
GENERAL FUND TOTAL	(\$2,400)	(\$2,400)

Land Use Regulation Commission 0236

Initiative: Reduces funding for services provided by the Attorney General's office to review commission meetings due to a reduction in the meetings to be held.

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

Land Use Regulation Commission 0236

Initiative: Reduces funding for training.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,200)	(\$2,200)
GENERAL FUND TOTAL	(\$2,200)	(\$2,200)

Land Use Regulation Commission 0236

Initiative: Reduces funding for printing, mailing and publications.

GENERAL FUND	2009-10	2010-11
All Other	(\$25,000)	(\$25,000)
GENERAL FUND TOTAL	(\$25,000)	(\$25,000)

Land Use Regulation Commission 0236

Initiative: Reduces funding for staff travel expenditures.

GENERAL FUND	2009-10	2010-11
All Other	(\$12,500)	(\$12,500)
GENERAL FUND TOTAL	(\$12,500)	(\$12,500)

Land Use Regulation Commission 0236

Initiative: Reduces funding for public hearing expenditures.

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

LAND USE REGULATION COMMISSION 0236 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	25.500	25.500
Personal Services	\$1,934,522	\$1,991,776
All Other	\$157,583	\$157,583
GENERAL FUND TOTAL	\$2,092,105	\$2,149,359

OTHERSPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$268,178	\$268,178

OTHER SPECIAL \$268,178 \$268,178
 REVENUE FUNDS TOTAL

Maine Conservation Corps Z030

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,800	\$81,016
All Other	\$3,135	\$3,135
GENERAL FUND TOTAL	\$82,935	\$84,151

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$128,413	\$133,575
All Other	\$180,267	\$180,267
FEDERAL EXPENDITURES FUND TOTAL	\$308,680	\$313,842

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$74,231	\$76,819
All Other	\$132,703	\$132,703
OTHER SPECIAL REVENUE FUNDS TOTAL	\$206,934	\$209,522

Maine Conservation Corps Z030

Initiative: Provides funding for the Maine Conservation Corps program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$163,000	\$163,000
FEDERAL EXPENDITURES FUND TOTAL	\$163,000	\$163,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$492,000	\$492,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$492,000	\$492,000

Maine Conservation Corps Z030

Initiative: Establishes one limited-period Volunteer Services Assistant position within the Maine Conservation Corps. This position will end on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$53,139	\$55,949
All Other	\$1,538	\$1,620
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,677	\$57,569

MAINE CONSERVATION CORPS Z030 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,800	\$81,016
All Other	\$3,135	\$3,135
GENERAL FUND TOTAL	\$82,935	\$84,151

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$128,413	\$133,575
All Other	\$343,267	\$343,267
FEDERAL EXPENDITURES FUND TOTAL	\$471,680	\$476,842

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$127,370	\$132,768
All Other	\$626,241	\$626,323
OTHER SPECIAL REVENUE FUNDS TOTAL	\$753,611	\$759,091

Maine State Parks Development Fund 0342

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	4.500	4.500

Personal Services	\$370,881	\$381,584
All Other	\$376,803	\$376,803
	<hr/>	<hr/>
OTHER SPECIAL	\$747,684	\$758,387
REVENUE FUNDS TOTAL		

Maine State Parks Development Fund 0342

Initiative: Continues one limited-period Public Service Coordinator I position in the Maine State Parks Development Fund program and provides funding for the associated All Other costs in the Administrative Services - Conservation program. This position was originally established in Resolve 2007, chapter 130. This position will end on or before June 30, 2010.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$84,382	\$0
All Other	\$6,045	\$0
	<hr/>	<hr/>
OTHER SPECIAL	\$90,427	\$0
REVENUE FUNDS TOTAL		

Maine State Parks Development Fund 0342

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,038	\$3,038
	<hr/>	<hr/>
OTHER SPECIAL	\$3,038	\$3,038
REVENUE FUNDS TOTAL		

Maine State Parks Development Fund 0342

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,028	\$1,028
	<hr/>	<hr/>
OTHER SPECIAL	\$1,028	\$1,028
REVENUE FUNDS TOTAL		

MAINE STATE PARKS DEVELOPMENT FUND 0342

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

POSITIONS - FTE COUNT	4.500	4.500
Personal Services	\$455,263	\$381,584
All Other	\$386,914	\$380,869
	<hr/>	<hr/>
OTHER SPECIAL	\$842,177	\$762,453
REVENUE FUNDS TOTAL		

Maine State Parks Program 0746

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$373,753	\$373,753
	<hr/>	<hr/>
OTHER SPECIAL	\$373,753	\$373,753
REVENUE FUNDS TOTAL		

Maine State Parks Program 0746

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,115	\$5,115
	<hr/>	<hr/>
OTHER SPECIAL	\$5,115	\$5,115
REVENUE FUNDS TOTAL		

Maine State Parks Program 0746

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,615	\$1,615
	<hr/>	<hr/>
OTHER SPECIAL	\$1,615	\$1,615
REVENUE FUNDS TOTAL		

MAINE STATE PARKS PROGRAM 0746

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$380,483	\$380,483
	<hr/>	<hr/>
OTHER SPECIAL	\$380,483	\$380,483
REVENUE FUNDS TOTAL		

Mining Operations 0230

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$243,297	\$247,008
All Other	\$93,502	\$93,502
OTHER SPECIAL REVENUE FUNDS TOTAL	\$336,799	\$340,510

Mining Operations 0230

Initiative: Eliminates one Hydrogeologist position funded 50% from the Geological Survey program and 50% from the Mining Operations program and reduces funding for associated All Other costs in the Administrative Services - Conservation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$44,232)	(\$44,895)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$44,232)	(\$44,895)

MINING OPERATIONS 0230 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$199,065	\$202,113
All Other	\$93,502	\$93,502
OTHER SPECIAL REVENUE FUNDS TOTAL	\$292,567	\$295,615

Natural Areas Program 0821

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$98,247	\$99,744
All Other	\$19,162	\$19,162
GENERAL FUND TOTAL	\$117,409	\$118,906

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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Personal Services	\$16,329	\$17,256
All Other	\$133,941	\$133,941

FEDERAL EXPENDITURES FUND TOTAL	\$150,270	\$151,197
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$455,556	\$473,182
All Other	\$16,145	\$16,145

OTHER SPECIAL REVENUE FUNDS TOTAL	\$471,701	\$489,327
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Natural Areas Program 0821

Initiative: Provides funding for Maine Outdoor Heritage Fund projects.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000
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Natural Areas Program 0821

Initiative: Reduces funding for expenses related to listing federally endangered species in the State.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,904)	(\$4,216)

GENERAL FUND TOTAL	(\$3,904)	(\$4,216)
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$3,904)	(\$4,216)

FEDERAL EXPENDITURES FUND TOTAL	(\$3,904)	(\$4,216)
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NATURAL AREAS PROGRAM 0821 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$98,247	\$99,744

All Other	\$15,258	\$14,946
GENERAL FUND TOTAL	\$113,505	\$114,690

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$16,329	\$17,256
All Other	\$130,037	\$129,725
FEDERAL EXPENDITURES FUND TOTAL	\$146,366	\$146,981

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$455,556	\$473,182
All Other	\$166,145	\$166,145
OTHER SPECIAL REVENUE FUNDS TOTAL	\$621,701	\$639,327

Off-road Recreational Vehicles Program 0224

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	3.222	3.222
Personal Services	\$581,504	\$591,649
All Other	\$4,389,923	\$4,389,923
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,971,427	\$4,981,572

Off-road Recreational Vehicles Program 0224

Initiative: Reorganizes 4 seasonal intermittent Recreational Trails Coordinator positions in the Off-road Recreational Vehicles Program from 22 weeks to 26 weeks.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$11,686	\$11,810
All Other	\$338	\$342

OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,024	\$12,152
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Off-road Recreational Vehicles Program 0224

Initiative: Provides funding for trail maintenance and increased grants to clubs and municipalities.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$699,889	\$726,491
Capital Expenditures	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$724,889	\$751,491
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Off-road Recreational Vehicles Program 0224

Initiative: Provides funding for the management of the Downeast Sunrise Trail.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$45,950	\$45,950

OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,950	\$45,950
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Off-road Recreational Vehicles Program 0224

Initiative: Provides funding for new capital equipment.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$30,000	\$10,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$10,000
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Off-road Recreational Vehicles Program 0224

Initiative: Provides funding for capital equipment replacements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$0	\$7,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$7,500
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OFF-ROAD RECREATIONAL VEHICLES PROGRAM 0224

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	3.530	3.530
Personal Services	\$593,190	\$603,459
All Other	\$5,136,100	\$5,162,706
Capital Expenditures	\$55,000	\$42,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,784,290	\$5,808,665

Parks - General Operations 0221

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	46.500	46.500
POSITIONS - FTE COUNT	80.716	80.716
Personal Services	\$6,852,032	\$7,016,906
All Other	\$692,742	\$692,742
GENERAL FUND TOTAL	\$7,544,774	\$7,709,648

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
Personal Services	\$42,748	\$45,039
All Other	\$1,247,833	\$1,247,833
FEDERAL EXPENDITURES FUND TOTAL	\$1,290,581	\$1,292,872

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.808	0.808
Personal Services	\$107,404	\$110,149
All Other	\$198,628	\$198,628
OTHER SPECIAL REVENUE FUNDS TOTAL	\$306,032	\$308,777

Parks - General Operations 0221

Initiative: Eliminates one part-time Park Maintenance Coordinator position in the Boating Facilities Fund program, Other Special Revenue Funds and reorgan-

izes one part-time Park Maintenance Coordinator position to full-time in the Parks - General Operations program, General Fund and reallocates the funding from 100% General Fund to 50% General Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Boating Facilities Fund program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	(\$810)	(\$809)
GENERAL FUND TOTAL	(\$810)	(\$809)

Parks - General Operations 0221

Initiative: Provides funding for Maine Outdoor Heritage Fund projects.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$120,000	\$120,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$120,000	\$120,000

Parks - General Operations 0221

Initiative: Provides funding for access improvement grants.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

Parks - General Operations 0221

Initiative: Provides funding for capital improvements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Parks - General Operations 0221

Initiative: Reorganizes one Park Manager I position to a 26-week seasonal Park Manager I position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	(\$31,064)	(\$31,729)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$31,064)	(\$31,729)

Personal Services	\$58,432	\$59,662
All Other	\$418,628	\$418,628
Capital Expenditures	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$527,060	\$528,290

Parks - General Operations 0221

Initiative: Eliminates one seasonal Laborer II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	(0.385)	(0.385)
Personal Services	(\$17,908)	(\$18,758)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$17,908)	(\$18,758)

**CONSERVATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$25,489,177	\$25,923,239
FEDERAL EXPENDITURES FUND	\$6,346,286	\$6,485,622
OTHER SPECIAL REVENUE FUNDS	\$19,921,921	\$20,027,621
DEPARTMENT TOTAL - ALL FUNDS	\$51,757,384	\$52,436,482

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

**PARKS - GENERAL OPERATIONS 0221
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
POSITIONS - FTE COUNT	80.716	80.716
Personal Services	\$6,851,222	\$7,016,097
All Other	\$692,742	\$692,742
GENERAL FUND TOTAL	\$7,543,964	\$7,708,839
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$42,748	\$45,039
All Other	\$1,247,833	\$1,247,833
FEDERAL EXPENDITURES FUND TOTAL	\$1,290,581	\$1,292,872

CORRECTIONS - STATE BOARD OF

State Board of Corrections Investment Fund Z087

Initiative: Transfers funds from the Department of Corrections to the State Board of Corrections.

GENERAL FUND	2009-10	2010-11
All Other	\$5,666,562	\$5,666,562
GENERAL FUND TOTAL	\$5,666,562	\$5,666,562
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$262,016	\$262,016
OTHER SPECIAL REVENUE FUNDS TOTAL	\$262,016	\$262,016

State Board of Corrections Investment Fund Z087

Initiative: Transfers funds from the judicial branch to the State Board of Corrections.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$743,991	\$743,991
OTHER SPECIAL REVENUE FUNDS TOTAL	\$743,991	\$743,991

State Board of Corrections Investment Fund Z087

Initiative: Provides additional funding to support county jail costs.

GENERAL FUND	2009-10	2010-11
All Other	\$3,500,000	\$0
GENERAL FUND TOTAL	\$3,500,000	\$0

STATE BOARD OF CORRECTIONS INVESTMENT FUND Z087

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$9,166,562	\$5,666,562
GENERAL FUND TOTAL	\$9,166,562	\$5,666,562

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,006,007	\$1,006,007
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,006,007	\$1,006,007

CORRECTIONS - STATE BOARD OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$9,166,562	\$5,666,562
OTHER SPECIAL REVENUE FUNDS	\$1,006,007	\$1,006,007
DEPARTMENT TOTAL - ALL FUNDS	\$10,172,569	\$6,672,569

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,187,640	\$2,157,389
All Other	\$4,707,708	\$4,707,708
GENERAL FUND TOTAL	\$6,895,348	\$6,865,097

FEDERAL EXPENDITURES FUND	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$287,297	\$289,737
All Other	\$883,620	\$883,620
FEDERAL EXPENDITURES FUND TOTAL	\$1,170,917	\$1,173,357

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$123,882	\$127,556
All Other	\$442,284	\$442,284
OTHER SPECIAL REVENUE FUNDS TOTAL	\$566,166	\$569,840

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$500,000	\$500,000
FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000

Administration - Corrections 0141

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	\$1,572,713	\$1,558,762
GENERAL FUND TOTAL	\$1,572,713	\$1,558,762

Administration - Corrections 0141

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$56,801	\$56,801

GENERAL FUND TOTAL	\$56,801	\$56,801
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$47,676	\$51,906
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,676	\$51,906

Administration - Corrections 0141

Initiative: Adjusts funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$112	\$189
OTHER SPECIAL REVENUE FUNDS TOTAL	\$112	\$189

Administration - Corrections 0141

Initiative: Transfers 3 Substitute Teacher positions from the Long Creek Youth Development Center to the Mountain View Youth Development Center and one Nurse II position from the Maine State Prison to the Administration - Corrections program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,222	\$85,023
GENERAL FUND TOTAL	\$83,222	\$85,023

Administration - Corrections 0141

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$102,949	\$102,949
GENERAL FUND TOTAL	\$102,949	\$102,949

Administration - Corrections 0141

Initiative: Adjusts funding for the cost of radio support services to be provided by the Office of Information Technology.

GENERAL FUND	2009-10	2010-11
All Other	\$129,939	\$129,939

GENERAL FUND TOTAL	\$129,939	\$129,939
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Administration - Corrections 0141

Initiative: Adjusts funding for information technology equipment to meet agency program needs.

GENERAL FUND	2009-10	2010-11
All Other	\$15,200	\$0

GENERAL FUND TOTAL	\$15,200	\$0
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Administration - Corrections 0141

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program, one Correctional Compliance Monitor position in the Administration - Corrections program, 2 Probation Officer positions in the Adult Community Corrections program and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces funding for related All Other costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$42,963)	(\$46,350)
GENERAL FUND TOTAL	(\$42,963)	(\$46,350)

Administration - Corrections 0141

Initiative: Provides funding for debt service related to facility improvements.

GENERAL FUND	2009-10	2010-11
All Other	\$127,284	\$127,284

GENERAL FUND TOTAL	\$127,284	\$127,284
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Administration - Corrections 0141

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,017)	(\$2,017)

GENERAL FUND TOTAL	(\$2,017)	(\$2,017)
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Administration - Corrections 0141

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
All Other	(\$376)	(\$376)
GENERAL FUND TOTAL	(\$376)	(\$376)

Administration - Corrections 0141

Initiative: Deappropriates funds from a 5% reduction in travel.

GENERAL FUND	2009-10	2010-11
All Other	(\$385)	(\$923)
GENERAL FUND TOTAL	(\$385)	(\$923)

Administration - Corrections 0141

Initiative: Deappropriates funds from reductions in leadership development contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,591)	(\$11,591)
GENERAL FUND TOTAL	(\$11,591)	(\$11,591)

ADMINISTRATION - CORRECTIONS 0141

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,227,899	\$2,196,062
All Other	\$6,698,225	\$6,668,536
GENERAL FUND TOTAL	\$8,926,124	\$8,864,598

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$287,297	\$289,737
All Other	\$883,620	\$883,620
FEDERAL EXPENDITURES FUND TOTAL	\$1,170,917	\$1,173,357

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Personal Services	\$123,882	\$127,556
All Other	\$490,072	\$494,379

OTHER SPECIAL REVENUE FUNDS TOTAL	\$613,954	\$621,935
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FEDERAL BLOCK GRANT FUND

All Other	\$500,000	\$500,000
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FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000
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Adult Community Corrections 0124

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	97.000	97.000
Personal Services	\$8,450,466	\$8,409,479
All Other	\$1,344,842	\$1,344,842
GENERAL FUND TOTAL	\$9,795,308	\$9,754,321

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$177,160	\$177,811
All Other	\$656,101	\$656,101

FEDERAL EXPENDITURES FUND TOTAL	\$833,261	\$833,912
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OTHER SPECIAL REVENUE FUNDS

All Other	\$49,616	\$49,616
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,616	\$49,616
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Adult Community Corrections 0124

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$241,005)	(\$241,005)
GENERAL FUND TOTAL	(\$241,005)	(\$241,005)

Adult Community Corrections 0124

Initiative: Adjusts funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$327)	(\$327)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$327)	(\$327)

Adult Community Corrections 0124

Initiative: Provides funding for vehicles leased from Central Fleet Management for Adult Community Corrections probation officers.

GENERAL FUND	2009-10	2010-11
All Other	\$307,510	\$309,601
GENERAL FUND TOTAL	\$307,510	\$309,601

Adult Community Corrections 0124

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program, one Correctional Compliance Monitor position in the Administration - Corrections program, 2 Probation Officer positions in the Adult Community Corrections program and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces funding for related All Other costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$159,239)	(\$162,629)
All Other	(\$17,056)	(\$17,348)
GENERAL FUND TOTAL	(\$176,295)	(\$179,977)

Adult Community Corrections 0124

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$4,371)	(\$4,371)
GENERAL FUND TOTAL	(\$4,371)	(\$4,371)

Adult Community Corrections 0124

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,202)	(\$2,202)
GENERAL FUND TOTAL	(\$2,202)	(\$2,202)

Adult Community Corrections 0124

Initiative: Deappropriates funds from a 5% reduction in travel.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,163)	(\$5,191)
GENERAL FUND TOTAL	(\$2,163)	(\$5,191)

Adult Community Corrections 0124

Initiative: Deappropriates funds from reductions in leadership development contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$13,192)	(\$13,192)
GENERAL FUND TOTAL	(\$13,192)	(\$13,192)

ADULT COMMUNITY CORRECTIONS 0124

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	95,000	95,000
Personal Services	\$8,291,227	\$8,246,850
All Other	\$1,372,363	\$1,371,134
GENERAL FUND TOTAL	\$9,663,590	\$9,617,984

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$177,160	\$177,811
All Other	\$656,101	\$656,101

FEDERAL EXPENDITURES FUND TOTAL	\$833,261	\$833,912
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

CAPITAL CONSTRUCTION/REPAIRS/IMPROVEMENTS - CORRECTIONS 0432

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

Central Maine Pre-release Center 0392

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20,000	20,000
Personal Services	\$1,610,251	\$1,610,144
All Other	\$206,735	\$206,735
GENERAL FUND TOTAL	\$1,816,986	\$1,816,879

Central Maine Pre-release Center 0392

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$12,071)	(\$12,071)
GENERAL FUND TOTAL	(\$12,071)	(\$12,071)

Central Maine Pre-release Center 0392

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,218)	(\$5,218)
GENERAL FUND TOTAL	(\$5,218)	(\$5,218)

Central Maine Pre-release Center 0392

Initiative: Deappropriates funds from savings in overtime costs associated with transporting inmates.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$608)	(\$760)
GENERAL FUND TOTAL	(\$608)	(\$760)

CENTRAL MAINE PRE-RELEASE CENTER 0392

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20,000	20,000
Personal Services	\$1,609,643	\$1,609,384
All Other	\$189,446	\$189,446
GENERAL FUND TOTAL	\$1,799,089	\$1,798,830

Charleston Correctional Facility 0400

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	29,000	29,000
Personal Services	\$2,279,244	\$2,286,364
All Other	\$654,643	\$654,643
GENERAL FUND TOTAL	\$2,933,887	\$2,941,007

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$163,180	\$162,177
All Other	\$200,815	\$200,815
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,995	\$362,992

Charleston Correctional Facility 0400

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$27,362)	(\$27,362)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$27,362)	(\$27,362)

Charleston Correctional Facility 0400

Initiative: Transfers funding from the Mountain View Youth Development Center to the Charleston Correctional Facility to reflect the appropriate funding requirements.

GENERAL FUND	2009-10	2010-11
All Other	\$125,000	\$125,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$125,000	\$125,000

Charleston Correctional Facility 0400

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$4,035)	(\$4,035)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$4,035)	(\$4,035)

Charleston Correctional Facility 0400

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
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All Other	(\$132)	(\$132)
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GENERAL FUND TOTAL	(\$132)	(\$132)

Charleston Correctional Facility 0400

Initiative: Deappropriates funds from a reduction in fuel costs from burning wood on all 3 shifts.

GENERAL FUND	2009-10	2010-11
All Other	(\$165,315)	(\$165,315)
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GENERAL FUND TOTAL	(\$165,315)	(\$165,315)

Charleston Correctional Facility 0400

Initiative: Provides funds for 15 correctional positions.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,058,534	\$1,081,614
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GENERAL FUND TOTAL	\$1,058,534	\$1,081,614

Charleston Correctional Facility 0400

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$8,550)	(\$8,550)
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GENERAL FUND TOTAL	(\$8,550)	(\$8,550)

Charleston Correctional Facility 0400

Initiative: Deappropriates funds from savings in overtime costs associated with transporting inmates.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$1,283)	(\$1,603)
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GENERAL FUND TOTAL	(\$1,283)	(\$1,603)

CHARLESTON CORRECTIONAL FACILITY 0400

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	44.000	44.000
Personal Services	\$3,336,495	\$3,366,375
All Other	\$574,249	\$574,249

GENERAL FUND TOTAL	\$3,910,744	\$3,940,624
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$163,180	\$162,177
All Other	\$200,815	\$200,815
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,995	\$362,992

Correctional Center 0162

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	248.500	248.500
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$19,591,714	\$19,656,068
All Other	\$3,693,452	\$3,693,452
GENERAL FUND TOTAL	\$23,285,166	\$23,349,520

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$42,976	\$41,690
All Other	\$38,432	\$38,432
FEDERAL EXPENDITURES FUND TOTAL	\$81,408	\$80,122

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$146,878	\$144,701
All Other	\$489,495	\$489,495
OTHER SPECIAL REVENUE FUNDS TOTAL	\$636,373	\$634,196

Correctional Center 0162

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice -

Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$237,055)	(\$228,904)
GENERAL FUND TOTAL	(\$237,055)	(\$228,904)

Correctional Center 0162

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$45,561	\$45,561
GENERAL FUND TOTAL	\$45,561	\$45,561

Correctional Center 0162

Initiative: Adjusts funding for new STA-CAP rates.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$549	\$488
FEDERAL EXPENDITURES FUND TOTAL	\$549	\$488

Correctional Center 0162

Initiative: Provides funding for an increase in waste water treatment charges.

GENERAL FUND	2009-10	2010-11
All Other	\$164,565	\$164,565
GENERAL FUND TOTAL	\$164,565	\$164,565

Correctional Center 0162

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$10,087)	(\$10,087)

GENERAL FUND TOTAL	(\$10,087)	(\$10,087)
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Correctional Center 0162

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,394)	(\$2,394)
GENERAL FUND TOTAL	(\$2,394)	(\$2,394)

Correctional Center 0162

Initiative: Deappropriates funds from a reduction in fuel costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$12,741)	(\$14,441)
GENERAL FUND TOTAL	(\$12,741)	(\$14,441)

Correctional Center 0162

Initiative: Deappropriates funds from a reduction in lighting costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$7,133)	(\$7,133)
GENERAL FUND TOTAL	(\$7,133)	(\$7,133)

Correctional Center 0162

Initiative: Deappropriates funds from a reduction in water costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$12,543)	(\$14,543)
GENERAL FUND TOTAL	(\$12,543)	(\$14,543)

Correctional Center 0162

Initiative: Deappropriates funds from the elimination of one Office Associate II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$56,558)	(\$56,039)
GENERAL FUND TOTAL	(\$56,558)	(\$56,039)

Correctional Center 0162

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$49,612)	(\$49,612)
GENERAL FUND TOTAL	(\$49,612)	(\$49,612)

Correctional Center 0162

Initiative: Deappropriates funds from savings in over-time costs associated with transporting inmates.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$6,214)	(\$7,767)
GENERAL FUND TOTAL	(\$6,214)	(\$7,767)

CORRECTIONAL CENTER 0162

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	247.500	247.500
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$19,528,942	\$19,592,262
All Other	\$3,572,013	\$3,576,464
GENERAL FUND TOTAL	\$23,100,955	\$23,168,726

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$42,976	\$41,690
All Other	\$38,981	\$38,920
FEDERAL EXPENDITURES FUND TOTAL	\$81,957	\$80,610

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$146,878	\$144,701
All Other	\$489,495	\$489,495
OTHER SPECIAL REVENUE FUNDS TOTAL	\$636,373	\$634,196

Correctional Medical Services Fund 0286

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$17,043,320	\$17,043,320
GENERAL FUND TOTAL	\$17,043,320	\$17,043,320

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$518,377	\$518,377
FEDERAL EXPENDITURES FUND TOTAL	\$518,377	\$518,377

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$11,920	\$11,920
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,920	\$11,920

Correctional Medical Services Fund 0286

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$9,815	\$9,815
GENERAL FUND TOTAL	\$9,815	\$9,815

Correctional Medical Services Fund 0286

Initiative: Adjusts funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$6)	(\$6)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6)	(\$6)

Correctional Medical Services Fund 0286

Initiative: Deappropriates funds from reductions in leadership development contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$60,026)	(\$60,026)

GENERAL FUND TOTAL	(\$60,026)	(\$60,026)
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Correctional Medical Services Fund 0286

Initiative: Deappropriates funds from savings generated as a result of efficiencies in the scheduling of adult psychiatry services.

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

Correctional Medical Services Fund 0286

Initiative: Deappropriates funds no longer needed for Hepatitis B vaccine as a result of a collaborative grant with the Maine Center for Disease Control and Prevention.

GENERAL FUND	2009-10	2010-11
All Other	(\$19,652)	(\$19,652)
GENERAL FUND TOTAL	(\$19,652)	(\$19,652)

Correctional Medical Services Fund 0286

Initiative: Deappropriates funds from savings generated as a result of changes in the manner in which medications are dispensed.

GENERAL FUND	2009-10	2010-11
All Other	(\$88,860)	(\$88,860)
GENERAL FUND TOTAL	(\$88,860)	(\$88,860)

CORRECTIONAL MEDICAL SERVICES FUND 0286

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$16,834,597	\$16,834,597
GENERAL FUND TOTAL	\$16,834,597	\$16,834,597

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$518,377	\$518,377
FEDERAL EXPENDITURES FUND TOTAL	\$518,377	\$518,377

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	\$11,914	\$11,914
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914

County Jail Prisoner Support and Community Corrections Fund 0888

Initiative: BASELINE BUDGET

	2009-10	2010-11
GENERAL FUND		
All Other	\$5,646,562	\$5,646,562
GENERAL FUND TOTAL	\$5,646,562	\$5,646,562
OTHER SPECIAL REVENUE FUNDS		
All Other	\$262,016	\$262,016
OTHER SPECIAL REVENUE FUNDS TOTAL	\$262,016	\$262,016

County Jail Prisoner Support and Community Corrections Fund 0888

Initiative: Transfers funding from the County Jail Prisoner Support and Community Corrections Fund program to the State Board of Corrections Investment Fund program.

	2009-10	2010-11
GENERAL FUND		
All Other	(\$5,646,562)	(\$5,646,562)
GENERAL FUND TOTAL	(\$5,646,562)	(\$5,646,562)

County Jail Prisoner Support and Community Corrections Fund 0888

Initiative: Transfers funds from the Department of Corrections to the State Board of Corrections.

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	(\$262,016)	(\$262,016)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$262,016)	(\$262,016)

COUNTY JAIL PRISONER SUPPORT AND COMMUNITY CORRECTIONS FUND 0888

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Departmentwide - Overtime 0032

Initiative: BASELINE BUDGET

	2009-10	2010-11
GENERAL FUND		
Personal Services	\$1,135,697	\$1,135,697
GENERAL FUND TOTAL	\$1,135,697	\$1,135,697

DEPARTMENTWIDE - OVERTIME 0032 PROGRAM SUMMARY

	2009-10	2010-11
GENERAL FUND		
Personal Services	\$1,135,697	\$1,135,697
GENERAL FUND TOTAL	\$1,135,697	\$1,135,697

Downeast Correctional Facility 0542

Initiative: BASELINE BUDGET

	2009-10	2010-11
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNCIL	68.000	68.000
Personal Services	\$5,450,176	\$5,435,933
All Other	\$844,468	\$844,468
GENERAL FUND TOTAL	\$6,294,644	\$6,280,401

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	\$47,759	\$47,759
FEDERAL EXPENDITURES FUND TOTAL	\$47,759	\$47,759

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	\$97,026	\$97,026

OTHER SPECIAL	\$97,026	\$97,026
REVENUE FUNDS TOTAL		

Downeast Correctional Facility 0542

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$53,939)	(\$53,939)
	(\$53,939)	(\$53,939)
GENERAL FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$6,447	\$6,447
	\$6,447	\$6,447
GENERAL FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Adjusts funding for new STA-CAP rates.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$55	\$55
	\$55	\$55
FEDERAL EXPENDITURES FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,681)	(\$1,681)
	(\$1,681)	(\$1,681)
GENERAL FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Deappropriates funds from a reduction in the number of computers.

GENERAL FUND	2009-10	2010-11
All Other	(\$4,157)	(\$4,157)
	(\$4,157)	(\$4,157)
GENERAL FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Deappropriates funds from a reduction in fuel costs.

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

Downeast Correctional Facility 0542

Initiative: Deappropriates funds from a reduction in lighting costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,000)	(\$7,500)
	(\$5,000)	(\$7,500)
GENERAL FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$8,917)	(\$8,917)
	(\$8,917)	(\$8,917)
GENERAL FUND TOTAL		

Downeast Correctional Facility 0542

Initiative: Deappropriates funds from savings in overtime costs associated with transporting inmates.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$1,330)	(\$1,663)
	(\$1,330)	(\$1,663)
GENERAL FUND TOTAL		

DOWNEAST CORRECTIONAL FACILITY 0542 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	68.000	68.000

Personal Services	\$5,448,846	\$5,434,270
All Other	\$774,221	\$771,721
GENERAL FUND TOTAL	\$6,223,067	\$6,205,991

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$47,814	\$47,814
FEDERAL EXPENDITURES FUND TOTAL	\$47,814	\$47,814

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,130	\$66,155
All Other	\$6,327	\$6,327
GENERAL FUND TOTAL	\$72,457	\$72,482

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$97,727	\$98,440
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$786,487	\$787,200

Justice - Planning, Projects and Statistics 0502

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,118)	(\$3,118)
GENERAL FUND TOTAL	(\$3,118)	(\$3,118)

Justice - Planning, Projects and Statistics 0502

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program, one Correctional Compliance Monitor position in the Administration - Corrections program, 2 Probation Officer positions in the Adult Community Corrections program and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces funding for related All Other costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$25,442)	(\$26,839)
All Other	(\$3,209)	(\$3,209)
GENERAL FUND TOTAL	(\$28,651)	(\$30,048)

JUSTICE - PLANNING, PROJECTS AND STATISTICS 0502

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$40,688	\$39,316
All Other	\$0	\$0
GENERAL FUND TOTAL	\$40,688	\$39,316

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$97,727	\$98,440
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$786,487	\$787,200

Juvenile Community Corrections 0892

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	75,500	75,500
Personal Services	\$6,811,108	\$6,767,320
All Other	\$5,139,722	\$5,139,722
GENERAL FUND TOTAL	\$11,950,830	\$11,907,042

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$90,032	\$90,032
FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$223,622	\$223,622
OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,622	\$223,622

Juvenile Community Corrections 0892

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$230,494)	(\$230,494)
GENERAL FUND TOTAL	(\$230,494)	(\$230,494)

Juvenile Community Corrections 0892

Initiative: Eliminates one Office Associate II position, funded 50% in the Justice - Planning, Projects and Statistics program and 50% in the Juvenile Community Corrections program, one Correctional Compliance Monitor position in the Administration - Corrections program, 2 Probation Officer positions in the Adult Community Corrections program and 2 Juvenile Community Corrections Officer positions in the Juvenile Community Corrections program and reduces funding for related All Other costs.

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$171,978)	(\$175,528)
All Other	(\$21,320)	(\$21,685)
GENERAL FUND TOTAL	(\$193,298)	(\$197,213)

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,044)	(\$5,044)
GENERAL FUND TOTAL	(\$5,044)	(\$5,044)

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,777)	(\$2,777)
GENERAL FUND TOTAL	(\$2,777)	(\$2,777)

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from a 5% reduction in travel.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,452)	(\$5,886)
GENERAL FUND TOTAL	(\$2,452)	(\$5,886)

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from reductions in juvenile contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$125,000)	(\$125,000)
GENERAL FUND TOTAL	(\$125,000)	(\$125,000)

Juvenile Community Corrections 0892

Initiative: Deappropriates funds from reductions in leadership development contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$15,191)	(\$15,191)

GENERAL FUND TOTAL	(\$15,191)	(\$15,191)
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**JUVENILE COMMUNITY CORRECTIONS 0892
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	73.500	73.500
Personal Services	\$6,639,130	\$6,591,792
All Other	\$4,737,444	\$4,733,645

GENERAL FUND TOTAL	\$11,376,574	\$11,325,437
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$90,032	\$90,032

FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$223,622	\$223,622

OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,622	\$223,622
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Long Creek Youth Development Center 0163

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	190.000	190.000
POSITIONS - FTE COUNT	4.457	4.457
Personal Services	\$15,514,881	\$15,543,968
All Other	\$2,282,142	\$2,282,142

GENERAL FUND TOTAL	\$17,797,023	\$17,826,110
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,560	\$77,071
All Other	\$74,547	\$74,547

FEDERAL EXPENDITURES FUND TOTAL	\$151,107	\$151,618
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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All Other	\$38,665	\$38,665
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,665	\$38,665
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Long Creek Youth Development Center 0163

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$160,489)	(\$157,489)

GENERAL FUND TOTAL	(\$160,489)	(\$157,489)
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Long Creek Youth Development Center 0163

Initiative: Reorganizes one Juvenile Program Worker position to a Public Service Manager I position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2009-10	2010-11
Personal Services	\$6,531	\$9,446
All Other	(\$6,531)	(\$9,446)

GENERAL FUND TOTAL	\$0	\$0
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Long Creek Youth Development Center 0163

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$28,538	\$28,538

GENERAL FUND TOTAL	\$28,538	\$28,538
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Long Creek Youth Development Center 0163

Initiative: Adjusts funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$29	\$29
	\$29	\$29
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29	\$29

Long Creek Youth Development Center 0163

Initiative: Transfers 3 Substitute Teacher positions from the Long Creek Youth Development Center to the Mountain View Youth Development Center and one Nurse II position from the Maine State Prison to the Administration - Corrections program.

GENERAL FUND	2009-10	2010-11
POSITIONS - FTE COUNT	(0.990)	(0.990)
Personal Services	(\$42,779)	(\$44,515)
	(\$42,779)	(\$44,515)
GENERAL FUND TOTAL	(\$42,779)	(\$44,515)

Long Creek Youth Development Center 0163

Initiative: Adjusts funding for information technology equipment to meet agency program needs.

GENERAL FUND	2009-10	2010-11
All Other	\$4,000	\$1,500
	\$4,000	\$1,500
GENERAL FUND TOTAL	\$4,000	\$1,500

Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,681)	(\$1,681)
	(\$1,681)	(\$1,681)
GENERAL FUND TOTAL	(\$1,681)	(\$1,681)

Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
All Other	(\$88)	(\$88)
	(\$88)	(\$88)
GENERAL FUND TOTAL	(\$88)	(\$88)

Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from a reduction in lighting costs.

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

Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from the elimination of one Juvenile Program Specialist position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$79,489)	(\$81,157)
	(\$79,489)	(\$81,157)
GENERAL FUND TOTAL	(\$79,489)	(\$81,157)

Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from reductions in behavioral health contracts. These costs will be supported by the Correctional Medical Services Fund program.

GENERAL FUND	2009-10	2010-11
All Other	(\$224,111)	(\$224,111)
	(\$224,111)	(\$224,111)
GENERAL FUND TOTAL	(\$224,111)	(\$224,111)

Long Creek Youth Development Center 0163

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$13,033)	(\$13,033)
	(\$13,033)	(\$13,033)
GENERAL FUND TOTAL	(\$13,033)	(\$13,033)

LONG CREEK YOUTH DEVELOPMENT CENTER 0163

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	189.000	189.000
POSITIONS - FTE COUNT	3.467	3.467
Personal Services	\$15,399,144	\$15,427,742
All Other	\$1,907,997	\$1,905,582
	\$17,307,141	\$17,333,324
GENERAL FUND TOTAL	\$17,307,141	\$17,333,324

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,560	\$77,071
All Other	\$74,547	\$74,547
FEDERAL EXPENDITURES FUND TOTAL	\$151,107	\$151,618

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	167.000	167.000
POSITIONS - FTE COUNT	0.210	0.210
Personal Services	\$13,615,725	\$13,656,869
All Other	\$2,194,366	\$2,194,366
GENERAL FUND TOTAL	\$15,810,091	\$15,851,235

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$160,239	\$162,609
All Other	\$73,408	\$73,408
FEDERAL EXPENDITURES FUND TOTAL	\$233,647	\$236,017

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$51,583	\$51,583
OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,583	\$51,583

Mountain View Youth Development Center 0857

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$173,711)	(\$173,711)
GENERAL FUND TOTAL	(\$173,711)	(\$173,711)

Mountain View Youth Development Center 0857

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$28,144	\$28,144
GENERAL FUND TOTAL	\$28,144	\$28,144

Mountain View Youth Development Center 0857

Initiative: Adjusts funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$43)	(\$43)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$43)	(\$43)

Mountain View Youth Development Center 0857

Initiative: Transfers funding from the Mountain View Youth Development Center to the Charleston Correctional Facility to reflect the appropriate funding requirements.

GENERAL FUND	2009-10	2010-11
All Other	(\$125,000)	(\$125,000)
GENERAL FUND TOTAL	(\$125,000)	(\$125,000)

Mountain View Youth Development Center 0857

Initiative: Transfers 3 Substitute Teacher positions from the Long Creek Youth Development Center to

the Mountain View Youth Development Center and one Nurse II position from the Maine State Prison to the Administration - Corrections program.

GENERAL FUND	2009-10	2010-11
POSITIONS - FTE COUNT	0.990	0.990
Personal Services	\$42,779	\$44,515
GENERAL FUND TOTAL	\$42,779	\$44,515

Mountain View Youth Development Center 0857

Initiative: Adjusts funding for information technology equipment to meet agency program needs.

GENERAL FUND	2009-10	2010-11
All Other	\$6,600	\$6,600
Capital Expenditures	\$7,000	\$0
GENERAL FUND TOTAL	\$13,600	\$6,600

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,432)	(\$11,432)
GENERAL FUND TOTAL	(\$11,432)	(\$11,432)

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from a reduction in the number of pagers.

GENERAL FUND	2009-10	2010-11
All Other	(\$618)	(\$618)
GENERAL FUND TOTAL	(\$618)	(\$618)

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from a reduction in lighting costs.

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

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from the elimination of one Office Associate II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$48,488)	(\$49,148)
GENERAL FUND TOTAL	(\$48,488)	(\$49,148)

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from reductions in behavioral health contracts. These costs will be supported by the Correctional Medical Services Fund program.

GENERAL FUND	2009-10	2010-11
All Other	(\$180,000)	(\$180,000)
GENERAL FUND TOTAL	(\$180,000)	(\$180,000)

Mountain View Youth Development Center 0857

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,724)	(\$11,724)
GENERAL FUND TOTAL	(\$11,724)	(\$11,724)

MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER 0857

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	166.000	166.000
POSITIONS - FTE COUNT	1.200	1.200
Personal Services	\$13,610,016	\$13,652,236
All Other	\$1,721,625	\$1,721,625
Capital Expenditures	\$7,000	\$0
GENERAL FUND TOTAL	\$15,338,641	\$15,373,861

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$160,239	\$162,609
All Other	\$73,408	\$73,408

FEDERAL EXPENDITURES FUND TOTAL	\$233,647	\$236,017
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$51,540	\$51,540
OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,540	\$51,540

Office of Advocacy 0684

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$170,916	\$168,629
All Other	\$25,067	\$25,067
GENERAL FUND TOTAL	\$195,983	\$193,696

Office of Advocacy 0684

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,847)	(\$2,847)
GENERAL FUND TOTAL	(\$2,847)	(\$2,847)

Office of Advocacy 0684

Initiative: Eliminates one Chief Advocate position, one Advocate position and All Other funding due to the elimination of the program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$170,916)	(\$168,629)
All Other	(\$22,220)	(\$22,220)
GENERAL FUND TOTAL	(\$193,136)	(\$190,849)

OFFICE OF ADVOCACY 0684

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Office of Victim Services 0046

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$160,271	\$157,535
All Other	\$68,087	\$68,087
GENERAL FUND TOTAL	\$228,358	\$225,622

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$14,811	\$14,811
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,811	\$14,811

Office of Victim Services 0046

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$6,581)	(\$6,581)
GENERAL FUND TOTAL	(\$6,581)	(\$6,581)

Office of Victim Services 0046

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for

direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$5,637	\$5,637
GENERAL FUND TOTAL	\$5,637	\$5,637

Office of Victim Services 0046

Initiative: Adjusts funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$163	\$163
OTHER SPECIAL REVENUE FUNDS TOTAL	\$163	\$163

OFFICE OF VICTIM SERVICES 0046 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$160,271	\$157,535
All Other	\$67,143	\$67,143
GENERAL FUND TOTAL	\$227,414	\$224,678

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$14,974	\$14,974
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974

Parole Board 0123

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
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	2009-10	2010-11
Personal Services	\$1,650	\$1,650
All Other	\$2,856	\$2,856

GENERAL FUND TOTAL	\$4,506	\$4,506
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Prisoner Boarding Program Z086

Initiative: Provides funding to board inmates at county facilities.

GENERAL FUND	2009-10	2010-11
All Other	\$546,040	\$546,040
GENERAL FUND TOTAL	\$546,040	\$546,040

Prisoner Boarding Program Z086

Initiative: Transfers funding for boarding prisoners at county jails from the State Board of Corrections Investment Fund program to the Prisoner Boarding Program.

GENERAL FUND	2009-10	2010-11
All Other	\$772,340	\$772,340
GENERAL FUND TOTAL	\$772,340	\$772,340

Prisoner Boarding Program Z086

Initiative: Deappropriates available funds.

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

PRISONER BOARDING PROGRAM Z086 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,118,380	\$1,318,380
GENERAL FUND TOTAL	\$1,118,380	\$1,318,380

State Board of Corrections Investment Fund Z075

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$792,340	\$792,340
GENERAL FUND TOTAL	\$792,340	\$792,340

State Board of Corrections Investment Fund Z075

Initiative: Transfers funding from the County Jail Prisoner Support and Community Corrections Fund

program to the State Board of Corrections Investment Fund program.

GENERAL FUND	2009-10	2010-11
All Other	\$5,646,562	\$5,646,562
GENERAL FUND TOTAL	\$5,646,562	\$5,646,562

State Board of Corrections Investment Fund Z075

Initiative: Transfers funding for boarding prisoners at county jails from the State Board of Corrections Investment Fund program to the Prisoner Boarding Program.

GENERAL FUND	2009-10	2010-11
All Other	(\$772,340)	(\$772,340)
GENERAL FUND TOTAL	(\$772,340)	(\$772,340)

State Board of Corrections Investment Fund Z075

Initiative: Transfers funds from the Department of Corrections to the State Board of Corrections.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,666,562)	(\$5,666,562)
GENERAL FUND TOTAL	(\$5,666,562)	(\$5,666,562)

STATE BOARD OF CORRECTIONS INVESTMENT FUND Z075

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

State Prison 0144

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	430,500	430,500
Personal Services	\$33,711,113	\$33,801,901
All Other	\$7,482,422	\$7,482,422
GENERAL FUND TOTAL	\$41,193,535	\$41,284,323

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$20,158	\$20,158

FEDERAL EXPENDITURES FUND TOTAL	\$20,158	\$20,158
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$75,154	\$74,278
All Other	\$42,374	\$42,374

OTHER SPECIAL REVENUE FUNDS TOTAL	\$117,528	\$116,652
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PRISON INDUSTRIES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$241,215	\$240,739
All Other	\$914,082	\$914,082

PRISON INDUSTRIES FUND TOTAL	\$1,155,297	\$1,154,821
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State Prison 0144

Initiative: Transfers funding from the Office of Victim Services, Adult Community Corrections, Justice - Planning, Projects and Statistics, Juvenile Community Corrections, Office of Advocacy, Maine State Prison, Charleston Correctional Facility, Maine 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 centralize all technology funding for the department.

GENERAL FUND	2009-10	2010-11
All Other	(\$424,041)	(\$421,241)
GENERAL FUND TOTAL	(\$424,041)	(\$421,241)

State Prison 0144

Initiative: Adjusts funding for the same level of financial and human resources support services for fiscal years 2009-10 and 2010-11 service center rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$54,677	\$54,677

GENERAL FUND TOTAL	\$54,677	\$54,677
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State Prison 0144

Initiative: Adjusts funding for new STA-CAP rates.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$23	\$23
FEDERAL EXPENDITURES FUND TOTAL	\$23	\$23

State Prison 0144

Initiative: Transfers 3 Substitute Teacher positions from the Long Creek Youth Development Center to the Mountain View Youth Development Center and one Nurse II position from the Maine State Prison to the Administration - Corrections program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$83,222)	(\$85,023)
GENERAL FUND TOTAL	(\$83,222)	(\$85,023)

State Prison 0144

Initiative: Adjusts funding for information technology equipment to meet agency program needs.

GENERAL FUND	2009-10	2010-11
All Other	\$16,750	\$14,750
Capital Expenditures	\$7,000	\$7,000
GENERAL FUND TOTAL	\$23,750	\$21,750

State Prison 0144

Initiative: Deappropriates funds from a reduction in the number of telephone lines.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,026)	(\$3,026)
GENERAL FUND TOTAL	(\$3,026)	(\$3,026)

State Prison 0144

Initiative: Deappropriates funds from a reduction in the number of computers.

GENERAL FUND	2009-10	2010-11

All Other	(\$5,543)	(\$5,543)
GENERAL FUND TOTAL	(\$5,543)	(\$5,543)

State Prison 0144

Initiative: Deappropriates funds from a reduction in lighting costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$8,657)	(\$11,657)
GENERAL FUND TOTAL	(\$8,657)	(\$11,657)

State Prison 0144

Initiative: Deappropriates funds from the elimination of one Office Associate II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$56,496)	(\$58,236)
GENERAL FUND TOTAL	(\$56,496)	(\$58,236)

State Prison 0144

Initiative: Deappropriates funds from the elimination of one Correctional Sergeant position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$80,767)	(\$80,511)
GENERAL FUND TOTAL	(\$80,767)	(\$80,511)

State Prison 0144

Initiative: Deappropriates funds from savings achieved by putting all facilities on the same cycle menu.

GENERAL FUND	2009-10	2010-11
All Other	(\$102,946)	(\$102,946)
GENERAL FUND TOTAL	(\$102,946)	(\$102,946)

State Prison 0144

Initiative: Deappropriates funds from savings in overtime costs associated with transporting inmates.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$10,565)	(\$13,207)

GENERAL FUND TOTAL	(\$10,565)	(\$13,207)
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**STATE PRISON 0144
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	427,500	427,500
Personal Services	\$33,480,063	\$33,564,924
All Other	\$7,009,636	\$7,007,436
Capital Expenditures	\$7,000	\$7,000
GENERAL FUND TOTAL	\$40,496,699	\$40,579,360

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$20,181	\$20,181
FEDERAL EXPENDITURES FUND TOTAL	\$20,181	\$20,181

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$75,154	\$74,278
All Other	\$42,374	\$42,374
OTHER SPECIAL REVENUE FUNDS TOTAL	\$117,528	\$116,652

PRISON INDUSTRIES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$241,215	\$240,739
All Other	\$914,082	\$914,082
PRISON INDUSTRIES FUND TOTAL	\$1,155,297	\$1,154,821

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$157,503,906	\$157,765,909
FEDERAL EXPENDITURES FUND	\$3,934,280	\$3,939,618

OTHER SPECIAL REVENUE FUNDS	\$2,218,909	\$2,222,834
FEDERAL BLOCK GRANT FUND	\$500,000	\$500,000
PRISON INDUSTRIES FUND	\$1,155,297	\$1,154,821

DEPARTMENT TOTAL - ALL FUNDS	\$165,312,392	\$165,583,182
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SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$166,670,468	\$163,432,471
FEDERAL EXPENDITURES FUND	\$3,934,280	\$3,939,618
OTHER SPECIAL REVENUE FUNDS	\$3,224,916	\$3,228,841
FEDERAL BLOCK GRANT FUND	\$500,000	\$500,000
PRISON INDUSTRIES FUND	\$1,155,297	\$1,154,821
SECTION TOTAL - ALL FUNDS	\$175,484,961	\$172,255,751

Sec. A-14. 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	2009-10	2010-11
All Other	\$45,469	\$45,469

GENERAL FUND TOTAL	\$45,469	\$45,469
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$65,424	\$65,424

OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,424	\$65,424
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New Century Program Fund 0904

Initiative: Reduces funding for grants distributed under the New Century Program.

GENERAL FUND	2009-10	2010-11
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All Other	(\$4,547)	(\$4,547)
GENERAL FUND TOTAL	(\$4,547)	(\$4,547)

All Other	\$100	\$100
FEDERAL EXPENDITURES FUND TOTAL	\$100	\$100

NEW CENTURY PROGRAM FUND 0904

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$40,922	\$40,922
GENERAL FUND TOTAL	\$40,922	\$40,922

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$65,424	\$65,424
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,424	\$65,424

CULTURAL AFFAIRS COUNCIL, MAINE STATE DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$40,922	\$40,922
OTHER SPECIAL REVENUE FUNDS	\$65,424	\$65,424
DEPARTMENT TOTAL - ALL FUNDS	\$106,346	\$106,346

Sec. A-15. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$194,097	\$195,842
All Other	\$22,385	\$22,385
GENERAL FUND TOTAL	\$216,482	\$218,227

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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Administration - Defense, Veterans and Emergency Management 0109

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$1,000	\$1,200
GENERAL FUND TOTAL	\$1,000	\$1,200

Administration - Defense, Veterans and Emergency Management 0109

Initiative: Provides funding for workers' compensation premiums.

GENERAL FUND	2009-10	2010-11
All Other	\$36,000	\$36,000
GENERAL FUND TOTAL	\$36,000	\$36,000

ADMINISTRATION - DEFENSE, VETERANS AND EMERGENCY MANAGEMENT 0109

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$194,097	\$195,842
All Other	\$59,385	\$59,585
GENERAL FUND TOTAL	\$253,482	\$255,427

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$100	\$100
FEDERAL EXPENDITURES FUND TOTAL	\$100	\$100

Administration - Maine Emergency Management Agency 0214

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$470,380	\$486,008
All Other	\$130,955	\$130,955

GENERAL FUND TOTAL	\$601,335	\$616,963
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14,000	14,000
Personal Services	\$1,518,691	\$1,561,069
All Other	\$21,174,482	\$21,174,482

FEDERAL EXPENDITURES FUND TOTAL	\$22,693,173	\$22,735,551
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$136,471	\$141,346
All Other	\$996,395	\$996,395

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,132,866	\$1,137,741
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Administration - Maine Emergency Management Agency 0214

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$190,800	\$200,500

FEDERAL EXPENDITURES FUND TOTAL	\$190,800	\$200,500
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$12,000	\$12,600

OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,000	\$12,600
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Administration - Maine Emergency Management Agency 0214

Initiative: Provides funding for new STA-CAP rates.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$160,586	\$160,586

FEDERAL EXPENDITURES FUND TOTAL	\$160,586	\$160,586
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000
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Administration - Maine Emergency Management Agency 0214

Initiative: Provides funding for additional revenue received for federal disaster assistance.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$10,024,000	\$10,025,800

FEDERAL EXPENDITURES FUND TOTAL	\$10,024,000	\$10,025,800
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Administration - Maine Emergency Management Agency 0214

Initiative: Transfers funding for communication equipment at the Governor's office from the General Fund to the Federal Expenditures Fund in the Homeland Security Grant program.

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

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

FEDERAL EXPENDITURES	\$6,000	\$6,000
FUND TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Eliminates funding for disaster assistance resulting from a redistribution of the projected decrease in revenue from the rental of facilities at the Maine Military Authority at Loring.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$543,263)	(\$543,263)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$543,263)	(\$543,263)

ADMINISTRATION - MAINE EMERGENCY MANAGEMENT AGENCY 0214

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$470,380	\$486,008
All Other	\$124,955	\$124,955
GENERAL FUND TOTAL	\$595,335	\$610,963

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,518,691	\$1,561,069
All Other	\$31,555,868	\$31,567,368

FEDERAL EXPENDITURES FUND TOTAL	\$33,074,559	\$33,128,437
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$136,471	\$141,346
All Other	\$475,132	\$475,732

OTHER SPECIAL REVENUE FUNDS TOTAL	\$611,603	\$617,078
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Emergency Response Operations 0918

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,763	\$52,486
All Other	\$17,310	\$17,310
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,073	\$69,796

EMERGENCY RESPONSE OPERATIONS 0918

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,763	\$52,486
All Other	\$17,310	\$17,310
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,073	\$69,796

Loring Rebuild Facility 0843

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
All Other	\$250,000	\$250,000

OTHER SPECIAL	\$250,000	\$250,000
REVENUE FUNDS TOTAL		

Military Educational Benefits 0922

Initiative: Provides funding for tuition assistance resulting from a redistribution of the projected decrease in revenue from rental of facilities at the Maine Military Authority at Loring.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$160,000	\$160,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$160,000	\$160,000

MILITARY EDUCATIONAL BENEFITS 0922

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	27.000	27.000
Personal Services	\$1,770,660	\$1,816,679
All Other	\$947,821	\$947,821
GENERAL FUND TOTAL	\$2,718,481	\$2,764,500

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	89.500	89.500
Personal Services	\$6,139,657	\$6,324,543
All Other	\$4,054,509	\$4,054,509
FEDERAL EXPENDITURES FUND TOTAL	\$10,194,166	\$10,379,052

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$128,443	\$135,552
All Other	\$887,727	\$887,727

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,016,170	\$1,023,279
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MAINE MILITARY AUTHORITY ENTERPRISE FUND	2009-10	2010-11
Personal Services	\$44,295,546	\$46,237,216
All Other	\$44,508,103	\$44,508,103

MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$88,803,649	\$90,745,319
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Military Training and Operations 0108

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$4,000	\$5,000
GENERAL FUND TOTAL	\$4,000	\$5,000

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$3,000	\$3,000
FEDERAL EXPENDITURES FUND TOTAL	\$3,000	\$3,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,300	\$2,400
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,300	\$2,400

Military Training and Operations 0108

Initiative: Reorganizes 12 Security Guard positions to 12 Military Security Police Officer positions.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$32,321	\$37,204
FEDERAL EXPENDITURES FUND TOTAL	\$32,321	\$37,204

Military Training and Operations 0108

Initiative: Reorganizes one Superintendent of Buildings position to a confidential position and transfers All Other to Personal Services in the General Fund to fund the reorganization.

GENERAL FUND	2009-10	2010-11
Personal Services	\$683	\$677
All Other	(\$683)	(\$677)
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$2,732	\$2,715
FEDERAL EXPENDITURES FUND TOTAL	\$2,732	\$2,715

Military Training and Operations 0108

Initiative: Provides funding for additional revenue received from the Master Cooperative Agreement for the National Guard.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$3,500,000	\$3,500,000
FEDERAL EXPENDITURES FUND TOTAL	\$3,500,000	\$3,500,000

Military Training and Operations 0108

Initiative: Provides funding for new STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,600	\$7,600
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,600	\$7,600

Military Training and Operations 0108

Initiative: Reallocates the cost of one Civil Engineer III position from 25% General Fund and 75% Federal

Expenditures Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$26,059)	(\$26,059)
GENERAL FUND TOTAL	(\$26,059)	(\$26,059)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$26,059	\$26,059
FEDERAL EXPENDITURES FUND TOTAL	\$26,059	\$26,059

Military Training and Operations 0108

Initiative: Eliminates one Chief Volunteer Services position, one part-time Education Technician II position and one Groundskeeper II position in the Federal Expenditures Fund and one Office Associate II position in Other Special Revenue Funds in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$136,115)	(\$143,171)
FEDERAL EXPENDITURES FUND TOTAL	(\$136,115)	(\$143,171)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$55,666)	(\$58,911)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$55,666)	(\$58,911)

Military Training and Operations 0108

Initiative: Reduces funding for repairs at state armories resulting from a redistribution of the projected decrease in revenue from the rental of facilities at the Maine Military Authority at Loring.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$328,918)	(\$328,918)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$328,918)	(\$328,918)
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All Other	\$131,934	\$131,934
GENERAL FUND TOTAL	\$131,934	\$131,934

MILITARY TRAINING AND OPERATIONS 0108

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	27.000	27.000
Personal Services	\$1,745,284	\$1,791,297
All Other	\$951,138	\$952,144
GENERAL FUND TOTAL	\$2,696,422	\$2,743,441

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	87.000	87.000
Personal Services	\$6,064,654	\$6,247,350
All Other	\$7,557,509	\$7,557,509
FEDERAL EXPENDITURES FUND TOTAL	\$13,622,163	\$13,804,859

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,777	\$76,641
All Other	\$568,709	\$568,809
OTHER SPECIAL REVENUE FUNDS TOTAL	\$641,486	\$645,450

MAINE MILITARY AUTHORITY ENTERPRISE FUND	2009-10	2010-11
Personal Services	\$44,295,546	\$46,237,216
All Other	\$44,508,103	\$44,508,103
MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$88,803,649	\$90,745,319

Stream Gaging Cooperative Program 0858

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
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Stream Gaging Cooperative Program 0858

Initiative: Reduces funding by transferring expenditures to the Federal Expenditures Fund.

GENERAL FUND	2009-10	2010-11
All Other	(\$65,227)	\$0
GENERAL FUND TOTAL	(\$65,227)	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$65,227	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$65,227	\$0

STREAM GAGING COOPERATIVE PROGRAM 0858

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$66,707	\$131,934
GENERAL FUND TOTAL	\$66,707	\$131,934

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$65,227	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$65,227	\$0

Veterans Services 0110

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	28.000	28.000
POSITIONS - FTE COUNT	1.500	1.500
Personal Services	\$1,809,116	\$1,868,836
All Other	\$587,521	\$587,521
GENERAL FUND TOTAL	\$2,396,637	\$2,456,357

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$130,702	\$130,702
FEDERAL EXPENDITURES FUND TOTAL	\$130,702	\$130,702

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$185,655	\$185,655
OTHER SPECIAL REVENUE FUNDS TOTAL	\$185,655	\$185,655

Veterans Services 0110

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$17,000	\$17,500
GENERAL FUND TOTAL	\$17,000	\$17,500

Veterans Services 0110

Initiative: Provides funding for the increased contract cost of mowing and trimming services for the 2 Maine Veterans' Memorial cemeteries located in Augusta.

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

Veterans Services 0110

Initiative: Establishes one Grounds Equipment Supervisor position, one seasonal Heavy Equipment Operator position and one seasonal Groundskeeper II position and provides funding for the operating costs associated with the opening of a new cemetery in 2010.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$106,883	\$112,417

All Other	\$75,000	\$75,000
GENERAL FUND TOTAL	\$181,883	\$187,417

Veterans Services 0110

Initiative: Provides funding for new STA-CAP rates.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$250	\$250
FEDERAL EXPENDITURES FUND TOTAL	\$250	\$250

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,940	\$1,940
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,940	\$1,940

Veterans Services 0110

Initiative: Reorganizes one full-time Groundskeeper I position to a seasonal Groundskeeper I position and reduces funding for heating and fuel to reduce winter burial costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	(\$18,574)	(\$18,966)
All Other	(\$8,000)	(\$8,000)
GENERAL FUND TOTAL	(\$26,574)	(\$26,966)

Veterans Services 0110

Initiative: Provides funding for transportation assistance for veterans needing medical care.

GENERAL FUND	2009-10	2010-11
All Other	\$11,370	\$14,244
GENERAL FUND TOTAL	\$11,370	\$14,244

Veterans Services 0110

Initiative: Provides funds for one Veteran Service Officer position and related travel and administrative costs.

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,000	\$63,500
All Other	\$24,000	\$19,000
GENERAL FUND TOTAL	\$86,000	\$82,500

DEPARTMENT TOTAL - ALL FUNDS	\$193,485,735	\$195,803,469
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Sec. A-16. Appropriations and allocations.

The following appropriations and allocations are made.

**VETERANS SERVICES 0110
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
POSITIONS - FTE COUNT	2.000	2.000
Personal Services	\$1,959,425	\$2,025,787
All Other	\$711,891	\$710,265
GENERAL FUND TOTAL	\$2,671,316	\$2,736,052

DEVELOPMENT FOUNDATION, MAINE

Development Foundation 0198

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$39,113	\$39,113
GENERAL FUND TOTAL	\$39,113	\$39,113

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$130,952	\$130,952
FEDERAL EXPENDITURES FUND TOTAL	\$130,952	\$130,952

Development Foundation 0198

Initiative: Reduces funding for grants provided by the Maine Development Foundation.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,911)	(\$3,911)
GENERAL FUND TOTAL	(\$3,911)	(\$3,911)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$187,595	\$187,595
OTHER SPECIAL REVENUE FUNDS TOTAL	\$187,595	\$187,595

Development Foundation 0198

Initiative: Provides funds to restore reductions to the Maine Growth Council.

GENERAL FUND	2009-10	2010-11
All Other	\$431	\$431
GENERAL FUND TOTAL	\$431	\$431

**DEFENSE, VETERANS
AND EMERGENCY
MANAGEMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND	\$6,283,262	\$6,477,817
FEDERAL EXPENDITURES FUND	\$96,479,067	\$96,650,414
OTHER SPECIAL REVENUE FUNDS	\$1,919,757	\$1,929,919
MAINE MILITARY AUTHORITY ENTERPRISE FUND	\$88,803,649	\$90,745,319

DEVELOPMENT FOUNDATION 0198

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$35,633	\$35,633
GENERAL FUND TOTAL	\$35,633	\$35,633

**DEVELOPMENT
FOUNDATION, MAINE
DEPARTMENT TOTALS**

GENERAL FUND	\$35,633	\$35,633
DEPARTMENT TOTAL - ALL FUNDS	\$35,633	\$35,633

Sec. A-17. Appropriations and allocations.
The following appropriations and allocations are made.

DIRIGO HEALTH

Dirigo Health Fund 0988

Initiative: BASELINE BUDGET

DIRIGO HEALTH FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,418,453	\$1,457,391
All Other	\$126,428,049	\$126,428,049
DIRIGO HEALTH FUND TOTAL	\$127,846,502	\$127,885,440

Dirigo Health Fund 0988

Initiative: Reduces funding that was to be generated from the increased excise tax on malt beverages and wine.

DIRIGO HEALTH FUND	2009-10	2010-11
All Other	(\$7,499,937)	(\$7,499,937)
DIRIGO HEALTH FUND TOTAL	(\$7,499,937)	(\$7,499,937)

Dirigo Health Fund 0988

Initiative: Reduces funding that was to be generated from the new tax on soft drinks.

DIRIGO HEALTH FUND	2009-10	2010-11
All Other	(\$9,200,000)	(\$9,200,000)
DIRIGO HEALTH FUND TOTAL	(\$9,200,000)	(\$9,200,000)

Dirigo Health Fund 0988

Initiative: Provides funding for the Dirigo Health costs that are funded by the savings offset payment.

DIRIGO HEALTH FUND	2009-10	2010-11
All Other	\$32,900,000	\$32,900,000
DIRIGO HEALTH FUND TOTAL	\$32,900,000	\$32,900,000

Dirigo Health Fund 0988

Initiative: Reduces funding that was to be generated from a health access surcharge of 1.8% on all paid claims.

DIRIGO HEALTH FUND	2009-10	2010-11
All Other	(\$33,000,000)	(\$33,000,000)
DIRIGO HEALTH FUND TOTAL	(\$33,000,000)	(\$33,000,000)

Dirigo Health Fund 0988

Initiative: Eliminates one Dirigo Health Program Coordinator position in accordance with Public Law 2007, chapter 653, Part C, section 2.

DIRIGO HEALTH FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$92,051)	(\$97,371)
DIRIGO HEALTH FUND TOTAL	(\$92,051)	(\$97,371)

Dirigo Health Fund 0988

Initiative: Deallocates funds to reflect updated assumptions for expenditures.

DIRIGO HEALTH FUND	2009-10	2010-11
All Other	(\$62,577,999)	(\$38,829,291)
DIRIGO HEALTH FUND TOTAL	(\$62,577,999)	(\$38,829,291)

DIRIGO HEALTH FUND 0988 PROGRAM SUMMARY

DIRIGO HEALTH FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,326,402	\$1,360,020
All Other	\$47,050,113	\$70,798,821
DIRIGO HEALTH FUND TOTAL	\$48,376,515	\$72,158,841

FHM - Dirigo Health Z070

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$5,000,000	\$5,000,000
FUND FOR A HEALTHY MAINE TOTAL	\$5,000,000	\$5,000,000

FHM - Dirigo Health Z070

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$316,557)	(\$558,209)
FUND FOR A HEALTHY MAINE TOTAL	(\$316,557)	(\$558,209)

FHM - DIRIGO HEALTH Z070

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$4,683,443	\$4,441,791
FUND FOR A HEALTHY MAINE TOTAL	\$4,683,443	\$4,441,791

DIRIGO HEALTH

DEPARTMENT TOTALS	2009-10	2010-11
FUND FOR A HEALTHY MAINE	\$4,683,443	\$4,441,791
DIRIGO HEALTH FUND	\$48,376,515	\$72,158,841
DEPARTMENT TOTAL - ALL FUNDS	\$53,059,958	\$76,600,632

Sec. A-18. Appropriations and allocations.
The following appropriations and allocations are made.

DISABILITY RIGHTS CENTER

Disability Rights Center 0523

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$130,766	\$130,766
GENERAL FUND TOTAL	\$130,766	\$130,766

DISABILITY RIGHTS CENTER 0523

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$130,766	\$130,766
GENERAL FUND TOTAL	\$130,766	\$130,766

Sec. A-19. 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	2009-10	2010-11
All Other	\$14,471	\$14,471
GENERAL FUND TOTAL	\$14,471	\$14,471

Downeast Institute for Applied Marine Research and Education 0993

Initiative: Reduces funding for electrical and heating costs by shutting down all but the most essential functions in the facility for one month after shellfish broodstock and larva have been placed in the field to overwinter.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,447)	(\$1,447)
GENERAL FUND TOTAL	(\$1,447)	(\$1,447)

DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION 0993

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$13,024	\$13,024
GENERAL FUND TOTAL	\$13,024	\$13,024

DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$13,024	\$13,024
DEPARTMENT TOTAL - ALL FUNDS	\$13,024	\$13,024

Sec. A-20. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$527,729	\$537,980
All Other	\$1,148,513	\$1,148,513

GENERAL FUND TOTAL	\$1,676,242	\$1,686,493
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FEDERAL EXPENDITURES FUND

	2009-10	2010-11
All Other	\$1,766,657	\$1,766,657

FEDERAL EXPENDITURES FUND TOTAL	\$1,766,657	\$1,766,657
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$70,000	\$70,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$70,000	\$70,000
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Administration - Economic and Community Development 0069

Initiative: Eliminates funding in fiscal year 2010-11 for the federal Workforce Innovation in Regional Economic Development grant that ends in February 2010.

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
All Other	\$0	(\$1,766,657)

FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$1,766,657)
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Administration - Economic and Community Development 0069

Initiative: Reduces funding by eliminating contractual services for one project manager in the Maine Manufacturing Extension Partnership program.

GENERAL FUND	2009-10	2010-11
All Other	(\$58,000)	(\$58,000)

GENERAL FUND TOTAL	(\$58,000)	(\$58,000)
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Administration - Economic and Community Development 0069

Initiative: Reduces funding to the Loring Development Authority for offering incentives to new businesses.

GENERAL FUND	2009-10	2010-11
All Other	(\$27,890)	(\$27,890)

GENERAL FUND TOTAL	(\$27,890)	(\$27,890)
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Administration - Economic and Community Development 0069

Initiative: Provides funding for the Maine Disaster Mitigation and Recovery Planning grant.

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
Personal Services	\$4,000	\$0
All Other	\$136,737	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$140,737	\$0
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ADMINISTRATION - ECONOMIC AND COMMUNITY DEVELOPMENT 0069

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$527,729	\$537,980
All Other	\$1,062,623	\$1,062,623

GENERAL FUND TOTAL	\$1,590,352	\$1,600,603
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FEDERAL EXPENDITURES FUND

	2009-10	2010-11
Personal Services	\$4,000	\$0
All Other	\$1,903,394	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$1,907,394	\$0
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$70,000	\$70,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$70,000	\$70,000
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Applied Technology Development Center System 0929

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$187,250	\$187,250
GENERAL FUND TOTAL	\$187,250	\$187,250

APPLIED TECHNOLOGY DEVELOPMENT CENTER SYSTEM 0929

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$187,250	\$187,250
GENERAL FUND TOTAL	\$187,250	\$187,250

Business Development 0585

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,209,597	\$1,242,469
All Other	\$631,674	\$631,674
GENERAL FUND TOTAL	\$1,841,271	\$1,874,143

Business Development 0585

Initiative: Eliminates one Development Project Officer position and one Secretary Associate position within the Office of Business Development.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$136,281)	(\$138,548)
GENERAL FUND TOTAL	(\$136,281)	(\$138,548)

Business Development 0585

Initiative: Reduces funding available to market Office of Business Development services.

GENERAL FUND	2009-10	2010-11
All Other	(\$90,000)	(\$90,000)
GENERAL FUND TOTAL	(\$90,000)	(\$90,000)

BUSINESS DEVELOPMENT 0585

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,073,316	\$1,103,921
All Other	\$541,674	\$541,674
GENERAL FUND TOTAL	\$1,614,990	\$1,645,595

Community Development Block Grant Program 0587

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$214,314	\$218,011
All Other	\$76,770	\$76,770
GENERAL FUND TOTAL	\$291,084	\$294,781

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$1,068,011	\$1,068,011
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,068,011	\$1,068,011

FEDERAL BLOCK GRANT FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$697,170	\$719,552
All Other	\$21,274,829	\$21,274,829
FEDERAL BLOCK GRANT FUND TOTAL	\$21,971,999	\$21,994,381

Community Development Block Grant Program 0587

Initiative: Provides funding for targeted emergency assistance awarded by the United States Department of Housing and Urban Development.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$13,929,717	\$600,000
FEDERAL BLOCK GRANT FUND TOTAL	\$13,929,717	\$600,000

Community Development Block Grant Program 0587

Initiative: Eliminates one Development Program Manager position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$82,985)	(\$87,792)
FEDERAL BLOCK GRANT FUND TOTAL	(\$82,985)	(\$87,792)

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 0587

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$214,314	\$218,011
All Other	\$76,770	\$76,770
GENERAL FUND TOTAL	\$291,084	\$294,781

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$1,068,011	\$1,068,011
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,068,011	\$1,068,011

FEDERAL BLOCK GRANT FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$614,185	\$631,760
All Other	\$35,204,546	\$21,874,829
FEDERAL BLOCK GRANT FUND TOTAL	\$35,818,731	\$22,506,589

International Commerce 0674

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$114,818	\$115,776

All Other	\$579,836	\$579,836
GENERAL FUND TOTAL	\$694,654	\$695,612

International Commerce 0674

Initiative: Reduces funding for the Maine International Trade Center by 10%.

GENERAL FUND	2009-10	2010-11
All Other	(\$57,984)	(\$57,984)
GENERAL FUND TOTAL	(\$57,984)	(\$57,984)

INTERNATIONAL COMMERCE 0674

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$114,818	\$115,776
All Other	\$521,852	\$521,852
GENERAL FUND TOTAL	\$636,670	\$637,628

Leadership and Entrepreneurial Development Program Z071

Initiative: BASELINE BUDGET

OTHERSPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

LEADERSHIP AND ENTREPRENEURIAL DEVELOPMENT PROGRAM Z071

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Economic Development Evaluation Fund Z057

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000

MAINE ECONOMIC DEVELOPMENT EVALUATION FUND Z057 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000

Maine Economic Growth Council 0727 Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$58,000	\$58,000
GENERAL FUND TOTAL	\$58,000	\$58,000

MAINE ECONOMIC GROWTH COUNCIL 0727 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$58,000	\$58,000
GENERAL FUND TOTAL	\$58,000	\$58,000

Maine Small Business and Entrepreneurship Commission 0675 Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$767,198	\$767,198
GENERAL FUND TOTAL	\$767,198	\$767,198

Maine Small Business and Entrepreneurship Commission 0675 Initiative: Reduces funding by eliminating 1.5 full-time equivalent contracted small business counselors in fiscal year 2009-10 and 2 full-time equivalent positions in fiscal year 2010-11.

GENERAL FUND	2009-10	2010-11
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All Other	(\$76,720)	(\$76,720)
GENERAL FUND TOTAL	(\$76,720)	(\$76,720)

MAINE SMALL BUSINESS AND ENTREPRENEURSHIP COMMISSION 0675 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$690,478	\$690,478
GENERAL FUND TOTAL	\$690,478	\$690,478

Maine State Film Office 0590 Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$183,970	\$187,738
All Other	\$24,925	\$24,925
GENERAL FUND TOTAL	\$208,895	\$212,663

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

Maine State Film Office 0590 Initiative: Transfers one Director Maine Film Office position from the Maine State Film Office program to the Office of Tourism program, transfers All Other to Personal Services to fund the position costs and eliminates one Assistant Director Maine Film Office position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$168,611)	(\$187,738)
All Other	(\$24,925)	(\$24,925)
GENERAL FUND TOTAL	(\$193,536)	(\$212,663)

MAINE STATE FILM OFFICE 0590 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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FIRST REGULAR SESSION - 2009

PUBLIC LAW, C. 213

POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$15,359	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$15,359	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

Office of Innovation 0995

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$321,003	\$324,249
All Other	\$7,818,525	\$7,818,525
GENERAL FUND TOTAL	\$8,139,528	\$8,142,774

Office of Innovation 0995

Initiative: Reduces funding for the Maine Technology Institute.

GENERAL FUND	2009-10	2010-11
All Other	(\$755,567)	(\$755,011)
GENERAL FUND TOTAL	(\$755,567)	(\$755,011)

**OFFICE OF INNOVATION 0995
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$321,003	\$324,249
All Other	\$7,062,958	\$7,063,514
GENERAL FUND TOTAL	\$7,383,961	\$7,387,763

Office of Tourism 0577

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$582,853	\$596,298
All Other	\$8,428,693	\$8,428,693
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,011,546	\$9,024,991

Office of Tourism 0577

Initiative: Transfers one Director Maine Film Office position from the Maine State Film Office program to the Office of Tourism program, transfers All Other to Personal Services to fund the position costs and eliminates one Assistant Director Maine Film Office position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,904	\$96,682
All Other	(\$94,904)	(\$96,682)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Office of Tourism 0577

Initiative: Provides funding as a result of revenue changes approved by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$421,831	\$771,205
OTHER SPECIAL REVENUE FUNDS TOTAL	\$421,831	\$771,205

**OFFICE OF TOURISM 0577
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$677,757	\$692,980
All Other	\$8,755,620	\$9,103,216
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,433,377	\$9,796,196

Renewable Energy Resources Fund Z072

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$645,441	\$645,441
OTHER SPECIAL REVENUE FUNDS TOTAL	\$645,441	\$645,441

RENEWABLE ENERGY RESOURCES FUND Z072

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$645,441	\$645,441
OTHER SPECIAL REVENUE FUNDS TOTAL	\$645,441	\$645,441

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$12,468,144	\$12,502,098
FEDERAL EXPENDITURES FUND	\$1,907,394	\$0
OTHER SPECIAL REVENUE FUNDS	\$11,377,329	\$11,740,148
FEDERAL BLOCK GRANT FUND	\$35,818,731	\$22,506,589
DEPARTMENT TOTAL - ALL FUNDS	\$61,571,598	\$46,748,835

Sec. A-21. Appropriations and allocations.
The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$6,059,800	\$6,059,800
GENERAL FUND TOTAL	\$6,059,800	\$6,059,800

FEDERAL EXPENDITURES FUND	2009-10	2010-11

Personal Services	\$66,935	\$67,942
All Other	\$1,978,541	\$1,978,541
FEDERAL EXPENDITURES FUND TOTAL	\$2,045,476	\$2,046,483

Adult Education 0364

Initiative: Reduces funding for literacy volunteers, the New England Literacy Resource Center, general education development test administration, state administration, the college transition administrative contract, the college transition program and local program state subsidy from the Adult Education program.

GENERAL FUND	2009-10	2010-11
All Other	(\$605,980)	(\$605,980)
GENERAL FUND TOTAL	(\$605,980)	(\$605,980)

Adult Education 0364

Initiative: Appropriates funds to partially offset reduction to the Adult Education program. These funds must be targeted for academic instruction only.

GENERAL FUND	2009-10	2010-11
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

Adult Education 0364

Initiative: Provides funds to partially restore reductions in adult education funding. These funds must be targeted for academic instruction only.

GENERAL FUND	2009-10	2010-11
All Other	\$475,000	\$475,000
GENERAL FUND TOTAL	\$475,000	\$475,000

Adult Education 0364

Initiative: Provides funds to partially restore reductions in adult education funding. These funds must be targeted for the college transition program only.

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

ADULT EDUCATION 0364 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$6,053,820	\$6,053,820
GENERAL FUND TOTAL	\$6,053,820	\$6,053,820
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$66,935	\$67,942
All Other	\$1,978,541	\$1,978,541
FEDERAL EXPENDITURES FUND TOTAL	\$2,045,476	\$2,046,483

After-school Program Fund Z023

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$24,119	\$24,119
GENERAL FUND TOTAL	\$24,119	\$24,119

After-school Program Fund Z023

Initiative: Eliminates funding of the After-school Program Fund.

GENERAL FUND	2009-10	2010-11
All Other	(\$24,119)	(\$24,119)
GENERAL FUND TOTAL	(\$24,119)	(\$24,119)

AFTER-SCHOOL PROGRAM FUND Z023

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Criminal History Record Check Fund Z014

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$375,765	\$375,765
OTHER SPECIAL REVENUE FUNDS TOTAL	\$375,765	\$375,765

Criminal History Record Check Fund Z014

Initiative: Provides funding for the Criminal History Record Check Fund program to charge off the cost of State Police Officers who perform these checks.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$99,587	\$99,587
OTHER SPECIAL REVENUE FUNDS TOTAL	\$99,587	\$99,587

CRIMINAL HISTORY RECORD CHECK FUND Z014

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$99,587	\$99,587
All Other	\$375,765	\$375,765
OTHER SPECIAL REVENUE FUNDS TOTAL	\$475,352	\$475,352

Education in Unorganized Territory 0220

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	24.500	24.500
POSITIONS - FTE COUNT	31.430	31.430
Personal Services	\$3,240,606	\$3,335,885
All Other	\$8,709,183	\$8,709,183
GENERAL FUND TOTAL	\$11,949,789	\$12,045,068

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	1.111	1.111
Personal Services	\$161,588	\$165,659
All Other	\$224,451	\$224,451
FEDERAL EXPENDITURES FUND TOTAL	\$386,039	\$390,110

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$8,135	\$8,135

OTHER SPECIAL	\$8,135	\$8,135
REVENUE FUNDS TOTAL		

Education in Unorganized Territory 0220

Initiative: Provides funding for anticipated increases in elementary tuition, secondary tuition and student transportation costs.

GENERAL FUND	2009-10	2010-11
All Other	\$473,650	\$494,535
GENERAL FUND TOTAL	\$473,650	\$494,535

Education in Unorganized Territory 0220

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

GENERAL FUND	2009-10	2010-11
All Other	\$30,320	\$30,320
GENERAL FUND TOTAL	\$30,320	\$30,320

Education in Unorganized Territory 0220

Initiative: Provides funding to cover increased costs associated with vehicle fuel.

GENERAL FUND	2009-10	2010-11
All Other	\$45,381	\$45,568
GENERAL FUND TOTAL	\$45,381	\$45,568

Education in Unorganized Territory 0220

Initiative: Provides funding for the replacement of school transportation equipment.

GENERAL FUND	2009-10	2010-11
Capital Expenditures	\$142,000	\$149,000
GENERAL FUND TOTAL	\$142,000	\$149,000

Education in Unorganized Territory 0220

Initiative: Eliminates one intermittent Cook I position, 2 seasonal Cook II positions, 3 seasonal Janitor/Bus Driver positions, 1 intermittent Teacher Aide position, 2 seasonal Teacher Aide positions and 3 seasonal Teacher positions in the Education in Unorganized Territory program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)

POSITIONS - FTE COUNT	(3,268)	(3,268)
Personal Services	(\$224,944)	(\$234,897)
GENERAL FUND TOTAL	(\$224,944)	(\$234,897)

Education in Unorganized Territory 0220

Initiative: Provides additional funds in fiscal year 2009-10 based on revised estimates of spending needs. This initiative will generate additional General Fund revenue of \$1,064,811 in fiscal year 2009-10.

GENERAL FUND	2009-10	2010-11
All Other	\$1,064,811	\$0
GENERAL FUND TOTAL	\$1,064,811	\$0

Education in Unorganized Territory 0220

Initiative: Provides additional funds in fiscal year 2009-10 based on revised estimates of spending needs. This initiative will generate additional General Fund revenue of \$376,254 in fiscal year 2009-10.

GENERAL FUND	2009-10	2010-11
All Other	\$376,254	\$0
GENERAL FUND TOTAL	\$376,254	\$0

EDUCATION IN UNORGANIZED TERRITORY 0220

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	23.500	23.500
POSITIONS - FTE COUNT	28.162	28.162
Personal Services	\$3,015,662	\$3,100,988
All Other	\$10,699,599	\$9,279,606
Capital Expenditures	\$142,000	\$149,000
GENERAL FUND TOTAL	\$13,857,261	\$12,529,594

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	1.111	1.111
Personal Services	\$161,588	\$165,659
All Other	\$224,451	\$224,451

FEDERAL EXPENDITURES FUND TOTAL	\$386,039	\$390,110
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$8,135	\$8,135
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,135	\$8,135

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.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$930,537	\$956,645
All Other	\$91,313	\$91,313
GENERAL FUND TOTAL	\$1,021,850	\$1,047,958
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.500	10.500
POSITIONS - FTE COUNT	0.576	0.576
Personal Services	\$787,013	\$809,005
All Other	\$45,349,862	\$45,349,862
FEDERAL EXPENDITURES FUND TOTAL	\$46,136,875	\$46,158,867
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,846	\$78,126
All Other	\$17,308	\$17,308
OTHER SPECIAL REVENUE FUNDS TOTAL	\$94,154	\$95,434

Federal and State Program Services Z079

Initiative: Eliminates one Public Executive II position and reduces funding for general operating expenses.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$101,707)	(\$102,817)
All Other	(\$9,523)	(\$9,523)
GENERAL FUND TOTAL	(\$111,230)	(\$112,340)

FEDERAL AND STATE PROGRAM SERVICES Z079

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$828,830	\$853,828
All Other	\$81,790	\$81,790
GENERAL FUND TOTAL	\$910,620	\$935,618

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.500	10.500
POSITIONS - FTE COUNT	0.576	0.576
Personal Services	\$787,013	\$809,005
All Other	\$45,349,862	\$45,349,862
FEDERAL EXPENDITURES FUND TOTAL	\$46,136,875	\$46,158,867

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,846	\$78,126
All Other	\$17,308	\$17,308
OTHER SPECIAL REVENUE FUNDS TOTAL	\$94,154	\$95,434

FHM - School Breakfast Program Z068

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$213,925	\$213,925

FUND FOR A HEALTHY MAINE TOTAL	\$213,925	\$213,925
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FHM – School Breakfast Program Z068

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$7,611)	(\$16,450)

FUND FOR A HEALTHY MAINE TOTAL	(\$7,611)	(\$16,450)
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FHM – School Breakfast Program Z068

Initiative: Reduces funding that was inadvertently included in the fiscal year 2009-10 and fiscal year 2010-11 baseline budget that was intended to be one-time funding only in fiscal year 2008-09.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$35,000)	(\$35,000)

FUND FOR A HEALTHY MAINE TOTAL	(\$35,000)	(\$35,000)
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FHM – SCHOOL BREAKFAST PROGRAM Z068

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$171,314	\$162,475

FUND FOR A HEALTHY MAINE TOTAL	\$171,314	\$162,475
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FHM – School Nurse Consultant 0949

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,792	\$96,469
All Other	\$9,023	\$9,023

FUND FOR A HEALTHY MAINE TOTAL	\$103,815	\$105,492
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FHM – School Nurse Consultant 0949

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$400)	(\$845)

FUND FOR A HEALTHY MAINE TOTAL	(\$400)	(\$845)
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FHM – SCHOOL NURSE CONSULTANT 0949

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,792	\$96,469
All Other	\$8,623	\$8,178

FUND FOR A HEALTHY MAINE TOTAL	\$103,415	\$104,647
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General Purpose Aid for Local Schools 0308

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$986,027,536	\$986,027,536

GENERAL FUND TOTAL	\$986,027,536	\$986,027,536
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General Purpose Aid for Local Schools 0308

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$1,799,210	\$1,858,500
All Other	(\$1,799,210)	(\$1,858,500)

GENERAL FUND TOTAL	\$0	\$0
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General Purpose Aid for Local Schools 0308

Initiative: Reduces funding for the state share of general purpose aid for local schools.

GENERAL FUND	2009-10	2010-11
All Other	(\$27,056,044)	(\$27,056,044)

GENERAL FUND TOTAL	(\$27,056,044)	(\$27,056,044)
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General Purpose Aid for Local Schools 0308

Initiative: Provides funding for general purpose aid for local schools from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$42,996,116	\$58,759,112
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$42,996,116	\$58,759,112

General Purpose Aid for Local Schools 0308

Initiative: Reduces funding for the state share of special education funding in fiscal years 2009-10 and 2010-11 only. The fiscal year 2009-10 reduction is replaced with federal Individuals with Disabilities Education Act (IDEA) funds. The fiscal year 2010-11 adjustment reflects changes to MaineCare that bring the State into compliance with federal regulation and law. School districts will bill only for special education services determined medically necessary.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,600,000)	(\$2,834,752)
GENERAL FUND TOTAL	(\$11,600,000)	(\$2,834,752)

General Purpose Aid for Local Schools 0308

Initiative: Reduces funding in only fiscal year 2010-11 for the state share of general purpose aid for local schools. This initiative will not impact the state's maintenance of effort requirements associated with the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$68,759,112)
GENERAL FUND TOTAL	\$0	(\$68,759,112)

GENERAL PURPOSE AID FOR LOCAL SCHOOLS 0308

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	23,000	23,000
Personal Services	\$1,799,210	\$1,858,500

All Other	\$945,572,282	\$885,519,128
GENERAL FUND TOTAL	\$947,371,492	\$887,377,628

FEDERAL EXPENDITURES FUND ARRA

	2009-10	2010-11
All Other	\$42,996,116	\$58,759,112
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$42,996,116	\$58,759,112

Leadership 0836

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$724,601	\$737,463
All Other	\$63,022	\$63,022
GENERAL FUND TOTAL	\$787,623	\$800,485

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,500	1,500
Personal Services	\$123,377	\$126,239
All Other	\$434,946	\$434,946
FEDERAL EXPENDITURES FUND TOTAL	\$558,323	\$561,185

Leadership 0836

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(8,000)	(8,000)
Personal Services	(\$724,601)	(\$737,463)
All Other	(\$63,022)	(\$63,022)
GENERAL FUND TOTAL	(\$787,623)	(\$800,485)

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	23,000	23,000
Personal Services	\$1,799,210	\$1,858,500

POSITIONS - LEGISLATIVE COUNT	(1,500)	(1,500)
Personal Services	(\$123,377)	(\$126,239)
All Other	(\$434,946)	(\$434,946)
FEDERAL EXPENDITURES FUND TOTAL	(\$558,323)	(\$561,185)

LEADERSHIP 0836 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Leadership Team Z077

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,008,622	\$1,027,114
All Other	\$72,929	\$72,929
GENERAL FUND TOTAL	\$1,081,551	\$1,100,043

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$313,735	\$319,228
All Other	\$649,518	\$649,518

FEDERAL EXPENDITURES FUND TOTAL	\$963,253	\$968,746
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,352	\$79,468
All Other	\$559,143	\$559,143

OTHER SPECIAL REVENUE FUNDS TOTAL	\$634,495	\$638,611
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Leadership Team Z077

Initiative: Provides funding for the grant account system service level agreement with the Office of Information Technology.

GENERAL FUND	2009-10	2010-11
All Other	\$4,320	\$4,320

GENERAL FUND TOTAL	\$4,320	\$4,320
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Leadership Team Z077

Initiative: Eliminates 1/2 of the commissioner's operating budget.

GENERAL FUND	2009-10	2010-11
All Other	(\$36,464)	(\$36,464)

GENERAL FUND TOTAL	(\$36,464)	(\$36,464)
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Leadership Team Z077

Initiative: Adjusts funding for service center fees from the Child Development Services (Preschool Handicapped) program to the Leadership Team program.

GENERAL FUND	2009-10	2010-11
All Other	\$451,379	\$451,379

GENERAL FUND TOTAL	\$451,379	\$451,379
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Leadership Team Z077

Initiative: Provides funding for grants and private contributions received from sources other than the Federal Government.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$825,000	\$825,000

OTHER SPECIAL	\$825,000	\$825,000
REVENUE FUNDS TOTAL		

LEADERSHIP TEAM Z077

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,008,622	\$1,027,114
All Other	\$492,164	\$492,164
GENERAL FUND TOTAL	\$1,500,786	\$1,519,278

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$313,735	\$319,228
All Other	\$649,518	\$649,518
FEDERAL EXPENDITURES FUND TOTAL	\$963,253	\$968,746

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,352	\$79,468
All Other	\$1,384,143	\$1,384,143
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,459,495	\$1,463,611

Learning Systems 0839

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$826,676	\$844,115
All Other	\$4,770,395	\$4,770,395
GENERAL FUND TOTAL	\$5,597,071	\$5,614,510

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	50.000	50.000

POSITIONS - FTE COUNT	0.576	0.576
Personal Services	\$3,837,034	\$3,941,797
All Other	\$118,779,881	\$118,779,881

FEDERAL EXPENDITURES FUND TOTAL	\$122,616,915	\$122,721,678
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,846	\$78,126
All Other	\$71,948	\$71,948

OTHER SPECIAL REVENUE FUNDS TOTAL	\$148,794	\$150,074
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$184,292	\$190,402
All Other	\$57,083	\$57,083

FEDERAL BLOCK GRANT FUND TOTAL	\$241,375	\$247,485
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Learning Systems 0839

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(14.500)	(14.500)
Personal Services	(\$826,676)	(\$844,115)
All Other	(\$4,770,395)	(\$4,770,395)
GENERAL FUND TOTAL	(\$5,597,071)	(\$5,614,510)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(50.000)	(50.000)
POSITIONS - FTE COUNT	(0.576)	(0.576)
Personal Services	(\$3,837,034)	(\$3,941,797)
All Other	(\$118,779,881)	(\$118,779,881)

FEDERAL EXPENDITURES	(\$122,616,915)	(\$122,721,678)	POSITIONS - LEGISLATIVE COUNT	0.000	0.000
FUND TOTAL			Personal Services	\$0	\$0
			All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11			
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
Personal Services	(\$76,846)	(\$78,126)			
All Other	(\$71,948)	(\$71,948)	FEDERAL BLOCK GRANT FUND	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$148,794)	(\$150,074)	POSITIONS - LEGISLATIVE COUNT	0.000	0.000
			Personal Services	\$0	\$0
FEDERAL BLOCK GRANT FUND	2009-10	2010-11	All Other	\$0	\$0
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)	FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0
Personal Services	(\$184,292)	(\$190,402)			
All Other	(\$57,083)	(\$57,083)	Learning Through Technology Z029		
FEDERAL BLOCK GRANT FUND TOTAL	(\$241,375)	(\$247,485)	Initiative: BASELINE BUDGET		
			GENERAL FUND	2009-10	2010-11
LEARNING SYSTEMS 0839			POSITIONS - LEGISLATIVE COUNT	6.000	6.000
PROGRAM SUMMARY			GENERAL FUND TOTAL	\$0	\$0
GENERAL FUND	2009-10	2010-11	FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$0	\$0	Personal Services	\$60,707	\$61,842
All Other	\$0	\$0	All Other	\$1,265,318	\$1,265,318
GENERAL FUND TOTAL	\$0	\$0	FEDERAL EXPENDITURES FUND TOTAL	\$1,326,025	\$1,327,160
FEDERAL EXPENDITURES FUND	2009-10	2010-11	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	All Other	\$1,526,566	\$1,526,566
POSITIONS - FTE COUNT	0.000	0.000	OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,526,566	\$1,526,566
Personal Services	\$0	\$0			
All Other	\$0	\$0	Learning Through Technology Z029		
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial man- agement and reporting of funds in the Department of Education.		
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11			

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	(6,000)	(6,000)
GENERAL FUND TOTAL	\$0	\$0
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$60,707)	(\$61,842)
FEDERAL EXPENDITURES FUND TOTAL	(\$60,707)	(\$61,842)

LEARNING THROUGH TECHNOLOGY Z029 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	0.000	0.000
GENERAL FUND TOTAL	\$0	\$0
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$1,265,318	\$1,265,318
FEDERAL EXPENDITURES FUND TOTAL	\$1,265,318	\$1,265,318
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,526,566	\$1,526,566
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,526,566	\$1,526,566

Management Information Systems 0838

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	11,000	11,000
All Other	\$679,863	\$679,863
GENERAL FUND TOTAL	\$679,863	\$679,863

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$200,949	\$118,240
All Other	\$2,690,096	\$2,690,096
FEDERAL EXPENDITURES FUND TOTAL	\$2,891,045	\$2,808,336

Management Information Systems 0838

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	(11,000)	(11,000)
All Other	(\$679,863)	(\$679,863)
GENERAL FUND TOTAL	(\$679,863)	(\$679,863)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$200,949)	(\$118,240)
All Other	(\$2,690,096)	(\$2,690,096)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,891,045)	(\$2,808,336)

Management Information Systems 0838

Initiative: Reduces funds in the Management Information Systems program in fiscal year 2009-10 only.

GENERAL FUND	2009-10	2010-11
All Other	(\$190,000)	\$0
GENERAL FUND TOTAL	(\$190,000)	\$0

MANAGEMENT INFORMATION SYSTEMS 0838 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	0.000	0.000
All Other	(\$190,000)	\$0

GENERAL FUND TOTAL	(\$190,000)	\$0
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

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.

GENERAL FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,409,865	\$1,437,697
All Other	\$4,398,287	\$4,398,287
GENERAL FUND TOTAL	\$5,808,152	\$5,835,984
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS – LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,138,324	\$1,172,914
All Other	\$28,154,370	\$28,154,370
FEDERAL EXPENDITURES FUND TOTAL	\$29,292,694	\$29,327,284
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$54,640	\$54,640
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,640	\$54,640

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Reduces funding from savings achieved by joining with other states in a common interstate assessment agreement and eliminates one Education Specialist III position and All Other operating costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$96,440)	(\$98,221)
All Other	(\$1,029,180)	(\$1,029,180)
GENERAL FUND TOTAL	(\$1,125,620)	(\$1,127,401)

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Reorganizes one Education Specialist III position to an Education Team Coordinator position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$31,709	\$34,071
All Other	(\$31,709)	(\$34,071)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

PK-20 CURRICULUM, INSTRUCTION AND ASSESSMENT Z081

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$1,313,425	\$1,339,476
All Other	\$3,369,107	\$3,369,107
GENERAL FUND TOTAL	\$4,682,532	\$4,708,583
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,170,033	\$1,206,985
All Other	\$28,122,661	\$28,120,299
FEDERAL EXPENDITURES FUND TOTAL	\$29,292,694	\$29,327,284
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$54,640	\$54,640
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,640	\$54,640

Preschool Handicapped 0449

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$16,352,270	\$16,352,270
GENERAL FUND TOTAL	\$16,352,270	\$16,352,270
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$181,416	\$189,798
All Other	\$5,070,897	\$5,070,897
FEDERAL EXPENDITURES FUND TOTAL	\$5,252,313	\$5,260,695

Preschool Handicapped 0449

Initiative: Adjusts funding for service center fees from the Child Development Services (Preschool Handicapped) program to the Leadership Team program.

GENERAL FUND	2009-10	2010-11
All Other	(\$451,379)	(\$451,379)
GENERAL FUND TOTAL	(\$451,379)	(\$451,379)

Preschool Handicapped 0449

Initiative: Eliminates one Secretary position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$53,400)	(\$56,604)
FEDERAL EXPENDITURES FUND TOTAL	(\$53,400)	(\$56,604)

Preschool Handicapped 0449

Initiative: Provides funds to increase reimbursement rates for speech and hearing services provided through speech and hearing agencies.

GENERAL FUND	2009-10	2010-11
All Other	\$100,000	\$102,500
GENERAL FUND TOTAL	\$100,000	\$102,500

PRESCHOOL HANDICAPPED 0449 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$16,000,891	\$16,003,391
GENERAL FUND TOTAL	\$16,000,891	\$16,003,391
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$128,016	\$133,194
All Other	\$5,070,897	\$5,070,897
FEDERAL EXPENDITURES FUND TOTAL	\$5,198,913	\$5,204,091

Professional Development and Education Fund Z032

Initiative: BASELINE BUDGET

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

Professional Development and Education Fund Z032

Initiative: Reduces funding that supports staff enrolled in postsecondary courses.

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

PROFESSIONAL DEVELOPMENT AND EDUCATION FUND Z032

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$4,500	\$4,500
GENERAL FUND TOTAL	\$4,500	\$4,500

Regional Services 0840

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$948,074	\$963,830
All Other	\$338,544	\$338,544
GENERAL FUND TOTAL	\$1,286,618	\$1,302,374
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$384,193	\$396,602
All Other	\$19,843,169	\$19,843,169
FEDERAL EXPENDITURES FUND TOTAL	\$20,227,362	\$20,239,771

Regional Services 0840

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(10.000)	(10.000)
Personal Services	(\$948,074)	(\$963,830)
All Other	(\$338,544)	(\$338,544)
GENERAL FUND TOTAL	(\$1,286,618)	(\$1,302,374)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$384,193)	(\$396,602)
All Other	(\$19,843,169)	(\$19,843,169)
FEDERAL EXPENDITURES FUND TOTAL	(\$20,227,362)	(\$20,239,771)

REGIONAL SERVICES 0840

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Retired Teachers Group Life Insurance Z033

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,518,852	\$2,518,852
GENERAL FUND TOTAL	\$2,518,852	\$2,518,852

Retired Teachers Group Life Insurance Z033

Initiative: Adjusts funding for group life insurance for retired teachers.

GENERAL FUND	2009-10	2010-11
All Other	(\$101,715)	\$13,099
GENERAL FUND TOTAL	(\$101,715)	\$13,099

RETIRED TEACHERS GROUP LIFE INSURANCE Z033

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$2,417,137	\$2,531,951
GENERAL FUND TOTAL	\$2,417,137	\$2,531,951

Retired Teachers' Health Insurance 0854

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$17,706,058	\$17,706,058
GENERAL FUND TOTAL	\$17,706,058	\$17,706,058

Retired Teachers' Health Insurance 0854

Initiative: Provides funding for increased retired teacher health insurance costs.

GENERAL FUND	2009-10	2010-11
All Other	\$1,062,363	\$2,188,469
GENERAL FUND TOTAL	\$1,062,363	\$2,188,469

RETIRED TEACHERS' HEALTH INSURANCE 0854

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$18,768,421	\$19,894,527
GENERAL FUND TOTAL	\$18,768,421	\$19,894,527

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.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$235,823	\$246,937
All Other	\$1,894,509	\$1,894,509
GENERAL FUND TOTAL	\$2,130,332	\$2,141,446

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$576,684	\$503,927
All Other	\$29,935,324	\$29,935,324
FEDERAL EXPENDITURES FUND TOTAL	\$30,512,008	\$30,439,251

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$330,798	\$341,986
All Other	\$131,569	\$131,569
OTHER SPECIAL REVENUE FUNDS TOTAL	\$462,367	\$473,555

School Finance and Operations Z078

Initiative: Reduces funding for grants to public and private schools.

GENERAL FUND	2009-10	2010-11
All Other	(\$97,564)	(\$97,564)
GENERAL FUND TOTAL	(\$97,564)	(\$97,564)

SCHOOL FINANCE AND OPERATIONS Z078

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$235,823	\$246,937
All Other	\$1,796,945	\$1,796,945
GENERAL FUND TOTAL	\$2,032,768	\$2,043,882

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$576,684	\$503,927
All Other	\$29,935,324	\$29,935,324
FEDERAL EXPENDITURES FUND TOTAL	\$30,512,008	\$30,439,251

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$330,798	\$341,986
All Other	\$131,569	\$131,569
OTHER SPECIAL REVENUE FUNDS TOTAL	\$462,367	\$473,555

Special Services Team Z080

Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
All Other	\$842,742	\$842,742
GENERAL FUND TOTAL	\$842,742	\$842,742

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,318,202	\$2,379,128
All Other	\$65,307,842	\$65,307,842
FEDERAL EXPENDITURES FUND TOTAL	\$67,626,044	\$67,686,970

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$184,292	\$190,402
All Other	\$57,083	\$57,083
FEDERAL BLOCK GRANT FUND TOTAL	\$241,375	\$247,485

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$184,292	\$190,402
All Other	\$57,083	\$57,083
FEDERAL BLOCK GRANT FUND TOTAL	\$241,375	\$247,485

Support Systems 0837
Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,085,496	\$1,122,985
All Other	\$1,447,956	\$1,447,956
GENERAL FUND TOTAL	\$2,533,452	\$2,570,941

Special Services Team Z080

Initiative: Reduces funding for health education, HIV prevention education, contracts for complaint investigations in the special education due process office and the contract with the Maine Transition Network, which supports the Interdepartmental Committee on Transition.

GENERAL FUND	2009-10	2010-11
All Other	(\$98,636)	(\$98,636)
GENERAL FUND TOTAL	(\$98,636)	(\$98,636)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$588,405	\$601,324
All Other	\$27,648,824	\$27,648,824
FEDERAL EXPENDITURES FUND TOTAL	\$28,237,229	\$28,250,148

SPECIAL SERVICES TEAM Z080 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$744,106	\$744,106
GENERAL FUND TOTAL	\$744,106	\$744,106

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$406,150	\$421,454
All Other	\$690,712	\$690,712
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,096,862	\$1,112,166

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,318,202	\$2,379,128
All Other	\$65,307,842	\$65,307,842
FEDERAL EXPENDITURES FUND TOTAL	\$67,626,044	\$67,686,970

Support Systems 0837
Initiative: Adjusts funding for the reorganization of programs and accounts to improve the financial management and reporting of funds in the Department of Education.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(16.000)	(16.000)

FIRST REGULAR SESSION - 2009

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Personal Services	(\$1,085,496)	(\$1,122,985)
All Other	(\$1,447,956)	(\$1,447,956)
GENERAL FUND TOTAL	(\$2,533,452)	(\$2,570,941)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(7,000)	(7,000)
Personal Services	(\$588,405)	(\$601,324)
All Other	(\$27,648,824)	(\$27,648,824)
FEDERAL EXPENDITURES FUND TOTAL	(\$28,237,229)	(\$28,250,148)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5,000)	(5,000)
Personal Services	(\$406,150)	(\$421,454)
All Other	(\$690,712)	(\$690,712)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,096,862)	(\$1,112,166)

SUPPORT SYSTEMS 0837 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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Teacher Retirement 0170 Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$178,669,830	\$178,669,830
GENERAL FUND TOTAL	\$178,669,830	\$178,669,830

Teacher Retirement 0170 Initiative: Provides funding for teacher retirement costs based upon actuarial estimates for inflation and general salary increase from the Maine Public Employees Retirement System.

GENERAL FUND	2009-10	2010-11
All Other	\$9,137,869	\$18,058,735
GENERAL FUND TOTAL	\$9,137,869	\$18,058,735

TEACHER RETIREMENT 0170 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$187,807,699	\$196,728,565
GENERAL FUND TOTAL	\$187,807,699	\$196,728,565

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$1,201,962,033	\$1,151,075,443
FEDERAL EXPENDITURES FUND	\$183,426,620	\$183,487,120
FUND FOR A HEALTHY MAINE	\$274,729	\$267,122
OTHER SPECIAL REVENUE FUNDS	\$4,080,709	\$4,097,293
FEDERAL BLOCK GRANT FUND	\$241,375	\$247,485

FEDERAL EXPENDITURES FUND ARRA	\$42,996,116	\$58,759,112
DEPARTMENT TOTAL - ALL FUNDS	\$1,432,981,582	\$1,397,933,575

Sec. A-22. Appropriations and allocations.
The following appropriations and allocations are made.

EDUCATION, STATE BOARD OF

State Board of Education 0614

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
Personal Services	\$21,192	\$21,192
All Other	\$122,685	\$122,685
GENERAL FUND TOTAL	\$143,877	\$143,877

State Board of Education 0614

Initiative: Reduces funding through a 10% reduction in operational costs for the State Board of Education.

GENERAL FUND	2009-10	2010-11
All Other	(\$14,387)	(\$14,388)
GENERAL FUND TOTAL	(\$14,387)	(\$14,388)

State Board of Education 0614

Initiative: Reduces funding to the State Board of Education by an additional \$25,000 per year.

GENERAL FUND	2009-10	2010-11
All Other	(\$25,000)	(\$25,000)
GENERAL FUND TOTAL	(\$25,000)	(\$25,000)

STATE BOARD OF EDUCATION 0614

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$21,192	\$21,192
All Other	\$83,298	\$83,297
GENERAL FUND TOTAL	\$104,490	\$104,489

EDUCATION, STATE BOARD OF DEPARTMENT TOTALS

2009-10	2010-11
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GENERAL FUND	\$104,490	\$104,489
DEPARTMENT TOTAL - ALL FUNDS	\$104,490	\$104,489

Sec. A-23. Appropriations and allocations.
The following appropriations and allocations are made.

ENERGY CONSERVATION BOARD, MAINE

Maine Energy Conservation Board Z076

Initiative: Provides funding for the Maine Energy Conservation Board.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$213,400	\$213,400
OTHER SPECIAL REVENUE FUNDS TOTAL	\$213,400	\$213,400

MAINE ENERGY CONSERVATION BOARD Z076

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$213,400	\$213,400
OTHER SPECIAL REVENUE FUNDS TOTAL	\$213,400	\$213,400

Sec. A-24. Appropriations and allocations.
The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$381,450	\$389,034
All Other	\$520,199	\$520,199
GENERAL FUND TOTAL	\$901,649	\$909,233

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	27,000	27,000
Personal Services	\$2,153,369	\$2,213,061
All Other	\$3,950,070	\$3,950,070
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,103,439	\$6,163,131

Administration - Environmental Protection 0251

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$288	\$371
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$288	\$371

Administration - Environmental Protection 0251

Initiative: Adjusts funding for the same level of support services from the Natural Resources Service Center for fiscal years 2009-10 and 2010-11 based on collective bargaining agreements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$48,664	\$64,866
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,664	\$64,866

Administration - Environmental Protection 0251

Initiative: Reorganizes 2 Resource Administrator positions to 2 Public Service Coordinator I positions and transfers All Other to Personal Services to cover the General Fund costs.

GENERAL FUND	2009-10	2010-11
Personal Services	\$2,488	\$2,601
All Other	(\$2,488)	(\$2,601)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,801	\$2,801
All Other	\$103	\$103
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,904	\$2,904

Administration - Environmental Protection 0251

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,561	\$3,676
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,561	\$3,676

Administration - Environmental Protection 0251

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$163,135	\$170,116
All Other	\$6,014	\$6,272
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$169,149	\$176,388

Administration - Environmental Protection 0251

Initiative: Adjusts funding of current property lease agreements with program areas using the space.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$182,190)	(\$182,190)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$182,190)	(\$182,190)

Administration - Environmental Protection 0251

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$85,408	\$85,408

OTHER SPECIAL	\$85,408	\$85,408
REVENUE FUNDS TOTAL		

Administration - Environmental Protection 0251

Initiative: Adjusts funding for the cost of radio support services to be provided by the Office of Information Technology.

GENERAL FUND	2009-10	2010-11
All Other	\$15,684	\$15,684
GENERAL FUND TOTAL	\$15,684	\$15,684

Administration - Environmental Protection 0251

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$9,703	\$14,527
GENERAL FUND TOTAL	\$9,703	\$14,527

Administration - Environmental Protection 0251

Initiative: Transfers one Public Service Coordinator I position from the General Fund to Other Special Revenue Funds within the Administration - Environmental Protection program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$99,894)	(\$101,574)
GENERAL FUND TOTAL	(\$99,894)	(\$101,574)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$99,894	\$101,574
All Other	\$3,683	\$3,745

OTHER SPECIAL REVENUE FUNDS TOTAL	\$103,577	\$105,319
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Administration - Environmental Protection 0251

Initiative: Eliminates one Office Assistant II position and one Office Associate II position and reduces funding for associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$120,016)	(\$124,079)
All Other	(\$3,883)	(\$4,018)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$123,899)	(\$128,097)

Administration - Environmental Protection 0251

Initiative: Eliminates one Office Associate II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$56,216)	(\$59,461)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$56,216)	(\$59,461)

ADMINISTRATION - ENVIRONMENTAL PROTECTION 0251

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$284,044	\$290,061
All Other	\$543,098	\$547,809
GENERAL FUND TOTAL	\$827,142	\$837,870

OTHERSPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	28,000	28,000
Personal Services	\$2,242,967	\$2,304,012
All Other	\$3,911,718	\$3,928,303

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,154,685	\$6,232,315
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Air Quality 0250

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,344,142	\$1,369,587
All Other	\$61,653	\$61,653
GENERAL FUND TOTAL	\$1,405,795	\$1,431,240

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$302,959	\$307,998
All Other	\$84,010	\$84,010
FEDERAL EXPENDITURES FUND TOTAL	\$386,969	\$392,008

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

Air Quality 0250

Initiative: Transfers one Public Service Manager II position from the Air Quality program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$114,728)	(\$116,292)
GENERAL FUND TOTAL	(\$114,728)	(\$116,292)

**AIR QUALITY 0250
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,229,414	\$1,253,295
All Other	\$61,653	\$61,653

GENERAL FUND TOTAL	\$1,291,067	\$1,314,948
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$302,959	\$307,998
All Other	\$84,010	\$84,010

FEDERAL EXPENDITURES FUND TOTAL	\$386,969	\$392,008
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$200,000	\$200,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000
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Board of Environmental Protection Fund 0025

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$210,319	\$213,354
All Other	\$102,246	\$102,246

OTHER SPECIAL REVENUE FUNDS TOTAL	\$312,565	\$315,600
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Board of Environmental Protection Fund 0025

Initiative: Adjusts funding for fiscal years 2009-10 and 2010-11 enhancements to existing information technology applications.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,643	\$7,643

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,643	\$7,643
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BOARD OF ENVIRONMENTAL PROTECTION FUND 0025

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$210,319	\$213,354
All Other	\$109,889	\$109,889
OTHER SPECIAL REVENUE FUNDS TOTAL	\$320,208	\$323,243

Land and Water Quality 0248

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$3,835,482	\$3,922,459
All Other	\$598,724	\$598,724
GENERAL FUND TOTAL	\$4,434,206	\$4,521,183

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$697,474	\$714,592
All Other	\$399,111	\$399,111

FEDERAL EXPENDITURES FUND TOTAL	\$1,096,585	\$1,113,703
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,053,137	\$1,073,841
All Other	\$808,650	\$808,650

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,861,787	\$1,882,491
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Land and Water Quality 0248

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$116	\$146

OTHER SPECIAL	\$116	\$146
REVENUE FUNDS TOTAL		

Land and Water Quality 0248

Initiative: Reduces funding in the Coastal Zone Management grant.

FEDERAL EXPENDITURES FUND

All Other	(\$5,019)	(\$19,015)
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FEDERAL EXPENDITURES FUND TOTAL	(\$5,019)	(\$19,015)
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Land and Water Quality 0248

Initiative: Transfers one Environmental Specialist IV position from the Land and Water Quality program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds and transfers one Senior Environmental Engineer position from the Performance Partnership Grant program, Federal Expenditures Fund to the Land and Water Quality program, General Fund.

GENERAL FUND

	2009-10	2010-11
Personal Services	(\$4,032)	(\$710)

GENERAL FUND TOTAL	(\$4,032)	(\$710)
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Land and Water Quality 0248

Initiative: Transfers one Public Service Manager II position from 50% General Fund, Land and Water Quality program and 50% Federal Expenditures Fund, Performance Partnership Grant program to 100% Federal Expenditures Fund, Performance Partnership Grant program.

GENERAL FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$56,000)	(\$56,955)

GENERAL FUND TOTAL	(\$56,000)	(\$56,955)
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Land and Water Quality 0248

Initiative: Reorganizes one Environmental Engineer Specialist position to one Environmental Specialist III position.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$17,042)	(\$17,221)

GENERAL FUND TOTAL	(\$17,042)	(\$17,221)
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**LAND AND WATER QUALITY 0248
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	45.000	45.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$3,758,408	\$3,847,573
All Other	\$598,724	\$598,724

GENERAL FUND TOTAL	\$4,357,132	\$4,446,297
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$697,474	\$714,592
All Other	\$394,092	\$380,096

FEDERAL EXPENDITURES FUND TOTAL	\$1,091,566	\$1,094,688
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,053,137	\$1,073,841
All Other	\$808,766	\$808,796

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,861,903	\$1,882,637
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Maine Environmental Protection Fund 0421

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	75.000	75.000
POSITIONS - FTE COUNT	2.346	2.346
Personal Services	\$6,083,726	\$6,237,698
All Other	\$1,170,032	\$1,170,032

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,253,758	\$7,407,730
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Maine Environmental Protection Fund 0421

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,285	\$4,310
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,285	\$4,310

Maine Environmental Protection Fund 0421

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$883	\$911
OTHER SPECIAL REVENUE FUNDS TOTAL	\$883	\$911

Maine Environmental Protection Fund 0421

Initiative: Transfers one Environmental Specialist IV position from the Land and Water Quality program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds and transfers one Senior Environmental Engineer position from the Performance Partnership Grant program, Federal Expenditures Fund to the Land and Water Quality program, General Fund.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,463	\$98,375
All Other	\$3,552	\$3,623

OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,015	\$101,998
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Maine Environmental Protection Fund 0421

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)

Personal Services	(\$50,946)	(\$53,861)
All Other	(\$1,878)	(\$1,986)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$52,824)	(\$55,847)

Maine Environmental Protection Fund 0421

Initiative: Adjusts funding of current property lease agreements with program areas using the space.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$53,046	\$53,046
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$53,046	\$53,046

Maine Environmental Protection Fund 0421

Initiative: Provides funding for capital equipment purchases in the Maine Environmental Protection Fund program for continued air monitoring.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$98,500	\$100,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,500	\$100,500

Maine Environmental Protection Fund 0421

Initiative: Transfers one Environmental Specialist III position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Remediation and Waste Management program, General Fund.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$75,721)	(\$76,903)
All Other	(\$2,792)	(\$2,835)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$78,513)	(\$79,738)

Maine Environmental Protection Fund 0421

Initiative: Transfers one Public Service Manager II position from the Air Quality program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$114,728	\$116,292
All Other	\$4,230	\$4,288
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$118,958	\$120,580

Maine Environmental Protection Fund 0421

Initiative: Eliminates 2 Environmental Specialist II positions and one Environmental Specialist III position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$172,881)	(\$182,061)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$172,881)	(\$182,061)

Maine Environmental Protection Fund 0421

Initiative: Provides funding for support and removal of licensed overboard discharges, investment in the improvement of wastewater treatment infrastructure, abatement and removal of sources of pollution from failing subsurface wastewater disposal systems and grants to municipalities and other qualifying applicants for identifying and abating pollution in shellfish growing areas.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$17,000	\$4,080
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,000	\$4,080

MAINE ENVIRONMENTAL PROTECTION FUND 0421

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	72,000	72,000
POSITIONS - FTE COUNT	2,346	2,346
Personal Services	\$5,995,369	\$6,139,540

All Other	\$1,247,358	\$1,235,469
Capital Expenditures	\$98,500	\$100,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,341,227	\$7,475,509

Performance Partnership Grant 0851

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	66.500	66.500
POSITIONS - FTE COUNT	0.942	0.942
Personal Services	\$5,670,603	\$5,810,819
All Other	\$3,519,597	\$3,519,597
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$9,190,200	\$9,330,416

Performance Partnership Grant 0851

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$864	\$1,101
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$864	\$1,101

Performance Partnership Grant 0851

Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,794	\$1,851
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$1,794	\$1,851

Performance Partnership Grant 0851

Initiative: Transfers one Environmental Specialist IV position from the Land and Water Quality program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds and transfers one Senior Environmental Engineer position from the Performance Partnership Grant program, Federal Expenditures Fund to the Land and Water Quality program, General Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$92,431)	(\$97,665)
All Other	(\$3,408)	(\$3,601)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$95,839)	(\$101,266)

Performance Partnership Grant 0851

Initiative: Adjusts funding of current property lease agreements with program areas using the space.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$14,723	\$14,723
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$14,723	\$14,723

Performance Partnership Grant 0851

Initiative: Adjusts funding for information technology services based on fiscal years 2009-10 and 2010-11 projected changes in agency headcount.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$83,199	\$83,199
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$83,199	\$83,199

Performance Partnership Grant 0851

Initiative: Transfers one Public Service Manager II position from 50% General Fund, Land and Water Quality program and 50% Federal Expenditures Fund, Performance Partnership Grant program to 100% Federal Expenditures Fund, Performance Partnership Grant program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$56,000	\$56,955
All Other	\$2,065	\$2,100
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$58,065	\$59,055

PERFORMANCE PARTNERSHIP GRANT 0851

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	66.500	66.500
POSITIONS - FTE COUNT	0.942	0.942
Personal Services	\$5,634,172	\$5,770,109
All Other	\$3,618,834	\$3,618,970
FEDERAL EXPENDITURES FUND TOTAL	\$9,253,006	\$9,389,079

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$230	\$279
FEDERAL EXPENDITURES FUND TOTAL	\$230	\$279
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,049	\$9,532
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,049	\$9,532

Remediation and Waste Management 0247

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$153,260	\$156,608
GENERAL FUND TOTAL	\$153,260	\$156,608

Remediation and Waste Management 0247

Initiative: Provides funding for building improvements in the Remediation and Waste Management program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$60,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,000	\$10,000

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	27.000	27.000
Personal Services	\$2,275,508	\$2,327,857
All Other	\$2,393,855	\$2,393,855
FEDERAL EXPENDITURES FUND TOTAL	\$4,669,363	\$4,721,712

Remediation and Waste Management 0247

Initiative: Provides funding for capital equipment purchases needed for investigation and clean up of spilled hazardous materials and petroleum products.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$442,000	\$426,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$442,000	\$426,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	122.000	122.000
POSITIONS - FTE COUNT	0.924	0.924
Personal Services	\$10,663,005	\$10,909,088
All Other	\$25,596,581	\$25,596,581
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,259,586	\$36,505,669

Remediation and Waste Management 0247

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,405	\$7,642
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,405	\$7,642

Remediation and Waste Management 0247

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

Remediation and Waste Management 0247

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund pro-

gram, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$112,189)	(\$116,255)
All Other	(\$4,136)	(\$4,286)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$116,325)	(\$120,541)

Remediation and Waste Management 0247

Initiative: Adjusts funding of current property lease agreements with program areas using the space.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$114,421	\$114,421
OTHER SPECIAL REVENUE FUNDS TOTAL	\$114,421	\$114,421

Remediation and Waste Management 0247

Initiative: Adjusts funding for fiscal years 2009-10 and 2010-11 enhancements to existing information technology applications.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$47,177	\$44,067
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,177	\$44,067

Remediation and Waste Management 0247

Initiative: Reorganizes one Resource Administrator position to one Public Service Coordinator I position and provides funding for associated All Other costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$2,731	\$2,852
All Other	\$101	\$105
FEDERAL EXPENDITURES FUND TOTAL	\$2,832	\$2,957

Remediation and Waste Management 0247

Initiative: Transfers one Oil and Hazardous Materials Specialist II position from the General Fund to Other Special Revenue Funds within the Remediation and Waste Management program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$69,413)	(\$71,241)
GENERAL FUND TOTAL	(\$69,413)	(\$71,241)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$69,413	\$71,241
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,413	\$71,241

Remediation and Waste Management 0247

Initiative: Transfers one Environmental Specialist III position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Remediation and Waste Management program, General Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$75,721	\$76,903
All Other	\$20,000	\$20,000
GENERAL FUND TOTAL	\$95,721	\$96,903

Remediation and Waste Management 0247

Initiative: Eliminates one Toxicologist position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$80,320)	(\$84,615)
FEDERAL EXPENDITURES FUND TOTAL	(\$80,320)	(\$84,615)

REMEDIATION AND WASTE MANAGEMENT 0247

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$159,568	\$162,270
All Other	\$20,000	\$20,000
GENERAL FUND TOTAL	\$179,568	\$182,270

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26,000	26,000
Personal Services	\$2,197,919	\$2,246,094
All Other	\$2,394,186	\$2,394,239
FEDERAL EXPENDITURES FUND TOTAL	\$4,592,105	\$4,640,333

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	121,000	121,000
POSITIONS - FTE COUNT	0.924	0.924
Personal Services	\$10,620,229	\$10,864,074
All Other	\$25,768,497	\$25,767,957
Capital Expenditures	\$502,000	\$436,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,890,726	\$37,068,031

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$6,654,909	\$6,781,385
FEDERAL EXPENDITURES FUND	\$15,323,646	\$15,516,108
OTHER SPECIAL REVENUE FUNDS	\$52,768,749	\$53,181,735
DEPARTMENT TOTAL - ALL FUNDS	\$74,747,304	\$75,479,228

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

Governmental Ethics and Election Practices - Commission on 0414

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$151,277	\$156,349
All Other	\$9,721	\$9,721
GENERAL FUND TOTAL	\$160,998	\$166,070

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$385,010	\$396,210
All Other	\$2,208,656	\$2,208,656
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,593,666	\$2,604,866

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Reduces funding in the Maine Clean Election Act account to stay within available resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$20,162)	(\$304,088)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$20,162)	(\$304,088)

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Establishes 2 project Planning and Research Assistant positions needed to properly administer the 2010 election. One position begins on January 1, 2010 and ends on December 31, 2010, and one position begins on October 1, 2010 and ends on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$29,945	\$80,798
All Other	(\$29,945)	(\$80,798)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Sec. A-25. Appropriations and allocations.
The following appropriations and allocations are made.

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Provides funding for the transfer authorized in Public Law 2007, chapter 539, Part L, as amended in this Act, for the administration of the Maine Clean Election Act.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$0

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Reduces funding to stay within available resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	(\$6,261)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$6,261)

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Reallocates the cost of one Registration and Reporting Officer position from 55% General Fund and 45% Other Special Revenue Funds to 42% General Fund and 58% Other Special Revenue Funds, and reallocates the cost of one Secretary Associate Legal position from 74% General Fund and 26% Other Special Revenue Funds to 60% General Fund and 40% Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$16,100)	(\$16,607)
GENERAL FUND TOTAL	(\$16,100)	(\$16,607)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$16,100	\$16,607
All Other	(\$16,100)	(\$16,607)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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GOVERNMENTAL ETHICS AND ELECTION PRACTICES - COMMISSION ON 0414 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$135,177	\$139,742
All Other	\$9,721	\$9,721
GENERAL FUND TOTAL	\$144,898	\$149,463

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$431,055	\$493,615
All Other	\$4,142,449	\$1,800,902
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,573,504	\$2,294,517

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$144,898	\$149,463
OTHER SPECIAL REVENUE FUNDS	\$4,573,504	\$2,294,517
DEPARTMENT TOTAL - ALL FUNDS	\$4,718,402	\$2,443,980

Sec. A-26. Appropriations and allocations.
The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT Administration - Executive - Governor's Office 0165

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26,000	26,000

Personal Services	\$2,496,118	\$2,621,286
All Other	\$437,027	\$437,027
GENERAL FUND TOTAL	\$2,933,145	\$3,058,313

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$141,389	\$149,034
All Other	\$1,130,826	\$1,130,826
FEDERAL EXPENDITURES FUND TOTAL	\$1,272,215	\$1,279,860

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Administration - Executive - Governor's Office 0165
 Initiative: Eliminates funding for the federal Workforce Innovation in Regional Economic Development grant in fiscal year 2010-11 due to the expiration of this program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$0	(\$108,741)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$108,741)

Administration - Executive - Governor's Office 0165
 Initiative: Eliminates funding as a result of the completion of the workforce cooperative agreement initiatives.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$900,000)	(\$900,000)
FEDERAL EXPENDITURES FUND TOTAL	(\$900,000)	(\$900,000)

Administration - Executive - Governor's Office 0165
 Initiative: Reallocates the cost of one Governor's Special Assistant position from 75% General Fund and

25% Federal Expenditures Fund to 83.5% General Fund and 16.5% Federal Expenditures Fund.

GENERAL FUND	2009-10	2010-11
Personal Services	\$5,007	\$5,276
GENERAL FUND TOTAL	\$5,007	\$5,276

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$5,007)	(\$5,276)
FEDERAL EXPENDITURES FUND TOTAL	(\$5,007)	(\$5,276)

Administration - Executive - Governor's Office 0165
 Initiative: Continues one limited-period Governor's Special Assistant position through June 11, 2011. This position was previously authorized to continue in Public Law 2007, chapter 240.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$101,482	\$107,101
All Other	\$508	\$768
FEDERAL EXPENDITURES FUND TOTAL	\$101,990	\$107,869

Administration - Executive - Governor's Office 0165
 Initiative: Eliminates one Governor's Special Assistant position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(1,000)	(1,000)
Personal Services	(\$98,937)	(\$103,462)
GENERAL FUND TOTAL	(\$98,937)	(\$103,462)

Administration - Executive - Governor's Office 0165
 Initiative: Reallocates the cost of one Governor's Special Assistant position from 67.5% Federal Expenditures Fund and 32.5% General Fund to 81% Federal Expenditures Fund and 19% General Fund.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$74,608)	(\$78,715)

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GENERAL FUND TOTAL	(\$74,608)	(\$78,715)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$74,608	\$78,715
All Other	\$1,658	\$1,749
FEDERAL EXPENDITURES FUND TOTAL	\$76,266	\$80,464

Administration - Executive - Governor's Office 0165

Initiative: Reallocates the cost of one Governor's Special Assistant position from 62.5% General Fund and 37.5% Federal Expenditures Fund to 100% General Fund and decreases the hours of the position from 80 hours to 40 hours biweekly.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$19,953)	(\$21,059)
GENERAL FUND TOTAL	(\$19,953)	(\$21,059)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$59,861)	(\$63,182)
All Other	(\$1,331)	(\$1,404)
FEDERAL EXPENDITURES FUND TOTAL	(\$61,192)	(\$64,586)

Administration - Executive - Governor's Office 0165

Initiative: Reallocates the cost of one Governor's Special Assistant position from 100% General Fund to 85% Federal Expenditures Fund and 15% General Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$115,277)	(\$121,637)
GENERAL FUND TOTAL	(\$115,277)	(\$121,637)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$115,277	\$121,637
All Other	\$2,561	\$2,703
FEDERAL EXPENDITURES FUND TOTAL	\$117,838	\$124,340

Administration - Executive - Governor's Office 0165

Initiative: Continues one limited-period Governor's Special Assistant position that was extended in Financial Order 04694 F9 until January 31, 2010.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$85,603	\$0
All Other	\$1,902	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$87,505	\$0

ADMINISTRATION - EXECUTIVE - GOVERNOR'S OFFICE 0165

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	23.500	23.500
Personal Services	\$2,192,350	\$2,301,689
All Other	\$437,027	\$437,027
GENERAL FUND TOTAL	\$2,629,377	\$2,738,716

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$453,491	\$388,029
All Other	\$236,124	\$125,901
FEDERAL EXPENDITURES FUND TOTAL	\$689,615	\$513,930

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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Blaine House 0072

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.684	0.684
Personal Services	\$523,392	\$552,021
All Other	\$55,539	\$55,539

GENERAL FUND TOTAL	\$578,931	\$607,560
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,240	\$5,240

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,240	\$5,240
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Blaine House 0072

Initiative: Reorganizes one full-time Governor's Special Assistant position to 2 part-time seasonal Governor's Special Assistant positions.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	0.631	0.631
Personal Services	(\$56,526)	(\$59,592)

GENERAL FUND TOTAL	(\$56,526)	(\$59,592)
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**BLAINE HOUSE 0072
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
POSITIONS - FTE COUNT	1.315	1.315
Personal Services	\$466,866	\$492,429
All Other	\$55,539	\$55,539

GENERAL FUND TOTAL	\$522,405	\$547,968
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,240	\$5,240

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,240	\$5,240
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Land for Maine's Future Fund 0060

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,015	\$80,255
All Other	\$5,000	\$5,000

GENERAL FUND TOTAL	\$84,015	\$85,255
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$49,707	\$49,707

OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,707	\$49,707
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**LAND FOR MAINE'S FUTURE FUND 0060
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,015	\$80,255
All Other	\$5,000	\$5,000

GENERAL FUND TOTAL	\$84,015	\$85,255
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$49,707	\$49,707

OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,707	\$49,707
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Maine Code Enforcement Training and Certification Fund N073

Initiative: Transfers 2 Planner II positions from the State Planning Office to the Code Enforcement Training and Certification Program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Personal Services	\$138,082	\$138,082
All Other	\$4,327	\$4,327
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$142,409	\$142,409

MAINE CODE ENFORCEMENT TRAINING AND CERTIFICATION FUND N073

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$138,082	\$138,082
All Other	\$4,327	\$4,327
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$142,409	\$142,409

Ombudsman Program 0103

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$122,524	\$122,524
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GENERAL FUND TOTAL	\$122,524	\$122,524
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$57,150	\$57,150
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FEDERAL EXPENDITURES FUND TOTAL	\$57,150	\$57,150

OMBUDSMAN PROGRAM 0103

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$122,524	\$122,524
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GENERAL FUND TOTAL	\$122,524	\$122,524
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$57,150	\$57,150
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FEDERAL EXPENDITURES FUND TOTAL	\$57,150	\$57,150

Planning Office 0082

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,527,682	\$1,561,971
All Other	\$703,421	\$703,421
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GENERAL FUND TOTAL	\$2,231,103	\$2,265,392

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,281,748	\$1,257,690
All Other	\$3,528,978	\$3,528,978
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FEDERAL EXPENDITURES FUND TOTAL	\$4,810,726	\$4,786,668

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,147,760	\$1,189,602
All Other	\$1,516,385	\$1,516,385
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,664,145	\$2,705,987

Planning Office 0082

Initiative: Transfers one Senior Planner position and related All Other costs in the code enforcement officer program from the General Fund to Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$85,634)	(\$87,355)
All Other	(\$49,529)	(\$49,971)
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GENERAL FUND TOTAL	(\$135,163)	(\$137,326)

Planning Office 0082

Initiative: Eliminates one Public Service Coordinator I position.

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$96,349)	(\$97,739)
GENERAL FUND TOTAL	(\$96,349)	(\$97,739)

Planning Office 0082

Initiative: Provides funding to reimburse municipalities for activities related to certain permitting requirements mandated by the State.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$160,000	\$160,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$160,000	\$160,000

Planning Office 0082

Initiative: Eliminates one Planner II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$65,881)	(\$69,819)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$65,881)	(\$69,819)

Planning Office 0082

Initiative: Provides funding for continuation of one limited-period Senior Planner position through April 30, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$57,214	\$60,478
All Other	\$3,224	\$3,409
FEDERAL EXPENDITURES FUND TOTAL	\$60,438	\$63,887

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$19,071	\$20,156
All Other	\$1,075	\$1,136

OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,146	\$21,292
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Planning Office 0082

Initiative: Transfers 2 Planner II positions from the State Planning Office to the Code Enforcement Training and Certification Program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$138,082)	(\$138,082)
All Other	(\$4,327)	(\$4,327)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$142,409)	(\$142,409)

PLANNING OFFICE 0082

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,345,699	\$1,376,877
All Other	\$653,892	\$653,450
GENERAL FUND TOTAL	\$1,999,591	\$2,030,327

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17,000	17,000
Personal Services	\$1,338,962	\$1,318,168
All Other	\$3,532,202	\$3,532,387
FEDERAL EXPENDITURES FUND TOTAL	\$4,871,164	\$4,850,555

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12,000	12,000
Personal Services	\$962,868	\$1,001,857
All Other	\$1,673,133	\$1,673,194
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,636,001	\$2,675,051

Public Advocate 0410

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$1,138,487	\$1,155,598
All Other	\$571,581	\$571,581
	\$1,710,068	\$1,727,179
OTHER SPECIAL REVENUE FUNDS TOTAL		

Public Advocate 0410

Initiative: Eliminates funding in the State Nuclear Safety Advisor account due to the elimination of the program on August 31, 2008.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$5,000)	(\$5,000)
	(\$5,000)	(\$5,000)
OTHER SPECIAL REVENUE FUNDS TOTAL		

PUBLIC ADVOCATE 0410 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$1,138,487	\$1,155,598
All Other	\$566,581	\$566,581
	\$1,705,068	\$1,722,179
OTHER SPECIAL REVENUE FUNDS TOTAL		

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS

	2009-10	2010-11
GENERAL FUND	\$5,357,912	\$5,524,790
FEDERAL EXPENDITURES FUND	\$5,617,929	\$5,421,635
OTHER SPECIAL REVENUE FUNDS	\$4,538,925	\$4,595,086
	\$15,514,766	\$15,541,511
DEPARTMENT TOTAL - ALL FUNDS		

Sec. A-27. Appropriations and allocations.

The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Doctors For Maine's Future Scholarship Fund Z090

Initiative: Provides funding for medical school scholarships for eligible Maine residents. Funding provided in this initiative will provide medical school scholarships to eligible Maine residents attending a program sponsored by the University of New England College of Osteopathic Medicine; the joint program between Tufts University and the Maine Medical Center; or an emerging program with the University of Vermont College of Medicine, Eastern Maine Healthcare Systems and the University of Maine. Scholarships of up to \$25,000 per student, per year may not exceed 10 per class, per school each year. The medical school programs must match funds for scholarships equal to the amount provided by the State. Funding is available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

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

DOCTORS FOR MAINE'S FUTURE SCHOLARSHIP FUND Z090

PROGRAM SUMMARY

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

FHM - Dental Education 0951

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$277,735	\$277,735
	\$277,735	\$277,735
FUND FOR A HEALTHY MAINE TOTAL		

FHM - Dental Education 0951

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11

All Other	(\$12,307)	(\$26,000)
<hr/>		
FUND FOR A HEALTHY MAINE TOTAL	(\$12,307)	(\$26,000)

**FHM - DENTAL EDUCATION 0951
PROGRAM SUMMARY**

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$265,428	\$251,735
<hr/>		
FUND FOR A HEALTHY MAINE TOTAL	\$265,428	\$251,735

**FHM - Health Education Centers 0950
Initiative: BASELINE BUDGET**

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$117,235	\$117,235
<hr/>		
FUND FOR A HEALTHY MAINE TOTAL	\$117,235	\$117,235

**FHM - Health Education Centers 0950
Initiative: Reduces funding to maintain costs within available resources.**

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$5,195)	(\$10,975)
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FUND FOR A HEALTHY MAINE TOTAL	(\$5,195)	(\$10,975)

**FHM - HEALTH EDUCATION CENTERS 0950
PROGRAM SUMMARY**

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$112,040	\$106,260
<hr/>		
FUND FOR A HEALTHY MAINE TOTAL	\$112,040	\$106,260

**FHM - Quality Child Care 0952
Initiative: BASELINE BUDGET**

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$167,792	\$167,792

FUND FOR A HEALTHY MAINE TOTAL	\$167,792	\$167,792
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FHM - Quality Child Care 0952

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$7,434)	(\$15,708)
<hr/>		
FUND FOR A HEALTHY MAINE TOTAL	(\$7,434)	(\$15,708)

**FHM - QUALITY CHILD CARE 0952
PROGRAM SUMMARY**

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$160,358	\$152,084
<hr/>		
FUND FOR A HEALTHY MAINE TOTAL	\$160,358	\$152,084

**Student Financial Assistance Programs 0653
Initiative: BASELINE BUDGET**

GENERAL FUND	2009-10	2010-11
All Other	\$12,761,117	\$12,761,117
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GENERAL FUND TOTAL	\$12,761,117	\$12,761,117

**Student Financial Assistance Programs 0653
Initiative: Reduces funding for grants in the Student Financial Assistance Programs.**

GENERAL FUND	2009-10	2010-11
All Other	(\$1,276,112)	(\$1,276,112)
<hr/>		
GENERAL FUND TOTAL	(\$1,276,112)	(\$1,276,112)

STUDENT FINANCIAL ASSISTANCE PROGRAMS 0653

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$11,485,005	\$11,485,005
<hr/>		
GENERAL FUND TOTAL	\$11,485,005	\$11,485,005

Waste Motor Oil Disposal Site Remediation Program Z060

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,925,000	\$2,925,000
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,925,000	\$2,925,000

WASTE MOTOR OIL DISPOSAL SITE REMEDIATION PROGRAM Z060

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,925,000	\$2,925,000
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,925,000	\$2,925,000

FINANCE AUTHORITY OF MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$12,985,005	\$12,985,005
FUND FOR A HEALTHY MAINE	\$537,826	\$510,079
OTHER SPECIAL REVENUE FUNDS	\$2,925,000	\$2,925,000
<hr/>		
DEPARTMENT TOTAL - ALL FUNDS	\$16,447,831	\$16,420,084

Sec. A-28. Appropriations and allocations.
The following appropriations and allocations are made.

FOUNDATION FOR BLOOD RESEARCH

Scienceworks for ME 0908

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$60,144	\$60,144
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GENERAL FUND TOTAL	\$60,144	\$60,144

Scienceworks for ME 0908

Initiative: Reduces funding for grants.

GENERAL FUND	2009-10	2010-11
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All Other	(\$6,014)	(\$6,014)
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GENERAL FUND TOTAL	(\$6,014)	(\$6,014)

SCIENCEWORKS FOR ME 0908 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$54,130	\$54,130
<hr/>		
GENERAL FUND TOTAL	\$54,130	\$54,130

FOUNDATION FOR BLOOD RESEARCH

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$54,130	\$54,130
<hr/>		
DEPARTMENT TOTAL - ALL FUNDS	\$54,130	\$54,130

Sec. A-29. 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	2009-10	2010-11
All Other	\$188,651	\$188,651
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$188,651	\$188,651

HARNESS RACING PROMOTIONAL BOARD 0873

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$188,651	\$188,651
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$188,651	\$188,651

Sec. A-30. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$528,066	\$536,483
All Other	\$1,456,713	\$1,456,713
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,984,779	\$1,993,196

Maine Health Data Organization 0848

Initiative: Provides funding for the authorized expenditures in accordance with the Maine Health Data Organization laws.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$79,833	\$174,646
OTHER SPECIAL REVENUE FUNDS TOTAL	\$79,833	\$174,646

MAINE HEALTH DATA ORGANIZATION 0848 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$528,066	\$536,483
All Other	\$1,536,546	\$1,631,359
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,064,612	\$2,167,842

HEALTH DATA ORGANIZATION, MAINE DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$2,064,612	\$2,167,842
DEPARTMENT TOTAL - ALL FUNDS	\$2,064,612	\$2,167,842

Sec. A-31. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$115,997	\$114,021
All Other	\$5,329	\$5,329
GENERAL FUND TOTAL	\$121,326	\$119,350

Brain Injury Z041

Initiative: Provides funding for a new grant award for the Traumatic Brain Injury Implementation Partnership.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

Brain Injury Z041

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$140)	(\$127)
GENERAL FUND TOTAL	(\$140)	(\$127)

BRAIN INJURY Z041 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$115,997	\$114,021
All Other	\$5,189	\$5,202
GENERAL FUND TOTAL	\$121,186	\$119,223

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

Consumer-directed Services Z043

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,500,761	\$2,500,761
GENERAL FUND TOTAL	\$2,500,761	\$2,500,761

Consumer-directed Services Z043

Initiative: Continues one Social Services Program Specialist II position originally established by financial order in order to manage the self-directed personal care services for adults with physical disabilities program. Position costs are offset by a reduction in the All Other line category.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,569	\$84,670
All Other	(\$82,569)	(\$84,670)
GENERAL FUND TOTAL	\$0	\$0

Consumer-directed Services Z043

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$2,179	\$2,192
GENERAL FUND TOTAL	\$2,179	\$2,192

CONSUMER-DIRECTED SERVICES Z043

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,569	\$84,670
All Other	\$2,420,371	\$2,418,283
GENERAL FUND TOTAL	\$2,502,940	\$2,502,953

Departmentwide 0019

Initiative: Reduces funding for room and board due to a social security income cost-of-living increase. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings that result from this initiative that apply against each appropriate General Fund account and shall transfer

the amounts by financial order upon approval of the Governor.

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

DEPARTMENTWIDE 0019

PROGRAM SUMMARY

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

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
Personal Services	\$8,955,472	\$8,906,175
All Other	\$307,287	\$307,287
GENERAL FUND TOTAL	\$9,262,759	\$9,213,462

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Eliminates one Physician III position, one Physician Assistant position and one Psychologist III position and transfers the funds to All Other in order to provide funding for contracted medical services at the Dorothea Dix Psychiatric Center.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$142,371)	(\$145,490)
All Other	\$142,371	\$145,490
GENERAL FUND TOTAL	\$0	\$0

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Transfers funding between programs to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$105,995)	(\$109,528)
GENERAL FUND TOTAL	(\$105,995)	(\$109,528)

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Eliminates one Public Service Manager II position, one Licensed Practical Nurse position, one Office Assistant II position, one Institutional Clothing Supervisor position, one Clinical Dietician position, one Diet Coordinator position, one Food Service Worker position, one part-time Cook I position and one part-time Food Service Worker position.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$189,077)	(\$188,077)
GENERAL FUND TOTAL	(\$189,077)	(\$188,077)

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$133,042)	(\$166,863)
All Other	(\$6,438)	(\$7,790)
GENERAL FUND TOTAL	(\$139,480)	(\$174,653)

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,145)	(\$2,145)
GENERAL FUND TOTAL	(\$2,145)	(\$2,145)

DISPROPORTIONATE SHARE - DOROTHEA DIX PSYCHIATRIC CENTER 0734

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$8,490,982	\$8,405,745
All Other	\$335,080	\$333,314
GENERAL FUND TOTAL	\$8,826,062	\$8,739,059

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
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Personal Services	\$8,209,990	\$8,174,988
All Other	\$3,036,430	\$3,036,430
GENERAL FUND TOTAL	\$11,246,420	\$11,211,418

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Transfers funding between programs to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$94,877)	(\$98,039)
GENERAL FUND TOTAL	(\$94,877)	(\$98,039)

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$67,953	\$75,269
GENERAL FUND TOTAL	\$67,953	\$75,269

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$984)	(\$1,302)
GENERAL FUND TOTAL	(\$984)	(\$1,302)

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$161,838)	(\$193,468)
All Other	(\$60,663)	(\$71,884)
GENERAL FUND TOTAL	(\$222,501)	(\$265,352)

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,920)	(\$1,920)
GENERAL FUND TOTAL	(\$1,920)	(\$1,920)

DISPROPORTIONATE SHARE - RIVERVIEW PSYCHIATRIC CENTER 0733

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$8,048,152	\$7,981,520
All Other	\$2,945,939	\$2,938,554
GENERAL FUND TOTAL	\$10,994,091	\$10,920,074

Dorothea Dix Psychiatric Center 0120

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$3,637,336	\$3,637,336
GENERAL FUND TOTAL	\$3,637,336	\$3,637,336

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
All Other	\$1,975	\$1,975
FEDERAL EXPENDITURES FUND TOTAL	\$1,975	\$1,975

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	320.000	320.000
POSITIONS - FTE COUNT	0.240	0.240
Personal Services	\$16,124,800	\$16,033,271
All Other	\$1,545,923	\$1,545,923
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,670,723	\$17,579,194

Dorothea Dix Psychiatric Center 0120

Initiative: Eliminates one Physician III position, one Physician Assistant position and one Psychologist III position and transfers the funds to All Other in order to

provide funding for contracted medical services at the Dorothea Dix Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$254,657)	(\$260,223)
All Other	\$254,657	\$260,223
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Dorothea Dix Psychiatric Center 0120

Initiative: Eliminates funding in the Dorothea Dix Psychiatric Center program for an account no longer in use.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$1,975)	(\$1,975)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,975)	(\$1,975)

Dorothea Dix Psychiatric Center 0120

Initiative: Provides funding for contracted services.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,709,590	\$1,709,590
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,709,590	\$1,709,590

Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$579,806	\$514,312
OTHER SPECIAL REVENUE FUNDS TOTAL	\$579,806	\$514,312

Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal

years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$676,439	\$600,030
OTHER SPECIAL REVENUE FUNDS TOTAL	\$676,439	\$600,030

Dorothea Dix Psychiatric Center 0120

Initiative: Eliminates one Public Service Manager II position, one Licensed Practical Nurse position, one Office Assistant II position, one Institutional Clothing Supervisor position, one Clinical Dietician position, one Diet Coordinator position, one Food Service Worker position, one part-time Cook I position and one part-time Food Service Worker position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(8,000)	(8,000)
Personal Services	(\$338,192)	(\$336,378)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$338,192)	(\$336,378)

Dorothea Dix Psychiatric Center 0120

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$312,377)	(\$312,377)
GENERAL FUND TOTAL	(\$312,377)	(\$312,377)

Dorothea Dix Psychiatric Center 0120

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$740)	(\$979)
GENERAL FUND TOTAL	(\$740)	(\$979)

Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$133,042	\$166,863
All Other	\$6,438	\$7,790
OTHER SPECIAL REVENUE FUNDS TOTAL	\$139,480	\$174,653

Dorothea Dix Psychiatric Center 0120

Initiative: Deappropriates funds as a result of additional 3rd-party payments.

GENERAL FUND	2009-10	2010-11
All Other	(\$100,000)	(\$102,500)
GENERAL FUND TOTAL	(\$100,000)	(\$102,500)

Dorothea Dix Psychiatric Center 0120

Initiative: Deappropriates funds as a result of additional 3rd-party payments.

GENERAL FUND	2009-10	2010-11
All Other	(\$400,000)	(\$397,500)
GENERAL FUND TOTAL	(\$400,000)	(\$397,500)

DOROTHEA DIX PSYCHIATRIC CENTER 0120 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$2,824,219	\$2,823,980
GENERAL FUND TOTAL	\$2,824,219	\$2,823,980

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	309,000	309,000
POSITIONS - FTE COUNT	0.240	0.240
Personal Services	\$15,664,993	\$15,603,533
All Other	\$4,772,853	\$4,637,868

OTHER SPECIAL	\$20,437,846	\$20,241,401
REVENUE FUNDS TOTAL		

All Other	\$171,167	\$171,167
GENERAL FUND TOTAL	\$171,167	\$171,167

Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$656,510	\$658,785
All Other	\$1,497,642	\$1,497,642
GENERAL FUND TOTAL	\$2,154,152	\$2,156,427

Elizabeth Levinson Center 0119

Initiative: Reduces funding in fiscal year 2009-10 and eliminates funding in fiscal year 2010-11 due to the privatization of the facility.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,865)	(\$171,167)
GENERAL FUND TOTAL	(\$11,865)	(\$171,167)

Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$573,940	\$170,470
GENERAL FUND TOTAL	\$573,940	\$170,470

ELIZABETH LEVINSON CENTER 0119 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$159,302	\$0
GENERAL FUND TOTAL	\$159,302	\$0

Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$9)	(\$13)
GENERAL FUND TOTAL	(\$9)	(\$13)

FHM - Substance Abuse 0948

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$6,554,080	\$6,554,080
FUND FOR A HEALTHY MAINE TOTAL	\$6,554,080	\$6,554,080

DRIVER EDUCATION AND EVALUATION PROGRAM - SUBSTANCE ABUSE 0700 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$656,510	\$658,785
All Other	\$2,071,573	\$1,668,099
GENERAL FUND TOTAL	\$2,728,083	\$2,326,884

FHM - Substance Abuse 0948

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 Federal Medical Assistance Percentage (FMAP).

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$21,886)	(\$26,355)
FUND FOR A HEALTHY MAINE TOTAL	(\$21,886)	(\$26,355)

Elizabeth Levinson Center 0119

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
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FHM - Substance Abuse 0948

Initiative: Adjusts funding for the Juvenile Drug Court and the Juvenile Treatment Network, maintaining services for participants being served on May 31, 2009 through completion of court-structured treatment.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
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All Other	\$69,894	(\$604,287)
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FUND FOR A HEALTHY MAINE TOTAL	\$69,894	(\$604,287)

FHM - Substance Abuse 0948

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$304,783)	(\$152,122)
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FUND FOR A HEALTHY MAINE TOTAL	(\$304,783)	(\$152,122)

FHM - SUBSTANCE ABUSE 0948

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$6,297,305	\$5,771,316
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FUND FOR A HEALTHY MAINE TOTAL	\$6,297,305	\$5,771,316

Freeport Towne Square 0814

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$89,085	\$89,085
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$89,085	\$89,085

FREEPORT TOWNE SQUARE 0814

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$89,085	\$89,085
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$89,085	\$89,085

Medicaid Services - Mental Retardation 0705

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
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All Other	\$21,760,113	\$21,760,113
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GENERAL FUND TOTAL	\$21,760,113	\$21,760,113

OTHER SPECIAL REVENUE FUNDS

All Other	\$15,713,394	\$15,713,394
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,713,394	\$15,713,394

Medicaid Services - Mental Retardation 0705

Initiative: Provides funding in the Mental Retardation Services - Community, Medicaid Services - Mental Retardation and Traumatic Brain Injury Seed programs to expand brain injury services through the creation of a private nonmedical facility in northern Maine. The corresponding federal funding increase is in the Medical Care - Payments to Providers program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$32,818	\$32,818
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,818	\$32,818

Medicaid Services - Mental Retardation 0705

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to implementing a managed care effort for behavioral health services as authorized by Public Law 2007, chapter 240, Part CC.

GENERAL FUND	2009-10	2010-11
All Other	\$108,333	\$108,333
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GENERAL FUND TOTAL	\$108,333	\$108,333

Medicaid Services - Mental Retardation 0705

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to adjusting rates and redesigning services as authorized by Public Law 2007, chapter 240, Part AAAA.

GENERAL FUND	2009-10	2010-11
All Other	\$280,000	\$280,000
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GENERAL FUND TOTAL	\$280,000	\$280,000

Medicaid Services - Mental Retardation 0705

Initiative: Reduces funding by instituting a 5% reduction for agency-operated residential rates established December 2008. The corresponding federal funding reduction is in the Medical Care - Payments to Providers program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$217,758)	(\$435,516)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$217,758)	(\$435,516)

Medicaid Services - Mental Retardation 0705

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,345,621)	(\$1,816,020)
GENERAL FUND TOTAL	(\$1,345,621)	(\$1,816,020)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,437,763	\$1,866,541
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,437,763	\$1,866,541

Medicaid Services - Mental Retardation 0705

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$419,073)	(\$495,482)
GENERAL FUND TOTAL	(\$419,073)	(\$495,482)

Medicaid Services - Mental Retardation 0705

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,231,865)	(\$5,835,606)
GENERAL FUND TOTAL	(\$11,231,865)	(\$5,835,606)

Medicaid Services - Mental Retardation 0705

Initiative: Reduces funding by increasing the proposed rate reduction to providers of residential services under the waiver from 5% to 6%. The corresponding federal funding decrease is in the Medical Care - Payments to Providers program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$121,031)	(\$121,394)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$121,031)	(\$121,394)

MEDICAID SERVICES - MENTAL RETARDATION 0705

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$9,151,887	\$14,001,338
GENERAL FUND TOTAL	\$9,151,887	\$14,001,338

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$16,845,186	\$17,055,843
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,845,186	\$17,055,843

Mental Health Services - Child Medicaid 0731

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$35,179,670	\$35,179,670
GENERAL FUND TOTAL	\$35,179,670	\$35,179,670

Mental Health Services - Child Medicaid 0731

Initiative: Transfers funding from the Mental Health Services - Child Medicaid and the Mental Health Services - Community Medicaid programs to the Bureau of Medical Services program to properly record administrative contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$124,808)	(\$124,808)
GENERAL FUND TOTAL	(\$124,808)	(\$124,808)

Mental Health Services - Child Medicaid 0731

Initiative: Transfers funding from the Mental Health Services - Child Medicaid program to the Mental Health Services - Community, Mental Health Services - Children, and Mental Health Services - Community Medicaid programs in order to correct Public Law 2007, chapter 545.

GENERAL FUND	2009-10	2010-11
All Other	(\$120,000)	(\$120,000)
GENERAL FUND TOTAL	(\$120,000)	(\$120,000)

Mental Health Services - Child Medicaid 0731

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to implementing a managed care effort for behavioral health services as authorized by Public Law 2007, chapter 240, Part CC.

GENERAL FUND	2009-10	2010-11
All Other	\$2,872,333	\$2,872,333
GENERAL FUND TOTAL	\$2,872,333	\$2,872,333

Mental Health Services - Child Medicaid 0731

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to adjusting rates and redesigning services as authorized by Public Law 2007, chapter 240, Part AAAA.

GENERAL FUND	2009-10	2010-11
All Other	(\$4,480,000)	(\$4,480,000)
GENERAL FUND TOTAL	(\$4,480,000)	(\$4,480,000)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding by changing eligibility criteria for targeted case management services. The corresponding federal funding reduction is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,100,000)	(\$1,100,000)
GENERAL FUND TOTAL	(\$1,100,000)	(\$1,100,000)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding by restructuring the independent living program and administering living expenses directly to youths, as well as having youths supervised by child welfare life skills workers. The corresponding federal funding reduction is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$417,715)	(\$417,715)
GENERAL FUND TOTAL	(\$417,715)	(\$417,715)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding by limiting residential private nonmedical institution reimbursement by rate setting and sets a standard room and board rate. The corresponding federal funding decrease is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,248,979)	(\$1,248,979)
GENERAL FUND TOTAL	(\$1,248,979)	(\$1,248,979)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding for children's private non-medical institutions by increasing the use of prior authorizations. The corresponding federal funding decrease is in the Medical Care - Payment to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,091,857)	(\$2,091,857)
GENERAL FUND TOTAL	(\$2,091,857)	(\$2,091,857)

Mental Health Services - Child Medicaid 0731

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$614,407)	(\$729,294)
GENERAL FUND TOTAL	(\$614,407)	(\$729,294)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding for assertive community treatment in children's behavioral health services. The corresponding federal funding is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$1,328,390)
GENERAL FUND TOTAL	\$0	(\$1,328,390)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$6,781,745)	(\$3,341,960)
GENERAL FUND TOTAL	(\$6,781,745)	(\$3,341,960)

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding for targeted case management by limiting services to 2 months for children with scores between 50 and 70 on the Child and Adolescent Functional Assessment Scale. The assessment tool score may not be the sole criterion for determining needs and eligibility. The corresponding federal funding decrease is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,038,665)	(\$3,038,665)
GENERAL FUND TOTAL	(\$3,038,665)	(\$3,038,665)

MENTAL HEALTH SERVICES - CHILD MEDICAID 0731

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$18,033,827	\$20,030,335
GENERAL FUND TOTAL	\$18,033,827	\$20,030,335

Mental Health Services - Children 0136

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	59,000	59,000
Personal Services	\$4,906,239	\$4,864,643
All Other	\$13,076,580	\$13,076,580
GENERAL FUND TOTAL	\$17,982,819	\$17,941,223

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$2,416,196	\$2,416,196
FEDERAL EXPENDITURES FUND TOTAL	\$2,416,196	\$2,416,196

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$645,022	\$645,022
OTHER SPECIAL REVENUE FUNDS TOTAL	\$645,022	\$645,022

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$960,388	\$960,388
FEDERAL BLOCK GRANT FUND TOTAL	\$960,388	\$960,388

Mental Health Services - Children 0136

Initiative: Eliminates funding in accounts formerly funded by the cost allocation plan of the former Department of Behavioral and Developmental Services.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$645,022)	(\$645,022)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$645,022)	(\$645,022)

Mental Health Services - Children 0136

Initiative: Transfers funding from the Mental Health Services - Child Medicaid program to the Mental Health Services - Community, Mental Health Services - Children, and Mental Health Services - Community Medicaid programs in order to correct Public Law 2007, chapter 545.

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

Mental Health Services - Children 0136

Initiative: Transfers funding between programs to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$91,912)	(\$94,975)
GENERAL FUND TOTAL	(\$91,912)	(\$94,975)

Mental Health Services - Children 0136

Initiative: Eliminates funding for mediation services.

GENERAL FUND	2009-10	2010-11
All Other	(\$99,500)	(\$99,500)
GENERAL FUND TOTAL	(\$99,500)	(\$99,500)

Mental Health Services - Children 0136

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$57,320)
GENERAL FUND TOTAL	\$0	(\$57,320)

Mental Health Services - Children 0136

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$50)	(\$66)
GENERAL FUND TOTAL	(\$50)	(\$66)

Mental Health Services - Children 0136

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,860)	(\$1,860)
GENERAL FUND TOTAL	(\$1,860)	(\$1,860)

Mental Health Services - Children 0136

Initiative: Transfers one Office Associate II position and related All Other costs from the Mental Health Services - Children program to the Mental Retardation Services - Community program to place the position in the appropriate functional location.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$49,552)	(\$50,869)
All Other	(\$5,527)	(\$5,527)
GENERAL FUND TOTAL	(\$55,079)	(\$56,396)

MENTAL HEALTH SERVICES - CHILDREN 0136

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	58,000	58,000
Personal Services	\$4,856,687	\$4,813,774
All Other	\$12,897,731	\$12,837,332
GENERAL FUND TOTAL	\$17,754,418	\$17,651,106

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$2,416,196	\$2,416,196
FEDERAL EXPENDITURES FUND TOTAL	\$2,416,196	\$2,416,196

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	87,000	87,000
Personal Services	\$7,474,946	\$7,421,106
All Other	\$25,252,439	\$25,252,439
GENERAL FUND TOTAL	\$32,727,385	\$32,673,545

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$4,177,731	\$4,177,731
FEDERAL EXPENDITURES FUND TOTAL	\$4,177,731	\$4,177,731

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11

All Other	\$4,883,313	\$4,883,313
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,883,313	\$4,883,313

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$1,247,447	\$1,247,447
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FEDERAL BLOCK GRANT FUND TOTAL	\$1,247,447	\$1,247,447

Mental Health Services - Community 0121

Initiative: Eliminates funding in accounts formerly funded by the cost allocation plan of the former Department of Behavioral and Developmental Services.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$4,883,313)	(\$4,883,313)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,883,313)	(\$4,883,313)

Mental Health Services - Community 0121

Initiative: Establishes 3 Statistician I positions and one Office Associate II position to collect, analyze and produce quality assurance reports and monitor and track compliance standards. Since this work is currently being performed as a contracted service, these costs will be offset by a reduction in the All Other line category.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	4.000	4.000
Personal Services	\$236,152	\$242,671
All Other	(\$236,152)	(\$242,671)
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GENERAL FUND TOTAL	\$0	\$0

Mental Health Services - Community 0121

Initiative: Eliminates funding in the Federal Block Grant Fund for the Mental Health Services - Community program and the Mental Retardation Services - Community program that is no longer available.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	(\$287,059)	(\$287,059)

FEDERAL BLOCK GRANT FUND TOTAL	(\$287,059)	(\$287,059)
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Mental Health Services - Community 0121

Initiative: Transfers funding from the Mental Health Services - Child Medicaid program to the Mental Health Services - Community, Mental Health Services - Children, and Mental Health Services - Community Medicaid programs in order to correct Public Law 2007, chapter 545.

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

Mental Health Services - Community 0121

Initiative: Provides funding for grants for supplemental assistance for housing services.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
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FEDERAL EXPENDITURES FUND TOTAL	\$300,000	\$300,000

Mental Health Services - Community 0121

Initiative: Provides funding for rental assistance.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$6,500,000	\$6,500,000
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FEDERAL EXPENDITURES FUND TOTAL	\$6,500,000	\$6,500,000

Mental Health Services - Community 0121

Initiative: Transfers funding between programs to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$53,368)	(\$55,147)
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GENERAL FUND TOTAL	(\$53,368)	(\$55,147)

Mental Health Services - Community 0121

Initiative: Provides funding to increase staffing of the Maine Warmline on the 1:30 a.m. to 8:00 a.m. shift.

GENERAL FUND	2009-10	2010-11
All Other	\$43,748	\$43,748
GENERAL FUND TOTAL	\$43,748	\$43,748

Mental Health Services - Community 0121

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$764,577	\$721,092
GENERAL FUND TOTAL	\$764,577	\$721,092

Mental Health Services - Community 0121

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,341)	(\$1,775)
GENERAL FUND TOTAL	(\$1,341)	(\$1,775)

Mental Health Services - Community 0121

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,080)	(\$1,080)
GENERAL FUND TOTAL	(\$1,080)	(\$1,080)

MENTAL HEALTH SERVICES - COMMUNITY 0121

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	91.000	91.000
Personal Services	\$7,711,098	\$7,663,777
All Other	\$25,788,823	\$25,736,606
GENERAL FUND TOTAL	\$33,499,921	\$33,400,383

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$10,977,731	\$10,977,731
FEDERAL EXPENDITURES FUND TOTAL	\$10,977,731	\$10,977,731

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
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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	2009-10	2010-11
All Other	\$51,414,324	\$51,414,324
GENERAL FUND TOTAL	\$51,414,324	\$51,414,324

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$6,371,747	\$6,371,747

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,371,747	\$6,371,747
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Mental Health Services - Community Medicaid 0732

Initiative: Transfers funding from the Mental Health Services - Child Medicaid and Mental Health Services - Community Medicaid programs to the Bureau of Medical Services program to properly record administrative contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$382,505)	(\$382,505)
GENERAL FUND TOTAL	(\$382,505)	(\$382,505)

Mental Health Services - Community Medicaid 0732

Initiative: Transfers funding from the Mental Health Services - Child Medicaid program to the Mental Health Services - Community, Mental Health Services - Children, and Mental Health Services - Community Medicaid programs in order to correct Public Law 2007, chapter 545.

GENERAL FUND	2009-10	2010-11
All Other	\$80,000	\$80,000
GENERAL FUND TOTAL	\$80,000	\$80,000

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to implementing a managed care effort for behavioral health services as authorized by Public Law 2007, chapter 240, Part CC.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,071,334)	(\$1,071,334)
GENERAL FUND TOTAL	(\$1,071,334)	(\$1,071,334)

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to adjusting rates and redesigning services as authorized by Public Law 2007, chapter 240, Part AAAA.

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

Mental Health Services - Community Medicaid 0732

Initiative: Reduces funding for private nonmedical institutions for adults with mental illness as the result of several initiatives relating to the number of units, rates, eligibility and concurrent services. The corresponding federal funding reduction is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,615,000)	(\$1,615,000)
GENERAL FUND TOTAL	(\$1,615,000)	(\$1,615,000)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$85,000)	(\$85,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$85,000)	(\$85,000)

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2009-10	2010-11
All Other	\$57,415	(\$100,444)
GENERAL FUND TOTAL	\$57,415	(\$100,444)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$57,415)	\$100,444
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$57,415)	\$100,444

Mental Health Services - Community Medicaid 0732

Initiative: Reduces funding by changing the eligibility criteria for MaineCare Section 17 community support services. The corresponding federal funding reduction is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,683,730)	(\$1,910,941)
GENERAL FUND TOTAL	(\$1,683,730)	(\$1,910,941)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$275,209)	(\$312,347)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$275,209)	(\$312,347)

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$875,855)	(\$1,030,123)
GENERAL FUND TOTAL	(\$875,855)	(\$1,030,123)

Mental Health Services - Community Medicaid 0732

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$12,708,970)	(\$6,393,233)
GENERAL FUND TOTAL	(\$12,708,970)	(\$6,393,233)

MENTAL HEALTH SERVICES - COMMUNITY MEDICAID 0732

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$26,214,345	\$31,990,744
GENERAL FUND TOTAL	\$26,214,345	\$31,990,744

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,954,123	\$6,074,844
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,954,123	\$6,074,844

Mental Retardation Services - Community 0122

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	233.500	233.500
Personal Services	\$17,403,251	\$17,281,850
All Other	\$9,993,408	\$9,993,408
GENERAL FUND TOTAL	\$27,396,659	\$27,275,258

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$437,122	\$437,122
FEDERAL EXPENDITURES FUND TOTAL	\$437,122	\$437,122

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$400,747	\$400,747
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,747	\$400,747

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$150,000	\$150,000
FEDERAL BLOCK GRANT FUND TOTAL	\$150,000	\$150,000

Mental Retardation Services - Community 0122

Initiative: Eliminates funding in the Federal Block Grant Fund for the Mental Health Services - Community program and the Mental Retardation Services - Community program that is no longer available.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	(\$150,000)	(\$150,000)
FEDERAL BLOCK GRANT FUND TOTAL	(\$150,000)	(\$150,000)

Mental Retardation Services - Community 0122

Initiative: Provides funding in the Mental Retardation Services - Community, Medicaid Services - Mental Retardation and Traumatic Brain Injury Seed programs to expand brain injury services through the creation of a private nonmedical facility in northern Maine. The corresponding federal funding increase is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	\$44,000	\$44,000
GENERAL FUND TOTAL	\$44,000	\$44,000

Mental Retardation Services - Community 0122

Initiative: Reduces funding for room and board due to a social security income cost-of-living increase. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings that result from this initiative that apply against each appropriate General Fund account and shall transfer the amounts by financial order upon approval of the Governor.

GENERAL FUND	2009-10	2010-11
All Other	(\$479,682)	(\$479,682)
GENERAL FUND TOTAL	(\$479,682)	(\$479,682)

Mental Retardation Services - Community 0122

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$673,002	\$621,827
GENERAL FUND TOTAL	\$673,002	\$621,827

Mental Retardation Services - Community 0122

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,542)	(\$3,365)
GENERAL FUND TOTAL	(\$2,542)	(\$3,365)

Mental Retardation Services - Community 0122

Initiative: Transfers one Office Associate II position and related All Other costs from the Mental Health Services - Children program to the Mental Retardation Services - Community program to place the position in the appropriate functional location.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$49,552	\$50,869
All Other	\$5,527	\$5,527
GENERAL FUND TOTAL	\$55,079	\$56,396

Mental Retardation Services - Community 0122

Initiative: Provides funding required to meet the unmet need of community class members.

GENERAL FUND	2009-10	2010-11
All Other	\$145,000	\$0
GENERAL FUND TOTAL	\$145,000	\$0

Mental Retardation Services - Community 0122

Initiative: Provides funding for day services to class members in nursing homes.

GENERAL FUND	2009-10	2010-11
All Other	\$147,000	\$0
GENERAL FUND TOTAL	\$147,000	\$0

Mental Retardation Services - Community 0122

Initiative: Provides funding to address the ongoing shortfall of funding available for the administration of the program.

GENERAL FUND	2009-10	2010-11
All Other	\$598,199	\$649,374
GENERAL FUND TOTAL	\$598,199	\$649,374

MENTAL RETARDATION SERVICES - COMMUNITY 0122

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	234.500	234.500
Personal Services	\$17,452,803	\$17,332,719
All Other	\$11,123,912	\$10,831,089
GENERAL FUND TOTAL	\$28,576,715	\$28,163,808

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$437,122	\$437,122
FEDERAL EXPENDITURES FUND TOTAL	\$437,122	\$437,122

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$400,747	\$400,747
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,747	\$400,747

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

Mental Retardation Waiver - MaineCare 0987

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$77,761,762	\$77,761,762
GENERAL FUND TOTAL	\$77,761,762	\$77,761,762

Mental Retardation Waiver - MaineCare 0987

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to

implementing a managed care effort for behavioral health services as authorized by Public Law 2007, chapter 240, Part CC.

GENERAL FUND	2009-10	2010-11
All Other	\$1,733,333	\$1,733,333
GENERAL FUND TOTAL	\$1,733,333	\$1,733,333

Mental Retardation Waiver - MaineCare 0987

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to adjusting rates and redesigning services as authorized by Public Law 2007, chapter 240, Part AAAA.

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

Mental Retardation Waiver - MaineCare 0987

Initiative: Reduces funding by instituting a 5% reduction of the residential rates established December 2008 for agency-operated facilities. The corresponding federal funding reduction is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,332,242)	(\$2,664,484)
GENERAL FUND TOTAL	(\$1,332,242)	(\$2,664,484)

Mental Retardation Waiver - MaineCare 0987

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,613,584)	(\$1,952,696)
GENERAL FUND TOTAL	(\$1,613,584)	(\$1,952,696)

Mental Retardation Waiver - MaineCare 0987

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$22,769,750)	(\$11,287,307)
GENERAL FUND TOTAL	(\$22,769,750)	(\$11,287,307)

Mental Retardation Waiver - MaineCare 0987

Initiative: Reduces funding by increasing the proposed rate reduction to providers of residential services under the waiver from 5% to 6%. The corresponding federal funding decrease is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	(\$850,000)	(\$850,000)
GENERAL FUND TOTAL	(\$850,000)	(\$850,000)

Mental Retardation Waiver - MaineCare 0987

Initiative: Provides funding to ensure the department's ability to continue to meet the needs of class and non-class members served under the Mental Retardation Waiver.

GENERAL FUND	2009-10	2010-11
All Other	\$400,000	\$0
GENERAL FUND TOTAL	\$400,000	\$0

Mental Retardation Waiver - MaineCare 0987

Initiative: Provides funds to support services to persons on the Home and Community-based Waiver for Individuals with Developmental Disabilities program.

GENERAL FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

MENTAL RETARDATION WAIVER - MAINECARE 0987

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$60,629,519	\$70,040,608
GENERAL FUND TOTAL	\$60,629,519	\$70,040,608

Mental Retardation Waiver - Supports Z006

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$1,368,913	\$1,368,913
GENERAL FUND TOTAL	\$1,368,913	\$1,368,913

Mental Retardation Waiver - Supports Z006

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$27,100)	(\$32,634)
GENERAL FUND TOTAL	(\$27,100)	(\$32,634)

Mental Retardation Waiver - Supports Z006

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$377,391)	(\$188,362)
GENERAL FUND TOTAL	(\$377,391)	(\$188,362)

MENTAL RETARDATION WAIVER - SUPPORTS Z006

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$964,422	\$1,147,917
GENERAL FUND TOTAL	\$964,422	\$1,147,917

Office of Advocacy - BDS 0632

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
Personal Services	\$600,460	\$591,612
All Other	\$33,492	\$33,492
GENERAL FUND TOTAL	\$633,952	\$625,104

Office of Advocacy - BDS 0632

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,469)	(\$2,366)
GENERAL FUND TOTAL	(\$2,469)	(\$2,366)

OFFICE OF ADVOCACY - BDS 0632 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
Personal Services	\$600,460	\$591,612
All Other	\$31,023	\$31,126
GENERAL FUND TOTAL	\$631,483	\$622,738

Office of Substance Abuse 0679

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$902,372	\$903,102
All Other	\$6,812,884	\$6,812,884
GENERAL FUND TOTAL	\$7,715,256	\$7,715,986

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$387,791	\$261,631
All Other	\$10,738,930	\$10,738,930
FEDERAL EXPENDITURES FUND TOTAL	\$11,126,721	\$11,000,561

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$32,892	\$32,892
OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,892	\$32,892

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$515,303	\$510,428
All Other	\$6,557,254	\$6,557,254
FEDERAL BLOCK GRANT FUND TOTAL	\$7,072,557	\$7,067,682

Office of Substance Abuse 0679

Initiative: Provides funding for advanced recovery grants from the Robert Wood Johnson Foundation.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

Office of Substance Abuse 0679

Initiative: Continues one limited-period Education Specialist III position and one limited-period Education Specialist I position and provides funding to assist in implementing the Substance Abuse and Mental Health Services Administration Strategic Prevention Framework. These limited-period positions will end June 15, 2013.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$0	\$122,585
All Other	\$0	\$9,443
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$132,028

Office of Substance Abuse 0679

Initiative: Transfers funding between programs to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$108,960)	(\$112,591)
GENERAL FUND TOTAL	(\$108,960)	(\$112,591)

Office of Substance Abuse 0679

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$12,700	\$12,700
FEDERAL BLOCK GRANT FUND TOTAL	\$12,700	\$12,700

Office of Substance Abuse 0679

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$100,087	\$94,408
GENERAL FUND TOTAL	\$100,087	\$94,408

Office of Substance Abuse 0679

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$60)	(\$80)
GENERAL FUND TOTAL	(\$60)	(\$80)

Office of Substance Abuse 0679

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,205)	(\$2,205)
GENERAL FUND TOTAL	(\$2,205)	(\$2,205)

Office of Substance Abuse 0679

Initiative: Provides one-time funding to collect data and assess the need for gambling addiction treatment in the State.

GENERAL FUND	2009-10	2010-11
All Other	\$20,000	\$0
GENERAL FUND TOTAL	\$20,000	\$0

OFFICE OF SUBSTANCE ABUSE 0679

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$902,372	\$903,102
All Other	\$6,821,746	\$6,792,416
GENERAL FUND TOTAL	\$7,724,118	\$7,695,518

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

Personal Services	\$387,791	\$384,216
All Other	\$10,738,930	\$10,748,373
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FEDERAL EXPENDITURES FUND TOTAL	\$11,126,721	\$11,132,589
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$532,892	\$532,892
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$532,892	\$532,892
FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$515,303	\$510,428
All Other	\$6,569,954	\$6,569,954
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FEDERAL BLOCK GRANT FUND TOTAL	\$7,085,257	\$7,080,382

Office of Substance Abuse - Medicaid Seed 0844

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,675,153	\$2,675,153
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GENERAL FUND TOTAL	\$2,675,153	\$2,675,153
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$662,023	\$662,023
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$662,023	\$662,023

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Provides funding to continue services at private nonmedical institutions. The corresponding federal funding increase is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	\$256,000	\$256,000
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GENERAL FUND TOTAL	\$256,000	\$256,000

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2009-10	2010-11
All Other	(\$13,928)	(\$30,826)
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GENERAL FUND TOTAL	(\$13,928)	(\$30,826)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$13,928	\$30,826
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,928	\$30,826

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$55,917)	(\$67,444)
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GENERAL FUND TOTAL	(\$55,917)	(\$67,444)

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,004,412)	(\$510,970)
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GENERAL FUND TOTAL	(\$1,004,412)	(\$510,970)

OFFICE OF SUBSTANCE ABUSE - MEDICAID SEED 0844

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,856,896	\$2,321,913
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GENERAL FUND TOTAL	\$1,856,896	\$2,321,913
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$675,951	\$692,849

OTHER SPECIAL	\$675,951	\$692,849
REVENUE FUNDS TOTAL		

Residential Treatment Facilities Assessment 0978

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,756,984	\$1,756,984

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,756,984	\$1,756,984
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Residential Treatment Facilities Assessment 0978

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues to comport with Revenue Forecasting Committee rejections.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$92,142)	(\$50,521)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$92,142)	(\$50,521)
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RESIDENTIAL TREATMENT FACILITIES ASSESSMENT 0978

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,664,842	\$1,706,463

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,664,842	\$1,706,463
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Riverview Psychiatric Center 0105

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$514,026	\$510,377
All Other	\$673,350	\$673,350

GENERAL FUND TOTAL	\$1,187,376	\$1,183,727
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	304.500	304.500
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POSITIONS - FTE COUNT	0.360	0.360
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Personal Services	\$14,684,829	\$14,621,368
All Other	\$6,719,946	\$6,719,946

OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,404,775	\$21,341,314
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Riverview Psychiatric Center 0105

Initiative: Provides funding for contracted services and hospital supplies.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,006,490	\$1,006,490

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,006,490	\$1,006,490
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Riverview Psychiatric Center 0105

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$187,832	\$151,810

OTHER SPECIAL REVENUE FUNDS TOTAL	\$187,832	\$151,810
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Riverview Psychiatric Center 0105

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$381,355	\$308,220

OTHER SPECIAL REVENUE FUNDS TOTAL	\$381,355	\$308,220
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Riverview Psychiatric Center 0105

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$7,450	\$7,553
GENERAL FUND TOTAL	\$7,450	\$7,553

Riverview Psychiatric Center 0105

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$163,161	\$194,742
All Other	\$60,663	\$71,884
OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,824	\$266,626

Riverview Psychiatric Center 0105

Initiative: Deappropriates funds as a result of additional 3rd-party payments.

GENERAL FUND	2009-10	2010-11
All Other	(\$100,000)	(\$102,500)
GENERAL FUND TOTAL	(\$100,000)	(\$102,500)

Riverview Psychiatric Center 0105

Initiative: Deappropriates funds as a result of additional 3-party payments.

GENERAL FUND	2009-10	2010-11
All Other	(\$400,000)	(\$397,500)
GENERAL FUND TOTAL	(\$400,000)	(\$397,500)

RIVERVIEW PSYCHIATRIC CENTER 0105

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$514,026	\$510,377
All Other	\$180,800	\$180,903
GENERAL FUND TOTAL	\$694,826	\$691,280

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	304.500	304.500
POSITIONS - FTE COUNT	0.360	0.360
Personal Services	\$14,847,990	\$14,816,110
All Other	\$8,356,286	\$8,258,350
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,204,276	\$23,074,460

Traumatic Brain Injury Seed Z042

Initiative: Provides funding in the Mental Retardation Services - Community, Medicaid Services - Mental Retardation and Traumatic Brain Injury Seed programs to expand brain injury services through the creation of a private nonmedical facility in northern Maine. The corresponding federal funding increase is in the Medical Care - Payments to Providers program.

GENERAL FUND	2009-10	2010-11
All Other	\$114,010	\$114,010
GENERAL FUND TOTAL	\$114,010	\$114,010

TRAUMATIC BRAIN INJURY SEED Z042 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$114,010	\$114,010
GENERAL FUND TOTAL	\$114,010	\$114,010

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$230,002,270	\$251,303,871
FEDERAL EXPENDITURES FUND	\$25,107,770	\$25,113,638
FUND FOR A HEALTHY MAINE	\$6,297,305	\$5,771,316
OTHER SPECIAL REVENUE FUNDS	\$69,804,948	\$69,868,584
FEDERAL BLOCK GRANT FUND	\$9,006,033	\$9,001,158

DEPARTMENT TOTAL - ALL FUNDS	\$340,218,326	\$361,058,567
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Sec. A-32. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,182,599	\$2,166,826
All Other	\$4,862,782	\$4,862,782
GENERAL FUND TOTAL	\$7,045,381	\$7,029,608

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$813,973	\$813,973

FEDERAL EXPENDITURES FUND TOTAL	\$813,973	\$813,973
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	43.500	43.500
Personal Services	\$2,829,424	\$2,824,998
All Other	\$20,701,328	\$20,701,328

FEDERAL BLOCK GRANT FUND TOTAL	\$23,530,752	\$23,526,326
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Additional Support for People in Retraining and Employment 0146

Initiative: Transfers positions and reallocates funding for 18 positions within the Office of Integrated Access and Support. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$41,034)	(\$39,390)

GENERAL FUND TOTAL	(\$41,034)	(\$39,390)
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$31,438)	(\$34,511)
All Other	(\$5,333)	(\$5,333)
FEDERAL BLOCK GRANT FUND TOTAL	(\$36,771)	(\$39,844)

Additional Support for People in Retraining and Employment 0146

Initiative: Transfers positions and reallocates funding for 79 positions within the regional offices of the department. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.500	3.500
Personal Services	\$169,760	\$171,537
All Other	\$21,332	\$21,332

GENERAL FUND TOTAL	\$191,092	\$192,869
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.500	4.500
Personal Services	\$244,268	\$243,416
All Other	\$26,665	\$26,665

FEDERAL BLOCK GRANT FUND TOTAL	\$270,933	\$270,081
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ADDITIONAL SUPPORT FOR PEOPLE IN RETRAINING AND EMPLOYMENT 0146

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	33.500	33.500
Personal Services	\$2,311,325	\$2,298,973
All Other	\$4,884,114	\$4,884,114

GENERAL FUND TOTAL	\$7,195,439	\$7,183,087
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$813,973	\$813,973

FEDERAL EXPENDITURES FUND TOTAL	\$813,973	\$813,973
FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	47,500	47,500
Personal Services	\$3,042,254	\$3,033,903
All Other	\$20,722,660	\$20,722,660
FEDERAL BLOCK GRANT FUND TOTAL	\$23,764,914	\$23,756,563

Aids Lodging House 0518

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$37,869	\$37,869
GENERAL FUND TOTAL	\$37,869	\$37,869

**AIDS LODGING HOUSE 0518
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
All Other	\$10,800	\$10,800
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,800	\$10,800

**BREAST CANCER SERVICES SPECIAL
PROGRAM FUND Z069
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$10,800	\$10,800
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,800	\$10,800

**Bureau of Child and Family Services - Central
0307**

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18,500	18,500
Personal Services	\$1,408,005	\$1,398,416
All Other	\$1,000,628	\$1,000,628
GENERAL FUND TOTAL	\$2,408,633	\$2,399,044

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	19,500	19,500
Personal Services	\$1,351,156	\$1,334,602
All Other	\$3,597,391	\$3,597,391
FEDERAL EXPENDITURES FUND TOTAL	\$4,948,547	\$4,931,993

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$94,654	\$97,249
All Other	\$3,653,331	\$3,653,331

OTHER SPECIAL	\$3,747,985	\$3,750,580
REVENUE FUNDS TOTAL		

All Other	(\$322)	(\$426)
GENERAL FUND TOTAL	(\$322)	(\$426)

Bureau of Child and Family Services - Central 0307

Initiative: Transfers one Accountant II position and 2 Social Services Program Specialist I positions from the State-funded Foster Care/Adoption Assistance program, Federal Expenditures Fund to the Bureau of Child and Family Services - Central program, General Fund, funded by a reduction in the All Other line category.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$190,406	\$192,894
All Other	(\$190,406)	(\$192,894)
GENERAL FUND TOTAL	\$0	\$0

Bureau of Child and Family Services - Central 0307

Initiative: Transfers 2 Human Services Caseworker positions from the Bureau of Child and Family Services - Regional program to the Bureau of Child and Family Services - Central program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$148,621	\$146,281
All Other	\$10,665	\$10,665
GENERAL FUND TOTAL	\$159,286	\$156,946

Bureau of Child and Family Services - Central 0307

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$100,087)	(\$190,213)
GENERAL FUND TOTAL	(\$100,087)	(\$190,213)

Bureau of Child and Family Services - Central 0307

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
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BUREAU OF CHILD AND FAMILY SERVICES - CENTRAL 0307

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	23.500	23.500
Personal Services	\$1,747,032	\$1,737,591
All Other	\$720,478	\$627,760
GENERAL FUND TOTAL	\$2,467,510	\$2,365,351

FEDERAL EXPENDITURES FUND

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	19.500	19.500
Personal Services	\$1,351,156	\$1,334,602
All Other	\$3,597,391	\$3,597,391
FEDERAL EXPENDITURES FUND TOTAL	\$4,948,547	\$4,931,993

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,654	\$97,249
All Other	\$3,653,331	\$3,653,331
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,747,985	\$3,750,580

Bureau of Child and Family Services - Regional 0452

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	465.500	465.500
Personal Services	\$34,296,292	\$34,333,943
All Other	\$3,110,601	\$3,110,601
GENERAL FUND TOTAL	\$37,406,893	\$37,444,544

FEDERAL EXPENDITURES FUND

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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All Other	\$21,941	\$21,941
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FEDERAL EXPENDITURES	\$21,941	\$21,941
FUND TOTAL		

Bureau of Child and Family Services - Regional 0452

Initiative: Transfers funding from several programs to the Office of Management and Budget program to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$71,157)	(\$73,259)
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GENERAL FUND TOTAL	(\$71,157)	(\$73,259)

Bureau of Child and Family Services - Regional 0452

Initiative: Transfers 2 Human Services Caseworker positions from the Bureau of Child and Family Services - Regional program to the Bureau of Child and Family Services - Central program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$148,621)	(\$146,281)
All Other	(\$10,665)	(\$10,665)
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GENERAL FUND TOTAL	(\$159,286)	(\$156,946)

Bureau of Child and Family Services - Regional 0452

Initiative: Eliminates one part-time Human Services Caseworker position in the State-funded Foster Care/Adoption Assistance program and provides funding to increase one Human Services Caseworker position in the Bureau of Child and Family Services - Regional program from part-time to full-time.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$31,908	\$31,044
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GENERAL FUND TOTAL	\$31,908	\$31,044

Bureau of Child and Family Services - Regional 0452

Initiative: Reduces funding by streamlining standby supervision provided by Human Services Casework Supervisor positions.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$120,000)	(\$120,000)
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GENERAL FUND TOTAL	(\$120,000)	(\$120,000)

Bureau of Child and Family Services - Regional 0452

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$404,353)
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GENERAL FUND TOTAL	\$0	(\$404,353)

Bureau of Child and Family Services - Regional 0452

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,440)	(\$1,440)
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GENERAL FUND TOTAL	(\$1,440)	(\$1,440)

Bureau of Child and Family Services - Regional 0452

Initiative: Provides funding for the reclassification of Family Independence Specialist positions and Community Care Worker positions in order to implement an arbitration award.

GENERAL FUND	2009-10	2010-11
Personal Services	\$202,060	\$41,250
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GENERAL FUND TOTAL	\$202,060	\$41,250

BUREAU OF CHILD AND FAMILY SERVICES - REGIONAL 0452

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	464.000	464.000
Personal Services	\$34,261,639	\$34,139,956
All Other	\$3,027,339	\$2,620,884

GENERAL FUND TOTAL	\$37,288,978	\$36,760,840
FEDERAL EXPENDITURES FUND	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	209.500	209.500
Personal Services	\$13,451,231	\$13,510,169
All Other	\$2,396,226	\$2,396,226
GENERAL FUND TOTAL	\$15,847,457	\$15,906,395

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$126,556	\$126,556
FEDERAL EXPENDITURES FUND TOTAL	\$126,556	\$126,556

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	191.500	191.500
Personal Services	\$11,887,603	\$11,941,704
All Other	\$2,001,927	\$2,001,927
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,889,530	\$13,943,631

Bureau of Family Independence - Regional 0453

Initiative: Continues 20 limited-period Customer Representative Associate II - Human Services positions originally established by financial order and provides funding for related All Other expenses. These positions will end on June 18, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,128,260	\$1,163,120
All Other	\$44,057	\$45,419

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,172,317	\$1,208,539
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Bureau of Family Independence - Regional 0453

Initiative: Transfers funding from several programs to the Office of Management and Budget program to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$90,429)	(\$93,443)
GENERAL FUND TOTAL	(\$90,429)	(\$93,443)

Bureau of Family Independence - Regional 0453

Initiative: Transfers positions and reallocates funding for 18 positions within the Office of Integrated Access and Support. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$54,424)	(\$55,256)
All Other	(\$5,333)	(\$5,333)
GENERAL FUND TOTAL	(\$59,757)	(\$60,589)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$136,181)	(\$130,413)
All Other	(\$10,665)	(\$10,665)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$146,846)	(\$141,078)

Bureau of Family Independence - Regional 0453

Initiative: Transfers positions and reallocates funding for 79 positions within the regional offices of the department. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	23.500	23.500
Personal Services	\$1,166,523	\$1,182,221
All Other	\$127,990	\$127,990

GENERAL FUND TOTAL	\$1,294,513	\$1,310,211
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	46,000	46,000
Personal Services	\$2,294,090	\$2,327,716
All Other	\$245,314	\$245,314
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,539,404	\$2,573,030

Bureau of Family Independence - Regional 0453

Initiative: Eliminates funding in accounts that are no longer used.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$126,556)	(\$126,556)
FEDERAL EXPENDITURES FUND TOTAL	(\$126,556)	(\$126,556)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$126,536)	(\$126,536)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$126,536)	(\$126,536)

Bureau of Family Independence - Regional 0453

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,830)	(\$1,830)
GENERAL FUND TOTAL	(\$1,830)	(\$1,830)

Bureau of Family Independence - Regional 0453

Initiative: Provides funding for the reclassification of Family Independence Specialist positions and Community Care Worker positions in order to implement an arbitration award.

GENERAL FUND	2009-10	2010-11
Personal Services	\$1,677,026	\$297,794
GENERAL FUND TOTAL	\$1,677,026	\$297,794

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,619,393	\$290,400
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,619,393	\$290,400

BUREAU OF FAMILY INDEPENDENCE - REGIONAL 0453 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	232,000	232,000
Personal Services	\$16,240,356	\$14,934,928
All Other	\$2,426,624	\$2,423,610
GENERAL FUND TOTAL	\$18,666,980	\$17,358,538

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	235,500	235,500
Personal Services	\$16,793,165	\$15,592,527
All Other	\$2,154,097	\$2,155,459
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,947,262	\$17,747,986

Bureau of Medical Services 0129

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	56,000	56,000
Personal Services	\$5,717,324	\$5,369,814
All Other	\$26,695,090	\$26,695,090
GENERAL FUND TOTAL	\$32,412,414	\$32,064,904

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	140,000	140,000
Personal Services	\$10,314,799	\$9,373,526
All Other	\$62,708,489	\$62,708,489
FEDERAL EXPENDITURES FUND TOTAL	\$73,023,288	\$72,082,015

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,083,716	\$2,083,716
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,083,716	\$2,083,716

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$142,539	\$140,373
All Other	\$798,731	\$798,731
FEDERAL BLOCK GRANT FUND TOTAL	\$941,270	\$939,104

Bureau of Medical Services 0129

Initiative: Transfers funding from the Mental Health Services - Child Medicaid and Mental Health Services - Community Medicaid programs to the Bureau of Medical Services program to properly record administrative contracts.

GENERAL FUND	2009-10	2010-11
All Other	\$507,313	\$507,313
GENERAL FUND TOTAL	\$507,313	\$507,313

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$507,313	\$507,313
FEDERAL EXPENDITURES FUND TOTAL	\$507,313	\$507,313

Bureau of Medical Services 0129

Initiative: Reallocates funding for one Social Services Manager I position from 100% Office of Elder Services Central Office program, General Fund to 37.5% Bureau of Medical Services program, Federal Expenditures Fund and 62.5% Office of Elder Services Central Office program, General Fund and transfers the Office of Elder Services Central Office program Gen-

eral Fund savings to the Long Term Care - Human Services program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$35,510	\$36,173
All Other	\$2,001	\$2,001
FEDERAL EXPENDITURES FUND TOTAL	\$37,511	\$38,174

Bureau of Medical Services 0129

Initiative: Reallocates funding for one Clerk IV position in the Office of Elder Services Central Office program from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 40% Bureau of Medical Services program, Federal Expenditures Fund and 60% Office of Elder Services Central Office program, General Fund and offsets the General Fund Personal Services costs with a reduction in the All Other line category in the Long Term Care - Human Services program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$6,617)	(\$6,509)
All Other	(\$534)	(\$534)
FEDERAL EXPENDITURES FUND TOTAL	(\$7,151)	(\$7,043)

Bureau of Medical Services 0129

Initiative: Provides funding for the fiscal agent project.

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

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$5,364,701	(\$5,364,701)
FEDERAL EXPENDITURES FUND TOTAL	\$5,364,701	(\$5,364,701)

Bureau of Medical Services 0129

Initiative: Reallocates funding for one Social Services Program Specialist I position from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 12.5% Bureau of Medical Ser-

vices program, Federal Expenditures Fund, 37.5% Office of Elder Services Central Office program, General Fund and 50% Office of Elder Services Central Office program, Federal Expenditures Fund and transfers the Office of Elder Services Central Office General Fund savings to the Long Term Care - Human Services program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$25,438)	(\$26,191)
All Other	(\$2,001)	(\$2,001)
FEDERAL EXPENDITURES FUND TOTAL	(\$27,439)	(\$28,192)

Bureau of Medical Services 0129

Initiative: Reallocates funding for one Health Services Supervisor position from 100% Office of Elder Services Central Office program, General Fund to 40% Office of Elder Services Central Office program, General Fund and 60% Bureau of Medical Services program, Federal Expenditures Fund and transfers the Office of Elder Services Central Office program General Fund savings to the Long Term Care - Human Services program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$54,728	\$54,607
All Other	\$3,200	\$3,200
FEDERAL EXPENDITURES FUND TOTAL	\$57,928	\$57,807

Bureau of Medical Services 0129

Initiative: Transfers positions and reallocates position costs to provide for the operational needs of the Division of Licensing and Regulatory Services. Position actions in this and other initiatives affecting the division result in net savings to the General Fund. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$6,646)	(\$5,232)
All Other	(\$163)	(\$130)
FEDERAL EXPENDITURES FUND TOTAL	(\$6,809)	(\$5,362)

Bureau of Medical Services 0129

Initiative: Provides additional funding for Office of MaineCare Services contracted services.

GENERAL FUND	2009-10	2010-11
All Other	\$264,077	\$264,077
GENERAL FUND TOTAL	\$264,077	\$264,077
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$600,955	\$600,955
FEDERAL EXPENDITURES FUND TOTAL	\$600,955	\$600,955

Bureau of Medical Services 0129

Initiative: Reallocates funding for one Public Service Manager II position and related All Other costs from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 12.5% Bureau of Medical Services program, Federal Expenditures Fund, 37.5% Office of Elder Services Central Office program, General Fund and 50% Office of Elder Services Central Office program, Federal Expenditures Fund, and transfers the Office of Elder Services Central Office program, General Fund savings to the Long Term Care - Human Services program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$40,230)	(\$39,400)
All Other	(\$2,001)	(\$2,001)
FEDERAL EXPENDITURES FUND TOTAL	(\$42,231)	(\$41,401)

Bureau of Medical Services 0129

Initiative: Continues one Family Independence Specialist Unit Supervisor position, 4 Family Independence Specialist positions, one Medical Support Specialist Claims position and one Management Analyst I position originally established by financial order and provides funding for associated All Other costs to support the payment error rate measurement initiative required by the Centers for Medicare and Medicaid Services and as part of the reorganization of the Office of MaineCare Services. Position costs are allocated 50% General Fund and 50% Federal Expenditures Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$220,854	\$226,723
All Other	\$19,344	\$19,344

GENERAL FUND TOTAL	\$240,198	\$246,067
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$220,816	\$226,701
All Other	\$19,345	\$19,345
FEDERAL EXPENDITURES FUND TOTAL	\$240,161	\$246,046

Bureau of Medical Services 0129

Initiative: Continues one limited-period Office Associate II position until June 19, 2010 and continues one Supervisor Professional Claims Review position, 2 Staff Development Specialist IV positions and one Management Analyst I position and provides funding for associated All Other costs to be funded 50% General Fund and 50% Federal Expenditures Fund as part of the reorganization of the Office of MaineCare Services. These positions were previously authorized to continue in Public Law 2007, chapter 539.

GENERAL FUND	2009-10	2010-11
Personal Services	\$64,019	\$125,654
All Other	\$13,816	\$11,054
GENERAL FUND TOTAL	\$77,835	\$136,708
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$64,024	\$125,662
All Other	\$15,753	\$14,455
FEDERAL EXPENDITURES FUND TOTAL	\$79,777	\$140,117

Bureau of Medical Services 0129

Initiative: Reallocates funding for 3 positions from 25% General Fund in the Office of Management and Budget program and 75% Federal Expenditures Fund in the Bureau of Medical Services program to 50% General Fund in the Office of Management and Budget program and 50% Federal Expenditures Fund in the Bureau of Medical Services program; for 4 positions from 25% General Fund, 75% Federal Expenditures Fund to 50% General Fund, 50% Federal Expenditures Fund in the Bureau of Medical Services program for fiscal year 2009-10 only; and for 5 positions from 25% General Fund and 75% Federal Expendi-

tures Fund in the Bureau of Medical Services program to 50% General Fund and 50% Federal Expenditures Fund in the Bureau of Medical Services program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$176,433	\$109,860
All Other	\$23,998	\$23,998
GENERAL FUND TOTAL	\$200,431	\$133,858
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$233,712)	(\$166,888)
All Other	(\$31,997)	(\$31,997)
FEDERAL EXPENDITURES FUND TOTAL	(\$265,709)	(\$198,885)

Bureau of Medical Services 0129

Initiative: Transfers positions and reallocates funding for 18 positions to reflect their proper functional locations within the Center for Disease Control and Prevention. Increased Personal Services costs in the Fund for a Healthy Maine - Bureau of Health program are offset by an All Other reduction. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$117,272)	(\$118,650)
GENERAL FUND TOTAL	(\$117,272)	(\$118,650)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$117,258)	(\$118,642)
FEDERAL EXPENDITURES FUND TOTAL	(\$117,258)	(\$118,642)

Bureau of Medical Services 0129

Initiative: Continues and reallocates the cost of 2 limited-period Comprehensive Health Planner II positions, one limited-period Public Service Coordinator I position and one limited-period Assistant Director Medicare/Medicaid Services position until June 19, 2010. Also continues and reallocates the cost of 10 Comprehensive Health Planner II positions and one Office Associate II position. These positions, related to the implementation of the fiscal agent and operation of the Office of MaineCare Services during and immediately following the implementation, were continued in Public Law 2007, chapter 539 and are part of the reorganization of the Office of MaineCare Ser-

vices. General Fund position costs are offset by a reduction in the All Other line category. Position cost allocation details are on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	\$125,946	\$252,044
All Other	(\$125,946)	(\$252,044)
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$381,361	\$618,095
All Other	\$31,548	\$59,278
FEDERAL EXPENDITURES FUND TOTAL	\$412,909	\$677,373

Bureau of Medical Services 0129

Initiative: Reallocates the General Fund portion of one Nursing Education Consultant position from the Bureau of Medical Services program to the Office of Elder Services Central Office program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$42,716)	(\$41,921)
All Other	(\$2,666)	(\$2,666)
GENERAL FUND TOTAL	(\$45,382)	(\$44,587)

Bureau of Medical Services 0129

Initiative: Reallocates the General Fund portion of one part-time Office Associate II position and related All Other costs from the Bureau of Medical Services program to the Office of Elder Services Central Office program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$10,949)	(\$11,144)
All Other	(\$2,666)	(\$2,666)
GENERAL FUND TOTAL	(\$13,615)	(\$13,810)

Bureau of Medical Services 0129

Initiative: Transfers one Comprehensive Health Planner II position, one Medical Care Coordinator position, one Social Services Program Manager position and one Office Associate II position from Other Special Revenue Funds in the Maine Rx Plus Program to

the Federal Expenditures Fund in the Bureau of Medical Services program and reallocates the Other Special Revenue Funds share of position costs for these 4 positions and for one Senior Medical Claims Adjuster position to the General Fund in the Maine Rx Plus Program. The position and related All Other costs are offset by a reduction in the Low-cost Drugs to Maine's Elderly program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$22	\$9
FEDERAL EXPENDITURES FUND TOTAL	\$22	\$9

Bureau of Medical Services 0129

Initiative: Continues 2 limited-period Office Associate II positions in the Low-cost Drugs to Maine's Elderly program to June 19, 2010. Also continues 3 limited-period Office Associate II positions to June 18, 2011, funded in the General Fund in the Low-cost Drugs to Maine's Elderly program in fiscal year 2009-10 and funded 50% Federal Expenditures Fund in the Bureau of Medical Services program and 50% General Fund in the Low-cost Drugs to Maine's Elderly program in fiscal year 2010-11. These positions were previously continued in Public Law 2007, chapter 539. General Fund position costs are offset by a reduction in the All Other line category in the Low-cost Drugs to Maine's Elderly program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$0	\$87,237
All Other	\$0	\$10,667
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$97,904

Bureau of Medical Services 0129

Initiative: Continues one limited-period Management Analyst I position, 6 limited-period Office Associate II positions and one limited-period Office Assistant II position until June 19, 2010 and continues 2 Management Analyst II positions and 3 Office Associate II positions as part of the reorganization of the Office of MaineCare Services. Position costs are allocated 50% General Fund and 50% Federal Expenditures Fund. These positions were continued in Public Law 2007, chapter 539. General Fund position costs are offset by a reduction in the All Other line category.

GENERAL FUND	2009-10	2010-11
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Personal Services	\$161,440	\$166,534
All Other	(\$161,440)	(\$166,534)
GENERAL FUND TOTAL	\$0	\$0
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$161,445	\$166,543
All Other	\$25,553	\$21,975
FEDERAL EXPENDITURES FUND TOTAL	\$186,998	\$188,518

Bureau of Medical Services 0129

Initiative: Reallocates the General Fund portion of 2 Office Associate II positions, one Paralegal position and one Nursing Education Consultant position from the Division of Licensing and Regulatory Services program to the Bureau of Medical Services program, 25% General Fund and 25% Federal Expenditures Fund. Also transfers one Office Associate II position from the General Fund to the Federal Expenditures Fund within the Division of Licensing and Regulatory Services program and allocates 50% of its costs to that program and fund, 25% to the Bureau of Medical Services program, General Fund and 25% to the Bureau of Medical Services program, Federal Expenditures Fund. Position actions in this and other initiatives affecting the division result in net savings to the General Fund.

GENERAL FUND	2009-10	2010-11
Personal Services	\$75,057	\$75,392
All Other	\$31,120	\$33,000
GENERAL FUND TOTAL	\$106,177	\$108,392
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$48,838	\$48,485
All Other	\$32,632	\$34,206
FEDERAL EXPENDITURES FUND TOTAL	\$81,470	\$82,691

Bureau of Medical Services 0129

Initiative: Eliminates funding in accounts that are no longer used.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$374,274)	(\$374,274)
FEDERAL EXPENDITURES FUND TOTAL	(\$374,274)	(\$374,274)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$614,799)	(\$614,799)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$614,799)	(\$614,799)

Bureau of Medical Services 0129

Initiative: Eliminates one Community Care Worker position, 2 Social Services Program Specialist I positions, one Health Services Consultant position and one Office Associate II position. Position actions in this and other initiatives affecting the division result in net savings to the General Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$66,957)	(\$68,205)
FEDERAL EXPENDITURES FUND TOTAL	(\$66,957)	(\$68,205)

Bureau of Medical Services 0129

Initiative: Eliminates 55 positions and reduces funding for related All Other costs as part of the reorganization of the Office of MaineCare Services. Net All Other adjustments also include a reduction in information technology costs due to a redeployment of resources, a decrease in consulting services needed for staff augmentation and an increase for fiscal agent consulting costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(19,000)
Personal Services	\$0	(\$1,163,396)
All Other	\$0	(\$288,121)
GENERAL FUND TOTAL	\$0	(\$1,451,517)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(35,000)
Personal Services	\$0	(\$1,814,524)

All Other	\$0	\$8,004,204
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$6,189,680

Bureau of Medical Services 0129

Initiative: Reallocates the cost of 37 positions between the General Fund and Federal Expenditures Fund as part of the reorganization of the Office of MaineCare Services.

GENERAL FUND	2009-10	2010-11
Personal Services	\$0	\$92,996
GENERAL FUND TOTAL	\$0	\$92,996

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$0	(\$47,059)
All Other	\$0	(\$1,232)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$48,291)

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$0	(\$45,937)
All Other	\$0	(\$1,143)
FEDERAL BLOCK GRANT FUND TOTAL	\$0	(\$47,080)

Bureau of Medical Services 0129

Initiative: Reorganizes positions within the Office of MaineCare Services.

GENERAL FUND	2009-10	2010-11
Personal Services	\$0	\$9,000
GENERAL FUND TOTAL	\$0	\$9,000

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$0	(\$31,790)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$31,790)

Bureau of Medical Services 0129

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,080,677)	(\$1,440,439)
GENERAL FUND TOTAL	(\$2,080,677)	(\$1,440,439)

Bureau of Medical Services 0129

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$206)	(\$273)
GENERAL FUND TOTAL	(\$206)	(\$273)

Bureau of Medical Services 0129

Initiative: Continues one Public Service Manager II position and reallocates the cost of the position from 10% General Fund and 90% Federal Expenditures Fund to 25% General Fund and 75% Federal Expenditures Fund within the same program as part of the reorganization of the Office of MaineCare Services.

GENERAL FUND	2009-10	2010-11
Personal Services	\$18,177	\$24,311
GENERAL FUND TOTAL	\$18,177	\$24,311

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$21,620	\$72,938
All Other	\$538	\$1,815
FEDERAL EXPENDITURES FUND TOTAL	\$22,158	\$74,753

Bureau of Medical Services 0129

Initiative: Provides funding for the reclassification of Family Independence Specialist positions and Community Care Worker positions in order to implement an arbitration award.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$39,258	\$5,280
FEDERAL EXPENDITURES FUND TOTAL	\$39,258	\$5,280

Bureau of Medical Services 0129

Initiative: Reduces by 2.5% funding for Office of MaineCare Services administrative contracts.

GENERAL FUND	2009-10	2010-11
All Other	(\$450,000)	(\$450,000)
GENERAL FUND TOTAL	(\$450,000)	(\$450,000)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$450,000)	(\$450,000)
FEDERAL EXPENDITURES FUND TOTAL	(\$450,000)	(\$450,000)

Bureau of Medical Services 0129

Initiative: Provides funding for a statewide demonstration of an electronic health information exchange to provide the resources necessary to complete the statewide demonstration and allow the exchange to fully leverage public and private funds in order to achieve operational self-sufficiency.

GENERAL FUND	2009-10	2010-11
All Other	\$1,000,000	\$0
GENERAL FUND TOTAL	\$1,000,000	\$0

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$700,000	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$700,000	\$0

BUREAU OF MEDICAL SERVICES 0129

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	63.000	44.000
Personal Services	\$6,388,313	\$5,117,217
All Other	\$28,731,157	\$21,951,133
GENERAL FUND TOTAL	\$35,119,470	\$27,068,350

FEDERAL EXPENDITURES FUND	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	165.000	130.000
Personal Services	\$10,845,563	\$8,490,816
All Other	\$68,451,058	\$65,761,033
FEDERAL EXPENDITURES FUND TOTAL	\$79,296,621	\$74,251,849

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,468,917	\$1,468,917
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,468,917	\$1,468,917

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$142,539	\$94,436
All Other	\$798,731	\$797,588
FEDERAL BLOCK GRANT FUND TOTAL	\$941,270	\$892,024

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$700,000	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$700,000	\$0

Cerebral Palsy Centers - Grants to 0107

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$18,900	\$18,900
GENERAL FUND TOTAL	\$18,900	\$18,900

Cerebral Palsy Centers - Grants to 0107

Initiative: Eliminates funding provided for the administration of programs providing developmental services.

GENERAL FUND	2009-10	2010-11
All Other	(\$18,900)	(\$18,900)
GENERAL FUND TOTAL	(\$18,900)	(\$18,900)

CEREBRAL PALSY CENTERS - GRANTS TO 0107

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Child Care Food Program 0454

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$291,284	\$289,302
All Other	\$15,396,199	\$15,396,199
FEDERAL EXPENDITURES FUND TOTAL	\$15,687,483	\$15,685,501

CHILD CARE FOOD PROGRAM 0454

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$291,284	\$289,302
All Other	\$15,396,199	\$15,396,199
FEDERAL EXPENDITURES FUND TOTAL	\$15,687,483	\$15,685,501

Child Care Services 0563

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$394,131	\$390,206
All Other	\$15,441,563	\$15,441,563

FEDERAL BLOCK GRANT	\$15,835,694	\$15,831,769
FUND TOTAL		

Child Care Services 0563

Initiative: Continues one limited-period Social Services Program Specialist II position and 4 limited-period Financial Resources Specialist positions originally established by financial order and provides funding for associated All Other costs. These positions will end on June 18, 2011.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$306,574	\$314,763
All Other	\$27,635	\$27,635
FEDERAL BLOCK GRANT FUND TOTAL	\$334,209	\$342,398

Child Care Services 0563

Initiative: Adjusts funding for fiscal years 2009-10 and 2010-11 enhancements to existing information technology applications.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$403,805	\$403,805
FEDERAL BLOCK GRANT FUND TOTAL	\$403,805	\$403,805

CHILD CARE SERVICES 0563

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$700,705	\$704,969
All Other	\$15,873,003	\$15,873,003
FEDERAL BLOCK GRANT FUND TOTAL	\$16,573,708	\$16,577,972

Child Support 0100

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	31.500	31.500
Personal Services	\$2,225,920	\$2,232,724
All Other	\$1,600,771	\$1,600,771
GENERAL FUND TOTAL	\$3,826,691	\$3,833,495

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	194.000	194.000
Personal Services	\$12,712,331	\$12,733,460
All Other	\$5,893,845	\$5,893,845
FEDERAL EXPENDITURES FUND TOTAL	\$18,606,176	\$18,627,305

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$446,506	\$446,506
OTHER SPECIAL REVENUE FUNDS TOTAL	\$446,506	\$446,506

Child Support 0100

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$61,903	\$61,903
FEDERAL EXPENDITURES FUND TOTAL	\$61,903	\$61,903

Child Support 0100

Initiative: Transfers positions and reallocates funding for 18 positions within the Office of Integrated Access and Support. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$13,236)	(\$14,905)
All Other	(\$1,760)	(\$1,760)

GENERAL FUND TOTAL	(\$14,996)	(\$16,665)
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$26,511)	(\$29,852)
All Other	(\$3,574)	(\$3,574)

FEDERAL EXPENDITURES FUND TOTAL	(\$30,085)	(\$33,426)
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Child Support 0100

Initiative: Reallocates the cost of 125 positions from 100% Federal Expenditures Fund to 66.7% Federal Expenditures Fund and 33.3% Other Special Revenue Funds within the Child Support program. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$2,748,779)	(\$2,751,045)
All Other	(\$219,983)	(\$219,983)

FEDERAL EXPENDITURES FUND TOTAL	(\$2,968,762)	(\$2,971,028)
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,748,779	\$2,751,045
All Other	\$219,983	\$219,983

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,968,762	\$2,971,028
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Child Support 0100

Initiative: Provides funding for program operating costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,000,000	\$5,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000,000	\$5,000,000
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Child Support 0100

Initiative: Eliminates funding in accounts that are no longer used.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$419,160)	(\$419,160)
FEDERAL EXPENDITURES FUND TOTAL	(\$419,160)	(\$419,160)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$419,145)	(\$419,145)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$419,145)	(\$419,145)

Child Support 0100

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$7)	(\$9)
GENERAL FUND TOTAL	(\$7)	(\$9)

CHILD SUPPORT 0100 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	31.500	31.500
Personal Services	\$2,212,684	\$2,217,819
All Other	\$1,599,004	\$1,599,002
GENERAL FUND TOTAL	\$3,811,688	\$3,816,821

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	193.000	193.000
Personal Services	\$9,937,041	\$9,952,563
All Other	\$5,313,031	\$5,313,031
FEDERAL EXPENDITURES FUND TOTAL	\$15,250,072	\$15,265,594

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,748,779	\$2,751,045
All Other	\$5,247,344	\$5,247,344

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,996,123	\$7,998,389
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Community Family Planning 0466

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$225,322	\$225,322
GENERAL FUND TOTAL	\$225,322	\$225,322

COMMUNITY FAMILY PLANNING 0466 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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	2009-10	2010-11
All Other	\$4,856,818	\$4,856,818
FEDERAL BLOCK GRANT FUND TOTAL	\$4,856,818	\$4,856,818

COMMUNITY SERVICES BLOCK GRANT 0716 PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$4,856,818	\$4,856,818
FEDERAL BLOCK GRANT FUND TOTAL	\$4,856,818	\$4,856,818

Comprehensive Cancer Screening, Detection and Prevention Fund Z054

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Cystic Fibrosis - Treatment of 0167

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$5,323	\$5,323
GENERAL FUND TOTAL	\$5,323	\$5,323

Cystic Fibrosis - Treatment of 0167

Initiative: Eliminates funding provided for program administrative costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,323)	(\$5,323)
GENERAL FUND TOTAL	(\$5,323)	(\$5,323)

CYSTIC FIBROSIS - TREATMENT OF 0167

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Dental Disease Prevention 0486

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$160,124	\$159,218
All Other	\$34,660	\$34,660
FEDERAL BLOCK GRANT FUND TOTAL	\$194,784	\$193,878

DENTAL DISEASE PREVENTION 0486

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$160,124	\$159,218
All Other	\$34,660	\$34,660
FEDERAL BLOCK GRANT FUND TOTAL	\$194,784	\$193,878

Disability Determination - Division of 0208

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	67.500	67.500
Personal Services	\$4,710,415	\$4,719,740
All Other	\$3,654,260	\$3,654,260
FEDERAL EXPENDITURES FUND TOTAL	\$8,364,675	\$8,374,000

Disability Determination - Division of 0208

Initiative: Provides funding for increased case processing and medical consultation costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$500,000	\$500,000
FEDERAL EXPENDITURES FUND TOTAL	\$500,000	\$500,000

Disability Determination - Division of 0208

Initiative: Eliminates one part-time Disability Claims Adjudicator position, one Medical Support Specialist Translator position and one Office Assistant II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$146,645)	(\$150,781)
All Other	(\$3,649)	(\$3,751)
FEDERAL EXPENDITURES FUND TOTAL	(\$150,294)	(\$154,532)

DISABILITY DETERMINATION - DIVISION OF 0208

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	65.000	65.000
Personal Services	\$4,563,770	\$4,568,959
All Other	\$4,150,611	\$4,150,509
FEDERAL EXPENDITURES FUND TOTAL	\$8,714,381	\$8,719,468

Division of Administrative Hearings Z038

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$146,319	\$143,807
All Other	\$20,648	\$20,648
GENERAL FUND TOTAL	\$166,967	\$164,455

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$820,305	\$811,393
All Other	\$249,167	\$249,167
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,069,472	\$1,060,560

DIVISION OF ADMINISTRATIVE HEARINGS Z038

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$146,319	\$143,807
All Other	\$20,648	\$20,648
GENERAL FUND TOTAL	\$166,967	\$164,455

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$820,305	\$811,393
All Other	\$249,167	\$249,167
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,069,472	\$1,060,560

POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$820,305	\$811,393
All Other	\$249,167	\$249,167
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,069,472	\$1,060,560

Division of Data, Research and Vital Statistics Z037

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$491,761	\$483,085
All Other	\$31,939	\$31,939
GENERAL FUND TOTAL	\$523,700	\$515,024

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$227,308	\$223,622
All Other	\$1,745,500	\$1,745,500
FEDERAL EXPENDITURES FUND TOTAL	\$1,972,808	\$1,969,122

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$619,054	\$625,888
All Other	\$128,103	\$128,103
OTHER SPECIAL REVENUE FUNDS TOTAL	\$747,157	\$753,991

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,707	\$74,378
All Other	\$8,387	\$8,387

FEDERAL BLOCK GRANT FUND TOTAL	\$84,094	\$82,765
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Division of Data, Research and Vital Statistics Z037

Initiative: Provides funding for program operating expenses.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$276,000	\$276,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$276,000	\$276,000

Division of Data, Research and Vital Statistics Z037

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,248,770	\$1,320,802
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,248,770	\$1,320,802

Division of Data, Research and Vital Statistics Z037

Initiative: Transfers positions and reallocates funding for 18 positions to reflect their proper functional locations within the Center for Disease Control and Prevention. Increased Personal Services costs in the Fund for a Healthy Maine - Bureau of Health program are offset by an All Other reduction. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$227,308)	(\$223,622)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$227,308)	(\$223,622)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$227,308	\$223,622
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$227,308	\$223,622

Division of Data, Research and Vital Statistics Z037

Initiative: Transfers one Planning and Research Assistant position from the Division of Data, Research and Vital Statistics program, Other Special Revenue Funds to the Bureau of Health program, Federal Expenditures Fund.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$54,209)	(\$55,600)
All Other	(\$5,333)	(\$5,333)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$59,542)	(\$60,933)

Division of Data, Research and Vital Statistics Z037

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$276,520	\$752,534
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$276,520	\$752,534

DIVISION OF DATA, RESEARCH AND VITAL STATISTICS Z037

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$491,761	\$483,085
All Other	\$308,459	\$784,473
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$800,220	\$1,267,558

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0,000	0,000
Personal Services	\$0	\$0
All Other	\$1,745,500	\$1,745,500
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$1,745,500	\$1,745,500

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
	<hr/>	<hr/>

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POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$792,153	\$793,910
All Other	\$2,647,540	\$1,719,572
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,439,693	\$2,513,482

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,707	\$74,378
All Other	\$8,387	\$8,387
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	\$84,094	\$82,765

Division of Licensing and Regulatory Services Z036

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	35.000	35.000
Personal Services	\$3,383,055	\$3,361,979
All Other	\$363,010	\$363,010
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$3,746,065	\$3,724,989

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	57.000	57.000
Personal Services	\$3,110,729	\$3,102,270
All Other	\$480,453	\$480,453
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$3,591,182	\$3,582,723

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$209,644	\$207,002
All Other	\$94,303	\$94,303
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$303,947	\$301,305

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$778,054	\$770,007
All Other	\$71,258	\$71,258
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	\$849,312	\$841,265

Division of Licensing and Regulatory Services Z036

Initiative: Transfers positions and reallocates position costs to provide for the operational needs of the Division of Licensing and Regulatory Services. Position actions in this and other initiatives affecting the division result in net savings to the General Fund. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$195,488	\$192,726
All Other	\$4,150	\$4,150
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$199,638	\$196,876

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$230,733)	(\$228,946)
All Other	(\$5,950)	(\$5,929)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$236,683)	(\$234,875)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$48,572	\$47,620
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,572	\$47,620

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	(\$6,681)	(\$6,168)
All Other	(\$3,002)	(\$3,002)
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	(\$9,683)	(\$9,170)

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding for program operating costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

Division of Licensing and Regulatory Services Z036

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,476	\$4,476
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,476	\$4,476

FEDERAL BLOCK GRANT FUND

	2009-10	2010-11
All Other	\$5,463	\$5,463
FEDERAL BLOCK GRANT FUND TOTAL	\$5,463	\$5,463

Division of Licensing and Regulatory Services Z036

Initiative: Reallocates the General Fund portion of 2 Office Associate II positions, one Paralegal position and one Nursing Education Consultant position from the Division of Licensing and Regulatory Services program to the Bureau of Medical Services program, 25% General Fund and 25% Federal Expenditures Fund. Also transfers one Office Associate II position from the General Fund to the Federal Expenditures Fund within the Division of Licensing and Regulatory Services program and allocates 50% of its costs to that program and fund, 25% to the Bureau of Medical Services program, General Fund and 25% to the Bureau of Medical Services program, Federal Expenditures Fund. Position actions in this and other initiatives affecting the division result in net savings to the General Fund.

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$150,096)	(\$150,763)
All Other	(\$74,240)	(\$78,000)
GENERAL FUND TOTAL	(\$224,336)	(\$228,763)

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$26,201	\$26,886
All Other	\$12,652	\$12,669
FEDERAL EXPENDITURES FUND TOTAL	\$38,853	\$39,555

Division of Licensing and Regulatory Services Z036

Initiative: Reallocates funding for 12 positions within the Division of Licensing and Regulatory Services programs by decreasing the General Fund share of the cost of each position and increasing the federal share of the cost of each position by 10%. Position actions in this and other initiatives affecting the division result in net savings to the General Fund. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$94,708)	(\$94,282)
All Other	(\$4,446)	(\$4,446)

GENERAL FUND TOTAL	(\$99,154)	(\$98,728)
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FEDERAL EXPENDITURES FUND

	2009-10	2010-11
Personal Services	\$94,708	\$94,282
All Other	\$2,356	\$2,345
FEDERAL EXPENDITURES FUND TOTAL	\$97,064	\$96,627

Division of Licensing and Regulatory Services Z036

Initiative: Reallocates the General Fund cost of an Office Associate II position to the Federal Expenditures Fund within the Division of Licensing and Regulatory Services program. Position actions in this and other initiatives affecting the division result in net savings to the General Fund.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$23,882)	(\$24,542)

All Other	(\$1,853)	(\$1,853)
GENERAL FUND TOTAL	(\$25,735)	(\$26,395)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$23,882	\$24,542
All Other	\$594	\$611
FEDERAL EXPENDITURES FUND TOTAL	\$24,476	\$25,153

Division of Licensing and Regulatory Services Z036

Initiative: Eliminates one Community Care Worker position, 2 Social Services Program Specialist I positions, one Health Services Consultant position and one Office Associate II position. Position actions in this and other initiatives affecting the division result in net savings to the General Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$235,579)	(\$234,389)
All Other	(\$22,230)	(\$22,230)
GENERAL FUND TOTAL	(\$257,809)	(\$256,619)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$40,395)	(\$39,994)
FEDERAL EXPENDITURES FUND TOTAL	(\$40,395)	(\$39,994)

Division of Licensing and Regulatory Services Z036

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$30,226)	(\$29,423)
GENERAL FUND TOTAL	(\$30,226)	(\$29,423)

Division of Licensing and Regulatory Services Z036

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$115)	(\$153)

GENERAL FUND TOTAL	(\$115)	(\$153)
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Division of Licensing and Regulatory Services Z036

Initiative: Provides funding necessary for program operations.

GENERAL FUND	2009-10	2010-11
All Other	\$40,000	\$40,000
GENERAL FUND TOTAL	\$40,000	\$40,000

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding for the reclassification of Family Independence Specialist positions and Community Care Worker positions in order to implement an arbitration award.

GENERAL FUND	2009-10	2010-11
Personal Services	\$14,019	\$2,063
GENERAL FUND TOTAL	\$14,019	\$2,063

DIVISION OF LICENSING AND REGULATORY SERVICES Z036

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	31.000	31.000
Personal Services	\$3,088,297	\$3,052,792
All Other	\$274,050	\$271,055
GENERAL FUND TOTAL	\$3,362,347	\$3,323,847

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
Personal Services	\$2,984,392	\$2,979,040
All Other	\$490,105	\$490,149
FEDERAL EXPENDITURES FUND TOTAL	\$3,474,497	\$3,469,189

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$209,644	\$207,002

All Other	\$647,351	\$646,399
OTHER SPECIAL REVENUE FUNDS TOTAL	\$856,995	\$853,401
FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$771,373	\$763,839
All Other	\$73,719	\$73,719
FEDERAL BLOCK GRANT FUND TOTAL	\$845,092	\$837,558

Division of Purchased Services Z035

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$2,185,839	\$2,180,314
All Other	\$141,984	\$141,984
GENERAL FUND TOTAL	\$2,327,823	\$2,322,298
FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$267,550	\$268,335
All Other	\$75,964	\$75,964
FEDERAL BLOCK GRANT FUND TOTAL	\$343,514	\$344,299

Division of Purchased Services Z035

Initiative: Transfers one Management Analyst II position and 3 Public Service Coordinator I positions and related All Other costs from the Multicultural Services, Rate Setting and Quality Improvement program to the Division of Purchased Services program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$377,594	\$370,454
All Other	\$29,332	\$29,332
GENERAL FUND TOTAL	\$406,926	\$399,786

Division of Purchased Services Z035

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$178,648	\$150,177
GENERAL FUND TOTAL	\$178,648	\$150,177

DIVISION OF PURCHASED SERVICES Z035 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,563,433	\$2,550,768
All Other	\$349,964	\$321,493
GENERAL FUND TOTAL	\$2,913,397	\$2,872,261

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$267,550	\$268,335
All Other	\$75,964	\$75,964
FEDERAL BLOCK GRANT FUND TOTAL	\$343,514	\$344,299

Drinking Water Enforcement 0728

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$382,098	\$381,833
All Other	\$578,060	\$578,060
OTHER SPECIAL REVENUE FUNDS TOTAL	\$960,158	\$959,893

Drinking Water Enforcement 0728

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$29,321	\$11,257
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,321	\$11,257

DRINKING WATER ENFORCEMENT 0728

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$382,098	\$381,833
All Other	\$607,381	\$589,317
OTHER SPECIAL REVENUE FUNDS TOTAL	\$989,479	\$971,150

FHM - Bone Marrow Screening 0962

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$93,712	\$93,712
FUND FOR A HEALTHY MAINE TOTAL	\$93,712	\$93,712

FHM - Bone Marrow Screening 0962

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$4,152)	(\$8,772)
FUND FOR A HEALTHY MAINE TOTAL	(\$4,152)	(\$8,772)

FHM - BONE MARROW SCREENING 0962

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$89,560	\$84,940
FUND FOR A HEALTHY MAINE TOTAL	\$89,560	\$84,940

FHM - Bureau of Family Independence - Central 0954

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$56,606	\$58,195
All Other	\$7,846	\$7,846
FUND FOR A HEALTHY MAINE TOTAL	\$64,452	\$66,041

FHM - Bureau of Family Independence - Central 0954

Initiative: Transfers positions and reallocates funding for 18 positions within the Office of Integrated Access and Support. Position detail is on file in the Bureau of the Budget.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$56,606)	(\$58,195)
All Other	(\$7,546)	(\$7,846)
FUND FOR A HEALTHY MAINE TOTAL	(\$64,152)	(\$66,041)

FHM - Bureau of Family Independence - Central 0954

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$19)	\$0
FUND FOR A HEALTHY MAINE TOTAL	(\$19)	\$0

FHM - BUREAU OF FAMILY INDEPENDENCE - CENTRAL 0954

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$281	\$0

FUND FOR A HEALTHY MAINE TOTAL	\$281	\$0
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FHM - Bureau of Health 0953

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$319,202	\$319,447
All Other	\$24,011,942	\$24,011,942
FUND FOR A HEALTHY MAINE TOTAL	\$24,331,144	\$24,331,389

FHM - Bureau of Health 0953

Initiative: Transfers one Health Program Manager position and 2 Comprehensive Health Planner II positions from the Federal Expenditures Fund in the Bureau of Health program to the FHM - Bureau of Health program, Other Special Revenue Funds and reallocates 25% of the cost of one Office Associate II position from the Bureau of Health program, Federal Expenditures Fund to the FHM - Bureau of Health program, Other Special Revenue Funds. Position costs in the FHM - Bureau of Health program are offset through a reduction in the All Other line category.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$284,561	\$280,108
All Other	(\$284,561)	(\$280,108)
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0

FHM - Bureau of Health 0953

Initiative: Reorganizes one Comprehensive Health Planner II position to a Health Program Manager position and transfers the position from the FHM - Bureau of Health program to the Federal Expenditures Fund in the Bureau of Health program.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$86,258)	(\$84,647)
All Other	\$86,258	\$84,647

FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0
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FHM - Bureau of Health 0953

Initiative: Reorganizes one Planning and Research Associate I position to a Planning and Research Associate II position and reallocates 16% of the position costs from the Maternal and Child Health program, Federal Block Grant Fund to the FHM - Bureau of Health program, Other Special Revenue Funds to be funded through a reduction in the All Other line category.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
Personal Services	\$12,237	\$12,031
All Other	(\$12,237)	(\$12,031)

FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0
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FHM - Bureau of Health 0953

Initiative: Transfers one Office Specialist I Manager position from the Risk Reduction program to the FHM - Bureau of Health program to be funded through a reduction in the All Other line category.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,427	\$72,811
All Other	(\$73,427)	(\$72,811)

FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0
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FHM - Bureau of Health 0953

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$6,222	\$6,222

FUND FOR A HEALTHY MAINE TOTAL	\$6,222	\$6,222
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FHM - Bureau of Health 0953

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$235	\$171
FUND FOR A HEALTHY MAINE TOTAL	\$235	\$171

FHM - Bureau of Health 0953

Initiative: Transfers positions and reallocates funding for 18 positions to reflect their proper functional locations within the Center for Disease Control and Prevention. Increased Personal Services costs in the Fund for a Healthy Maine - Bureau of Health program are offset by an All Other reduction. Position detail is on file in the Bureau of the Budget.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
Personal Services	\$141,769	\$142,668
All Other	(\$141,769)	(\$142,668)
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0

FHM - Bureau of Health 0953

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$1,045,361)	(\$2,208,886)
FUND FOR A HEALTHY MAINE TOTAL	(\$1,045,361)	(\$2,208,886)

FHM - BUREAU OF HEALTH 0953 PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
FUND FOR A HEALTHY MAINE TOTAL	(\$1,045,361)	(\$2,208,886)

POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$744,938	\$742,418
All Other	\$22,547,302	\$21,386,478

FUND FOR A HEALTHY MAINE TOTAL	\$23,292,240	\$22,128,896
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FHM - Bureau of Medical Services 0955

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$87,047	\$86,073
All Other	\$56,837	\$56,837

FUND FOR A HEALTHY MAINE TOTAL	\$143,884	\$142,910
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FHM - Bureau of Medical Services 0955

Initiative: Eliminates 55 positions and reduces funding for related All Other costs as part of the reorganization of the Office of MaineCare Services. Net All Other adjustments also include a reduction in information technology costs due to a redeployment of resources, a decrease in consulting services needed for staff augmentation and an increase for fiscal agent consulting costs.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$86,073)
All Other	\$0	(\$55,638)

FUND FOR A HEALTHY MAINE TOTAL	\$0	(\$141,711)
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FHM - Bureau of Medical Services 0955

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$3,598)	(\$134)

FUND FOR A HEALTHY MAINE TOTAL	(\$3,598)	(\$134)
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FHM - BUREAU OF MEDICAL SERVICES 0955

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	0.000
Personal Services	\$87,047	\$0
All Other	\$53,239	\$1,065
FUND FOR A HEALTHY MAINE TOTAL	\$140,286	\$1,065

FHM - Donated Dental 0958

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$42,562	\$42,562
FUND FOR A HEALTHY MAINE TOTAL	\$42,562	\$42,562

FHM - Donated Dental 0958

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$1,885)	(\$3,952)
FUND FOR A HEALTHY MAINE TOTAL	(\$1,885)	(\$3,952)

FHM - DONATED DENTAL 0958

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$40,677	\$38,610
FUND FOR A HEALTHY MAINE TOTAL	\$40,677	\$38,610

FHM - Drugs for the Elderly and Disabled Z015

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$13,912,727	\$13,912,727

FUND FOR A HEALTHY MAINE TOTAL	\$13,912,727	\$13,912,727
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FHM - Drugs for the Elderly and Disabled Z015

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$880,835)	(\$1,559,777)
FUND FOR A HEALTHY MAINE TOTAL	(\$880,835)	(\$1,559,777)

FHM - DRUGS FOR THE ELDERLY AND DISABLED Z015

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$13,031,892	\$12,352,950
FUND FOR A HEALTHY MAINE TOTAL	\$13,031,892	\$12,352,950

FHM - Family Planning 0956

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$468,962	\$468,962
FUND FOR A HEALTHY MAINE TOTAL	\$468,962	\$468,962

FHM - Family Planning 0956

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$20,779)	(\$43,901)
FUND FOR A HEALTHY MAINE TOTAL	(\$20,779)	(\$43,901)

FHM - FAMILY PLANNING 0956

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
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All Other	\$448,183	\$425,061
FUND FOR A HEALTHY MAINE TOTAL	\$448,183	\$425,061

All Other	(\$56,316)	(\$118,330)
FUND FOR A HEALTHY MAINE TOTAL	(\$56,316)	(\$118,330)

FHM - Head Start 0959

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$1,582,460	\$1,582,460
FUND FOR A HEALTHY MAINE TOTAL	\$1,582,460	\$1,582,460

FHM - IMMUNIZATION Z048

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$1,201,684	\$1,139,670
FUND FOR A HEALTHY MAINE TOTAL	\$1,201,684	\$1,139,670

FHM - Head Start 0959

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$70,117)	(\$148,141)
FUND FOR A HEALTHY MAINE TOTAL	(\$70,117)	(\$148,141)

FHM - Medical Care 0960

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$8,776,069	\$8,776,069
FUND FOR A HEALTHY MAINE TOTAL	\$8,776,069	\$8,776,069

FHM - HEAD START 0959

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$1,512,343	\$1,434,319
FUND FOR A HEALTHY MAINE TOTAL	\$1,512,343	\$1,434,319

FHM - Medical Care 0960

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 Federal Medical Assistance Percentage (FMAP).

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$129,748)	(\$156,245)
FUND FOR A HEALTHY MAINE TOTAL	(\$129,748)	(\$156,245)

FHM - Immunization Z048

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$1,258,000	\$1,258,000
FUND FOR A HEALTHY MAINE TOTAL	\$1,258,000	\$1,258,000

FHM - Medical Care 0960

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$322,928)	(\$757,732)
FUND FOR A HEALTHY MAINE TOTAL	(\$322,928)	(\$757,732)

FHM - Immunization Z048

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
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FHM - Medical Care 0960

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage pro-

vided in the American Recovery and Reinvestment Act of 2009.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$2,322,280)	(\$1,176,238)
FUND FOR A HEALTHY MAINE TOTAL	(\$2,322,280)	(\$1,176,238)

FHM - MEDICAL CARE 0960

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$6,001,113	\$6,685,854
FUND FOR A HEALTHY MAINE TOTAL	\$6,001,113	\$6,685,854

FHM - Purchased Social Services 0961

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$4,605,435	\$4,605,435
FUND FOR A HEALTHY MAINE TOTAL	\$4,605,435	\$4,605,435

FHM - Purchased Social Services 0961

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$204,060)	(\$431,134)
FUND FOR A HEALTHY MAINE TOTAL	(\$204,060)	(\$431,134)

FHM - PURCHASED SOCIAL SERVICES 0961

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$4,401,375	\$4,174,301
FUND FOR A HEALTHY MAINE TOTAL	\$4,401,375	\$4,174,301

FHM - Service Center 0957

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10,000	10,000
Personal Services	\$719,569	\$714,039
All Other	\$46,349	\$46,349
FUND FOR A HEALTHY MAINE TOTAL	\$765,918	\$760,388

FHM - Service Center 0957

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$17,571	\$17,571
FUND FOR A HEALTHY MAINE TOTAL	\$17,571	\$17,571

FHM - Service Center 0957

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$2,848)	(\$5,960)
FUND FOR A HEALTHY MAINE TOTAL	(\$2,848)	(\$5,960)

FHM - SERVICE CENTER 0957

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10,000	10,000
Personal Services	\$719,569	\$714,039
All Other	\$61,072	\$57,960
FUND FOR A HEALTHY MAINE TOTAL	\$780,641	\$771,999

Food Stamps Administration Z019

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,179,314	\$2,179,314
GENERAL FUND TOTAL	\$2,179,314	\$2,179,314

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$3,309,377	\$3,309,377
FEDERAL EXPENDITURES FUND TOTAL	\$3,309,377	\$3,309,377

Food Stamps Administration Z019

Initiative: Provides funding to automate and streamline the direct certification process.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$50,004	\$50,004
FEDERAL EXPENDITURES FUND TOTAL	\$50,004	\$50,004

Food Stamps Administration Z019

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$14)	(\$19)
GENERAL FUND TOTAL	(\$14)	(\$19)

FOOD STAMPS ADMINISTRATION Z019

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$2,179,300	\$2,179,295
GENERAL FUND TOTAL	\$2,179,300	\$2,179,295

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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	2009-10	2010-11
All Other	\$5,974,622	\$5,974,622
GENERAL FUND TOTAL	\$5,974,622	\$5,974,622

GENERAL ASSISTANCE - REIMBURSEMENT TO CITIES AND TOWNS 0130

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$5,974,622	\$5,974,622
GENERAL FUND TOTAL	\$5,974,622	\$5,974,622

Head Start 0545

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,448,875	\$2,448,875
GENERAL FUND TOTAL	\$2,448,875	\$2,448,875

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$109,152	\$109,152
FEDERAL EXPENDITURES FUND TOTAL	\$109,152	\$109,152

HEAD START 0545

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$2,448,875	\$2,448,875
GENERAL FUND TOTAL	\$2,448,875	\$2,448,875

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$109,152	\$109,152
FEDERAL EXPENDITURES FUND TOTAL	\$109,152	\$109,152

Health - Bureau of 0143

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	76.500	76.500
Personal Services	\$6,371,735	\$6,320,474
All Other	\$2,096,662	\$2,096,662

GENERAL FUND TOTAL	\$8,468,397	\$8,417,136
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	146.500	146.500
Personal Services	\$11,364,634	\$11,380,862
All Other	\$55,382,604	\$55,382,604

FEDERAL EXPENDITURES FUND TOTAL	\$66,747,238	\$66,763,466
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
POSITIONS - FTE COUNT	1.500	1.500
Personal Services	\$5,996,076	\$5,961,177
All Other	\$5,320,220	\$5,320,220

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,316,296	\$11,281,397
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$251,949	\$254,364
All Other	\$94,660	\$94,660

FEDERAL BLOCK GRANT FUND TOTAL	\$346,609	\$349,024
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Health - Bureau of 0143

Initiative: Reorganizes one Supervisor of Public Health Sanitation position to a Public Service Coordinator I position and one Senior Health Program Manager position to a Public Service Coordinator II position and transfers the positions from the General Fund to Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$152,622)	(\$156,297)
GENERAL FUND TOTAL	(\$152,622)	(\$156,297)

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$182,468	\$186,748
All Other	\$10,665	\$10,665

OTHER SPECIAL REVENUE FUNDS TOTAL	\$193,133	\$197,413
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Health - Bureau of 0143

Initiative: Transfers one Health Program Manager position and 2 Comprehensive Health Planner II positions from the Federal Expenditures Fund in the Bureau of Health program to the FHM - Bureau of Health program, Other Special Revenue Funds and reallocates 25% of the cost of one Office Associate II position from the Bureau of Health program, Federal Expenditures Fund to the FHM - Bureau of Health program, Other Special Revenue Funds. Position costs in the FHM - Bureau of Health program are offset through a reduction in the All Other line category.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$284,561)	(\$280,108)
All Other	\$274,999	\$274,999

FEDERAL EXPENDITURES FUND TOTAL	(\$9,562)	(\$5,109)
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Health - Bureau of 0143

Initiative: Reorganizes one Comprehensive Health Planner II position to a Health Program Manager position and transfers the position from the FHM - Bureau of Health program to the Federal Expenditures Fund in the Bureau of Health program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,422	\$89,671
All Other	\$3,570	\$3,502

FEDERAL EXPENDITURES	\$94,992	\$93,173
FUND TOTAL		

Health - Bureau of 0143

Initiative: Provides funding for increased operational costs for issuing licenses and maintaining a database of annual retail tobacco sales.

GENERAL FUND	2009-10	2010-11
All Other	\$30,746	\$30,746

GENERAL FUND TOTAL	\$30,746	\$30,746
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Health - Bureau of 0143

Initiative: Reorganizes one Office Assistant II position to an Office Associate I position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$3,957	\$3,998
All Other	\$98	\$99

FEDERAL EXPENDITURES FUND TOTAL	\$4,055	\$4,097
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Health - Bureau of 0143

Initiative: Reorganizes one Health Program Manager position to a Public Service Manager I position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$8,075	\$7,788
All Other	\$226	\$220

FEDERAL EXPENDITURES FUND TOTAL	\$8,301	\$8,008
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Health - Bureau of 0143

Initiative: Reorganizes one Public Service Coordinator I position to a Public Service Manager II position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$18,149	\$17,653
All Other	\$709	\$689

FEDERAL EXPENDITURES FUND TOTAL	\$18,858	\$18,342
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Health - Bureau of 0143

Initiative: Reorganizes one Health Program Manager position to a Director of Special Projects position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$5,877	\$5,819
All Other	\$146	\$145

FEDERAL EXPENDITURES FUND TOTAL	\$6,023	\$5,964
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Health - Bureau of 0143

Initiative: Reorganizes one Staff Accountant position to a Senior Staff Accountant position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$6,962	\$6,998
All Other	\$272	\$273

FEDERAL EXPENDITURES FUND TOTAL	\$7,234	\$7,271
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Health - Bureau of 0143

Initiative: Reorganizes one Office Assistant II position to an Office Associate II position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$5,474	\$5,600
All Other	\$214	\$219

FEDERAL EXPENDITURES FUND TOTAL	\$5,688	\$5,819
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Health - Bureau of 0143

Initiative: Reorganizes one Chemist I position to a Management Analyst II position and transfers it from the Bureau of Health program, Other Special Revenue Funds to the Maternal and Child Health program, to be funded 50% Federal Block Grant Fund in the Maternal and Child Health program and 50% Federal Expenditures Fund in the Bureau of Health program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$39,372	\$40,400
All Other	\$4,308	\$4,348

FEDERAL EXPENDITURES FUND TOTAL	\$43,680	\$44,748
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$70,714)	(\$72,227)
All Other	(\$8,303)	(\$8,362)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$79,017)	(\$80,589)

Health - Bureau of 0143

Initiative: Provides funding to cover information technology, travel and other operating costs to be funded by an increase in Radiation Control program fees.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$38,298	\$61,859
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,298	\$61,859

Health - Bureau of 0143

Initiative: Reorganizes one Health Program Manager position to a Senior Health Program Manager position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$5,726	\$5,569
All Other	\$143	\$139
FEDERAL EXPENDITURES FUND TOTAL	\$5,869	\$5,708

Health - Bureau of 0143

Initiative: Reorganizes one Public Health Program Educator III position to a Health Program Manager position and transfers it from the Federal Block Grant Fund to the Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$81,804	\$84,070
All Other	\$2,751	\$2,827
FEDERAL EXPENDITURES FUND TOTAL	\$84,555	\$86,897

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$70,460)	(\$72,402)
All Other	(\$2,751)	(\$2,827)
FEDERAL BLOCK GRANT FUND TOTAL	(\$73,211)	(\$75,229)

Health - Bureau of 0143

Initiative: Transfers one Senior Health Program Manager position from the Bureau of Health program, Federal Expenditures Fund to the Risk Reduction program, Federal Block Grant Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$101,563)	(\$100,019)
All Other	(\$2,527)	(\$2,489)
FEDERAL EXPENDITURES FUND TOTAL	(\$104,090)	(\$102,508)

Health - Bureau of 0143

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$289,354	\$193,617
FEDERAL EXPENDITURES FUND TOTAL	\$289,354	\$193,617

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,500	\$2,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500	\$2,500

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
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All Other	\$6,727	\$6,727
FEDERAL BLOCK GRANT FUND TOTAL	\$6,727	\$6,727

Health - Bureau of 0143

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$2,701,070	\$1,835,476
FEDERAL EXPENDITURES FUND TOTAL	\$2,701,070	\$1,835,476

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$123,911	\$47,895
OTHER SPECIAL REVENUE FUNDS TOTAL	\$123,911	\$47,895

Health - Bureau of 0143

Initiative: Transfers positions and reallocates funding for 18 positions to reflect their proper functional locations within the Center for Disease Control and Prevention. Increased Personal Services costs in the Fund for a Healthy Maine - Bureau of Health program are offset by an All Other reduction. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$73,071)	(\$71,634)
GENERAL FUND TOTAL	(\$73,071)	(\$71,634)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$148,328	\$146,114
All Other	\$5,142	\$5,067
FEDERAL EXPENDITURES FUND TOTAL	\$153,470	\$151,181

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$90,967)	(\$89,245)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$90,967)	(\$89,245)

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$25,390	\$25,002
FEDERAL BLOCK GRANT FUND TOTAL	\$25,390	\$25,002

Health - Bureau of 0143

Initiative: Provides funding for program operating expenses to be funded by an increase in laboratory certification fees.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$65,000	\$90,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,000	\$90,000

Health - Bureau of 0143

Initiative: Provides funding for increased operating costs of the newborn bloodspot screening program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,470,000	\$1,470,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,470,000	\$1,470,000

Health - Bureau of 0143

Initiative: Provides funding for inspection and licensing costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,103	\$6,589
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,103	\$6,589

Health - Bureau of 0143

Initiative: Transfers one Planning and Research Assistant position from the Division of Data, Research and Vital Statistics program, Other Special Revenue Funds to the Bureau of Health program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$54,209	\$55,600
All Other	\$5,333	\$5,333
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$59,542	\$60,933

Health - Bureau of 0143

Initiative: Provides funding for a new grant received from the Robert Wood Johnson Foundation to improve public health's ability to detect and respond to emerging threats.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$100,000	\$100,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

Health - Bureau of 0143

Initiative: Provides funding to more accurately reflect anticipated resources available for the Lead Poisoning Prevention Fund program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$830,000	\$830,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$830,000	\$830,000

Health - Bureau of 0143

Initiative: Reorganizes 2 Sanitarian II positions to Management Analyst II positions.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$7,622	\$12,848
All Other	\$190	\$320
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,812	\$13,168

Health - Bureau of 0143

Initiative: Reorganizes one Procurement and Contracting Specialist position to a Planning and Research Associate I position.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$2,845	\$4,774
All Other	\$71	\$119
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$2,916	\$4,893

Health - Bureau of 0143

Initiative: Reduces funding for the school oral health program, recognizing additional funds will be available in the community for these purposes under the American Recovery and Reinvestment Act of 2009.

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

Health - Bureau of 0143

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$20,390	\$18,834
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$20,390	\$18,834

Health - Bureau of 0143

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$820)	(\$1,085)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$820)	(\$1,085)

Health - Bureau of 0143

Initiative: Provides funding for childhood vaccines.

GENERAL FUND	2009-10	2010-11
All Other	\$1,500,000	\$2,000,000
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GENERAL FUND TOTAL	\$1,500,000	\$2,000,000

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$500,000	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$500,000	\$0

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$500,000	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$500,000	\$0

**HEALTH - BUREAU OF 0143
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	74.500	74.500
Personal Services	\$6,146,042	\$6,092,543
All Other	\$3,596,978	\$4,095,157
GENERAL FUND TOTAL	\$9,743,020	\$10,187,700

**Homeless Youth Program 0923
Initiative: BASELINE BUDGET**

GENERAL FUND	2009-10	2010-11
All Other	\$401,760	\$401,760
GENERAL FUND TOTAL	\$401,760	\$401,760

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	147.500	147.500
Personal Services	\$11,450,710	\$11,474,789
All Other	\$58,668,483	\$57,707,187
FEDERAL EXPENDITURES FUND TOTAL	\$70,119,193	\$69,181,976

**HOMELESS YOUTH PROGRAM 0923
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
All Other	\$401,760	\$401,760
GENERAL FUND TOTAL	\$401,760	\$401,760

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
POSITIONS - FTE COUNT	1.500	1.500
Personal Services	\$6,024,485	\$5,999,301
All Other	\$7,956,584	\$7,931,686
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,981,069	\$13,930,987

**Hypertension Control 0487
Initiative: BASELINE BUDGET**

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,730	\$58,320
All Other	\$26,204	\$26,204
FEDERAL BLOCK GRANT FUND TOTAL	\$84,934	\$84,524

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$206,879	\$206,964
All Other	\$98,636	\$98,560
FEDERAL BLOCK GRANT FUND TOTAL	\$305,515	\$305,524

Hypertension Control 0487

Initiative: Transfers positions and reallocates funding for 18 positions to reflect their proper functional locations within the Center for Disease Control and Prevention. Increased Personal Services costs in the Fund for a Healthy Maine - Bureau of Health program are offset by an All Other reduction. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$58,730)	(\$58,320)

FEDERAL BLOCK GRANT FUND TOTAL	(\$58,730)	(\$58,320)
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**HYPERTENSION CONTROL 0487
PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$26,204	\$26,204
FEDERAL BLOCK GRANT FUND TOTAL	\$26,204	\$26,204

Independent Housing with Services 0211

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$560,608	\$560,608
GENERAL FUND TOTAL	\$560,608	\$560,608

Independent Housing with Services 0211

Initiative: Provides funding to ensure financially sustainable assisted living facilities.

GENERAL FUND	2009-10	2010-11
All Other	\$1,200,000	\$1,200,000
GENERAL FUND TOTAL	\$1,200,000	\$1,200,000

INDEPENDENT HOUSING WITH SERVICES 0211

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,760,608	\$1,760,608
GENERAL FUND TOTAL	\$1,760,608	\$1,760,608

IV-E Foster Care/Adoption Assistance 0137

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$13,772,553	\$13,772,553
GENERAL FUND TOTAL	\$13,772,553	\$13,772,553

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$704,502	\$713,404
All Other	\$37,366,936	\$37,366,936
FEDERAL EXPENDITURES FUND TOTAL	\$38,071,438	\$38,080,340

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,401,863	\$4,401,863
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,401,863	\$4,401,863

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides funding for community intervention services to keep children in their homes rather than coming into State care.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,700,000	\$1,700,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,700,000	\$1,700,000

IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding by streamlining and simplifying the family foster home licensing process and by eliminating payments to unlicensed foster homes.

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

IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$255,010)	(\$127,281)
GENERAL FUND TOTAL	(\$255,010)	(\$127,281)

**IV-E FOSTER CARE/ADOPTION ASSISTANCE
0137**

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$13,417,543	\$13,545,272
GENERAL FUND TOTAL	\$13,417,543	\$13,545,272

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$704,502	\$713,404
All Other	\$37,366,936	\$37,366,936
FEDERAL EXPENDITURES FUND TOTAL	\$38,071,438	\$38,080,340

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$6,101,863	\$6,101,863
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,101,863	\$6,101,863

Long Term Care - Human Services 0420

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$10,609,414	\$10,609,414
GENERAL FUND TOTAL	\$10,609,414	\$10,609,414

Long Term Care - Human Services 0420

Initiative: Reallocates funding for one Social Services Manager I position from 100% Office of Elder Services Central Office program, General Fund to 37.5% Bureau of Medical Services program, Federal Expenditures Fund and 62.5% Office of Elder Services Central Office program, General Fund and transfers the Office of Elder Services Central Office program General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$35,510	\$36,173
GENERAL FUND TOTAL	\$35,510	\$36,173

Long Term Care - Human Services 0420

Initiative: Reallocates funding for one Clerk IV position in the Office of Elder Services Central Office program from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 40% Bureau of Medical Services program, Federal Expenditures Fund and 60% Office of Elder Services Central Office program, General Fund and offsets the General Fund Personal Services costs with a reduction in the All Other line category in the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	(\$7,151)	(\$7,043)
GENERAL FUND TOTAL	(\$7,151)	(\$7,043)

Long Term Care - Human Services 0420

Initiative: Reallocates funding for one Social Services Program Specialist I position from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 12.5% Bureau of Medical Services program, Federal Expenditures Fund, 37.5% Office of Elder Services Central Office program, General Fund and 50% Office of Elder Services Central Office program, Federal Expenditures Fund and transfers the Office of Elder Services Central Office General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$9,151	\$9,399
GENERAL FUND TOTAL	\$9,151	\$9,399

Long Term Care - Human Services 0420

Initiative: Reallocates funding for one Health Services Supervisor position from 100% Office of Elder Services Central Office program, General Fund to 40% Office of Elder Services Central Office program, General Fund and 60% Bureau of Medical Services program, Federal Expenditures Fund and transfers the Office of Elder Services Central Office program General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$57,928	\$57,807
GENERAL FUND TOTAL	\$57,928	\$57,807

Long Term Care - Human Services 0420

Initiative: Transfers funding from the Office of Elder Services Central Office program to the Long Term

Care - Human Services program for independent support services.

GENERAL FUND	2009-10	2010-11
All Other	\$1,900,000	\$1,900,000
GENERAL FUND TOTAL	\$1,900,000	\$1,900,000

Long Term Care - Human Services 0420

Initiative: Reallocates funding for one Public Service Manager II position and related All Other costs from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services program, General Fund to 12.5% Bureau of Medical Services program, Federal Expenditures Fund, 37.5% Office of Elder Services Central Office program, General Fund and 50% Office of Elder Services Central Office Federal Expenditures Fund, and transfers the Office of Elder Services Central Office General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$14,080	\$13,803
GENERAL FUND TOTAL	\$14,080	\$13,803

Long Term Care - Human Services 0420

Initiative: Reduces funding on a one-time basis for long-term care assessments as a result of increased federal match.

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

Long Term Care - Human Services 0420

Initiative: Transfers funding for home care coordination services from the Medical Care - Payments to Providers program to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$324,747	\$324,747
GENERAL FUND TOTAL	\$324,747	\$324,747

Long Term Care - Human Services 0420

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$324,747	\$324,747
GENERAL FUND TOTAL	\$324,747	\$324,747

All Other	(\$67,735)	(\$67,735)
GENERAL FUND TOTAL	(\$67,735)	(\$67,735)

Long Term Care - Human Services 0420

Initiative: Reduces funding by reducing the rate paid for care management provided by Elder Independence of Maine for people receiving home-based care services from \$139 to \$126.50 per month. This is the continuation of an initiative enacted in Public Law 2009, chapter 1.

GENERAL FUND	2009-10	2010-11
All Other	(\$105,000)	(\$105,000)
GENERAL FUND TOTAL	(\$105,000)	(\$105,000)

LONG TERM CARE - HUMAN SERVICES 0420

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$12,570,944	\$12,571,565
GENERAL FUND TOTAL	\$12,570,944	\$12,571,565

Low-cost Drugs To Maine's Elderly 0202

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$5,222,862	\$5,222,862
GENERAL FUND TOTAL	\$5,222,862	\$5,222,862

Low-cost Drugs To Maine's Elderly 0202

Initiative: Transfers one Comprehensive Health Planner II position, one Medical Care Coordinator position, one Social Services Program Manager position and one Office Associate II position from Other Special Revenue Funds in the Maine Rx Plus Program to the Federal Expenditures Fund in the Bureau of Medical Services program and reallocates the Other Special Revenue Funds share of position costs for these 4 positions and for one Senior Medical Claims Adjuster position to the General Fund in the Maine Rx Plus Program. The position and related All Other costs are offset by a reduction in the Low-cost Drugs to Maine's Elderly program.

GENERAL FUND	2009-10	2010-11
All Other	(\$261,821)	(\$263,136)
GENERAL FUND TOTAL	(\$261,821)	(\$263,136)

Low-cost Drugs To Maine's Elderly 0202

Initiative: Continues 2 limited-period Office Associate II positions in the Low-cost Drugs to Maine's Elderly program to June 19, 2010. Also continues 3 limited-period Office Associate II positions to June 18, 2011, funded in the General Fund in the Low-cost Drugs to Maine's Elderly program in fiscal year 2009-10 and funded 50% Federal Expenditures Fund in the Bureau of Medical Services program and 50% General Fund in the Low-cost Drugs to Maine's Elderly program in fiscal year 2010-11. These positions were previously continued in Public Law 2007, chapter 539. General Fund position costs are offset by a reduction in the All Other line category in the Low-cost Drugs to Maine's Elderly program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$282,065	\$87,231
All Other	(\$282,065)	(\$87,231)
GENERAL FUND TOTAL	\$0	\$0

Low-cost Drugs To Maine's Elderly 0202

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$12,982	\$13,059
GENERAL FUND TOTAL	\$12,982	\$13,059

LOW-COST DRUGS TO MAINE'S ELDERLY 0202

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$282,065	\$87,231
All Other	\$4,691,958	\$4,885,554
GENERAL FUND TOTAL	\$4,974,023	\$4,972,785

Maine Asthma and Lung Disease Research Fund (DHHS) Z027

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

MAINE CHILDREN'S GROWTH COUNCIL Z074

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Rx Plus Program 0927

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$18,000	\$18,000
GENERAL FUND TOTAL	\$18,000	\$18,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$173,026	\$174,328
All Other	\$1,187,524	\$1,187,524
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,360,550	\$1,361,852

Maine Rx Plus Program 0927

Initiative: Transfers one Comprehensive Health Planner II position, one Medical Care Coordinator position, one Social Services Program Manager position and one Office Associate II position from Other Special Revenue Funds in the Maine Rx Plus Program to the Federal Expenditures Fund in the Bureau of Medical Services program and reallocates the Other Special Revenue Funds share of position costs for these 4 positions and for one Senior Medical Claims Adjuster position to the General Fund in the Maine Rx Plus Program. The position and related All Other costs are offset by a reduction in the Low-cost Drugs to Maine's Elderly program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$173,004	\$174,319
All Other	\$88,817	\$88,817
GENERAL FUND TOTAL	\$261,821	\$263,136

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$173,026)	(\$174,328)
All Other	(\$1,187,024)	(\$1,187,024)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,360,050)	(\$1,361,352)

**MAINE RX PLUS PROGRAM 0927
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
Personal Services	\$173,004	\$174,319
All Other	\$106,817	\$106,817
GENERAL FUND TOTAL	\$279,821	\$281,136

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine School Oral Health Fund Z025

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,944	\$58,320
All Other	\$44,791	\$44,791
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,735	\$103,111

Maine Water Well Drilling Program 0697

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$562	\$562
OTHER SPECIAL REVENUE FUNDS TOTAL	\$562	\$562

MAINE WATER WELL DRILLING PROGRAM 0697

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,944	\$58,320
All Other	\$45,353	\$45,353
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$103,297	\$103,673

Maternal and Child Health 0191

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$103,815	\$102,349
All Other	\$1,075,116	\$1,075,116
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FEDERAL EXPENDITURES FUND TOTAL	\$1,178,931	\$1,177,465

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	29.000	29.000
Personal Services	\$2,435,253	\$2,417,944
All Other	\$637,764	\$637,764
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FEDERAL BLOCK GRANT FUND TOTAL	\$3,073,017	\$3,055,708

Maternal and Child Health 0191

Initiative: Reorganizes one Public Health Physician position to a Medical Director position.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$36,582	\$37,599
All Other	\$1,204	\$1,241
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FEDERAL BLOCK GRANT FUND TOTAL	\$37,786	\$38,840

Maternal and Child Health 0191

Initiative: Reorganizes one Office Associate II position to a Secretary Associate position.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	\$2,524	\$2,580
All Other	\$99	\$101

FEDERAL BLOCK GRANT	\$2,623	\$2,681
FUND TOTAL		

Maternal and Child Health 0191

Initiative: Reorganizes one Planning and Research Associate I position to a Planning and Research Associate II position and reallocates 16% of the position costs from the Maternal and Child Health program, Federal Block Grant Fund to the FHM - Bureau of Health program, Other Special Revenue Funds to be funded through a reduction in the All Other line category.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
Personal Services	(\$3,629)	(\$3,661)
All Other	(\$91)	(\$91)
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FEDERAL BLOCK GRANT FUND TOTAL	(\$3,720)	(\$3,752)

Maternal and Child Health 0191

Initiative: Reorganizes one Chemist I position to a Management Analyst II position and transfers it from the Bureau of Health program, Other Special Revenue Funds to the Maternal and Child Health program, to be funded 50% Federal Block Grant Fund in the Maternal and Child Health program and 50% Federal Expenditures Fund in the Bureau of Health program.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$39,377	\$40,401
All Other	\$4,308	\$4,348
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FEDERAL BLOCK GRANT FUND TOTAL	\$43,685	\$44,749
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Maternal and Child Health 0191

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$3,348	\$3,348

FEDERAL EXPENDITURES	\$3,348	\$3,348
FUND TOTAL		

**MATERNAL AND CHILD HEALTH 0191
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$103,815	\$102,349
All Other	\$1,078,464	\$1,078,464

FEDERAL EXPENDITURES FUND TOTAL	\$1,182,279	\$1,180,813
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,510,107	\$2,494,863
All Other	\$643,284	\$643,363

FEDERAL BLOCK GRANT FUND TOTAL	\$3,153,391	\$3,138,226
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Maternal and Child Health Block Grant Match Z008

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$4,839,087	\$4,839,087

GENERAL FUND TOTAL	\$4,839,087	\$4,839,087
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Maternal and Child Health Block Grant Match Z008

Initiative: Transfers positions and reallocates funding for 18 positions to reflect their proper functional locations within the Center for Disease Control and Prevention. Increased Personal Services costs in the Fund for a Healthy Maine - Bureau of Health program are offset by an All Other reduction. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
Personal Services	\$141,811	\$142,707

GENERAL FUND TOTAL	\$141,811	\$142,707
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Maternal and Child Health Block Grant Match Z008

Initiative: Reduces funding for the school oral health program, recognizing additional funds will be available in the community for these purposes under the American Recovery and Reinvestment Act of 2009.

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

GENERAL FUND TOTAL	(\$200,000)	(\$200,000)
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Maternal and Child Health Block Grant Match Z008

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$293	\$293

GENERAL FUND TOTAL	\$293	\$293
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MATERNAL AND CHILD HEALTH BLOCK GRANT MATCH Z008

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$141,811	\$142,707
All Other	\$4,639,380	\$4,639,380

GENERAL FUND TOTAL	\$4,781,191	\$4,782,087
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Medical Care - Payments to Providers 0147

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$320,793,572	\$320,793,572

GENERAL FUND TOTAL	\$320,793,572	\$320,793,572
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,227,869,026	\$1,227,869,026

FEDERAL EXPENDITURES FUND TOTAL	\$1,227,869,026	\$1,227,869,026
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$129,911,734	\$129,911,734

OTHER SPECIAL REVENUE FUNDS TOTAL	\$129,911,734	\$129,911,734
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$25,178,645	\$25,178,645
FEDERAL BLOCK GRANT FUND TOTAL	\$25,178,645	\$25,178,645

Medical Care - Payments to Providers 0147

Initiative: Transfers funding from the Mental Health Services - Child Medicaid and Mental Health Services - Community Medicaid programs to the Bureau of Medical Services program to properly record administrative contracts.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$507,313)	(\$507,313)
FEDERAL EXPENDITURES FUND TOTAL	(\$507,313)	(\$507,313)

Medical Care - Payments to Providers 0147

Initiative: Transfers funding from the Medical Care - Payments to Providers program and provides additional funding to continue to serve youth in need of transitional services.

GENERAL FUND	2009-10	2010-11
All Other	(\$366,944)	(\$366,944)
GENERAL FUND TOTAL	(\$366,944)	(\$366,944)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$664,087)	(\$664,087)
FEDERAL EXPENDITURES FUND TOTAL	(\$664,087)	(\$664,087)

Medical Care - Payments to Providers 0147

Initiative: Provides funding to continue services at private nonmedical institutions. The corresponding state funding increase is in the Office of Substance Abuse - Medicaid Seed program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$463,304	\$463,304

FEDERAL EXPENDITURES FUND TOTAL	\$463,304	\$463,304
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Medical Care - Payments to Providers 0147

Initiative: Provides funding for a one-time 3% increase in MaineCare prospective interim payments to hospitals.

GENERAL FUND	2009-10	2010-11
All Other	\$2,246,771	\$0
GENERAL FUND TOTAL	\$2,246,771	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$4,066,155	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$4,066,155	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding in the Medical Care - Payments to Providers program to reflect increased health care costs.

GENERAL FUND	2009-10	2010-11
All Other	\$5,059,483	\$7,413,053
GENERAL FUND TOTAL	\$5,059,483	\$7,413,053

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$9,156,541	\$13,415,980
FEDERAL EXPENDITURES FUND TOTAL	\$9,156,541	\$13,415,980

Medical Care - Payments to Providers 0147

Initiative: Provides funding to expand brain injury services through the creation of a private nonmedical facility in northern Maine. The corresponding state funding increase is in the Traumatic Brain Injury Seed program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$350,019	\$350,019
FEDERAL EXPENDITURES FUND TOTAL	\$350,019	\$350,019

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to account for rebates for durable medical equipment.

GENERAL FUND	2009-10	2010-11
All Other	(\$676,210)	(\$676,210)
GENERAL FUND TOTAL	(\$676,210)	(\$676,210)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$676,210	\$676,210
OTHER SPECIAL REVENUE FUNDS TOTAL	\$676,210	\$676,210

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to implementing a managed care effort for behavioral health services as authorized by Public Law 2007, chapter 240, Part CC.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,642,665)	(\$3,642,665)
GENERAL FUND TOTAL	(\$3,642,665)	(\$3,642,665)

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to reflect the redistribution of the departmentwide savings initiative related to adjusting rates and redesigning services as authorized by Public Law 2007, chapter 240, Part AAAA.

GENERAL FUND	2009-10	2010-11
All Other	\$4,200,000	\$4,200,000
GENERAL FUND TOTAL	\$4,200,000	\$4,200,000

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by instituting a 5% reduction of the residential rates established in December of 2008 for agency-operated facilities. The corresponding state funding reduction is in the Mental Retardation Waiver - MaineCare program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$2,805,156)	(\$5,610,312)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,805,156)	(\$5,610,312)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding based on increased 3rd-party liability collections for pharmacy expenditures.

GENERAL FUND	2009-10	2010-11
All Other	(\$70,000)	(\$70,000)
GENERAL FUND TOTAL	(\$70,000)	(\$70,000)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$126,685)	(\$126,685)
FEDERAL EXPENDITURES FUND TOTAL	(\$126,685)	(\$126,685)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by increasing 3rd-party liability collections for MaineCare members.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,200,000)	(\$1,000,000)
GENERAL FUND TOTAL	(\$1,200,000)	(\$1,000,000)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$2,171,734)	(\$1,809,778)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,171,734)	(\$1,809,778)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding as a result of reducing the reimbursement to critical access hospitals for inpatient and outpatient services from 117% of the MaineCare allowable cost to 109% of the MaineCare allowable cost.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,754,111)	(\$1,754,111)
GENERAL FUND TOTAL	(\$1,754,111)	(\$1,754,111)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$3,174,552)	(\$3,174,552)
FEDERAL EXPENDITURES FUND TOTAL	(\$3,174,552)	(\$3,174,552)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for medical equipment providers by reimbursing the markup at 40% net of the prompt pay discount, reimbursing oxygen at the Medicare rate, contracting through a request for proposals for incontinence supplies at a reduced rate and setting reasonable limits for adults, as well as setting reasonable limits on other supplies. It is assumed that for fiscal year 2010-11 MaineCare will move to a fee table based on a percentage of Medicare fees.

GENERAL FUND	2009-10	2010-11
All Other	(\$138,011)	(\$138,011)
GENERAL FUND TOTAL	(\$138,011)	(\$138,011)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$249,769)	(\$249,769)
FEDERAL EXPENDITURES FUND TOTAL	(\$249,769)	(\$249,769)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by properly recording Medicare payments for some individuals as 100% federally reimbursable.

GENERAL FUND	2009-10	2010-11
All Other	(\$900,000)	(\$900,000)
GENERAL FUND TOTAL	(\$900,000)	(\$900,000)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$900,000	\$900,000
FEDERAL EXPENDITURES FUND TOTAL	\$900,000	\$900,000

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for high-cost specialty drugs by purchasing them through preferred providers.

GENERAL FUND	2009-10	2010-11
All Other	(\$350,100)	(\$350,100)
GENERAL FUND TOTAL	(\$350,100)	(\$350,100)
FEDERAL EXPENDITURES FUND	2009-10	2010-11

All Other	(\$633,603)	(\$633,603)
FEDERAL EXPENDITURES FUND TOTAL	(\$633,603)	(\$633,603)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by changing eligibility criteria for targeted case management services. The corresponding federal match reduction is in the Mental Health Services - Child Medicaid program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$1,990,756)	(\$1,990,756)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,990,756)	(\$1,990,756)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by restructuring the independent living program and administering living expenses directly to youth, as well as having the youth supervised by child welfare life skills workers. The corresponding state funding decrease is in the Mental Health Services - Child Medicaid program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$1,173,685)	(\$1,173,685)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,173,685)	(\$1,173,685)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by limiting residential private nonmedical institution reimbursement by rate setting and sets a standard room and board rate. The corresponding state funding decrease is in the Mental Health Services - Child Medicaid program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$3,509,354)	(\$3,509,354)
FEDERAL EXPENDITURES FUND TOTAL	(\$3,509,354)	(\$3,509,354)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for children's private non-medical institutions by increasing the use of prior authorizations. The corresponding state funding decrease is in the Mental Health Services - Child Medicaid program.

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	(\$4,404,593)	(\$4,404,593)

FEDERAL EXPENDITURES FUND TOTAL	(\$4,404,593)	(\$4,404,593)
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	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	(\$341,918)	(\$341,918)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$341,918)	(\$341,918)
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Medical Care - Payments to Providers 0147

Initiative: Reduces funding by limiting some durable medical equipment purchases for MaineCare members 21 years of age and over.

	2009-10	2010-11
GENERAL FUND		
All Other	(\$104,000)	(\$104,000)
GENERAL FUND TOTAL	(\$104,000)	(\$104,000)

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	(\$188,217)	(\$188,217)
FEDERAL EXPENDITURES FUND TOTAL	(\$188,217)	(\$188,217)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for private nonmedical institutions for adults with mental illness as the result of several initiatives relating to the number of units, rates, eligibility and concurrent services. The corresponding state funding reductions are in the Mental Health Services - Community Medicaid program.

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	(\$3,076,623)	(\$3,076,623)
FEDERAL EXPENDITURES FUND TOTAL	(\$3,076,623)	(\$3,076,623)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by decreasing the use of residential care for older adults.

	2009-10	2010-11
GENERAL FUND		

All Other	\$0	(\$2,292,299)
GENERAL FUND TOTAL	\$0	(\$2,292,299)

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	\$0	(\$5,070,222)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$5,070,222)

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	\$0	(\$509,272)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$509,272)

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding by amending the home and community-based benefits for the physically disabled waiver to receive federal match on personal care assistance services.

	2009-10	2010-11
GENERAL FUND		
All Other	(\$210,060)	(\$210,060)
GENERAL FUND TOTAL	(\$210,060)	(\$210,060)

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	\$680,325	\$680,325
FEDERAL EXPENDITURES FUND TOTAL	\$680,325	\$680,325

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues to comport with Revenue Forecasting Committee rejections.

	2009-10	2010-11
GENERAL FUND		
All Other	(\$1,255,883)	(\$1,641,102)
GENERAL FUND TOTAL	(\$1,255,883)	(\$1,641,102)

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	\$1,255,883	\$1,641,102

OTHER SPECIAL	\$1,255,883	\$1,641,102
REVENUE FUNDS TOTAL		

Medical Care - Payments to Providers 0147

Initiative: Transfers funding for home care coordination services from the Medical Care - Payments to Providers program to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
All Other	(\$324,747)	(\$324,747)
GENERAL FUND TOTAL	(\$324,747)	(\$324,747)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by changing the eligibility criteria for MaineCare Section 17 community support services. The corresponding state funding reduction is in the Mental Health Services - Community Medicaid program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$3,545,245)	(\$4,023,658)
FEDERAL EXPENDITURES FUND TOTAL	(\$3,545,245)	(\$4,023,658)

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 Federal Medical Assistance Percentage (FMAP).

GENERAL FUND	2009-10	2010-11
All Other	(\$6,887,053)	(\$8,374,515)
GENERAL FUND TOTAL	(\$6,887,053)	(\$8,374,515)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$13,747,968	\$16,613,560
FEDERAL EXPENDITURES FUND TOTAL	\$13,747,968	\$16,613,560

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for assertive community treatment in children's behavioral health services.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$267,091)	(\$267,091)

All Other	\$0	(\$2,449,739)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$2,449,739)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by reducing the rate paid for care management provided by Elder Independence of Maine for people receiving home-based care services from \$139 to \$126.50 per month. This is the continuation of an initiative enacted in Public Law 2009, chapter 1.

GENERAL FUND	2009-10	2010-11
All Other	(\$125,200)	(\$125,200)
GENERAL FUND TOTAL	(\$125,200)	(\$125,200)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$351,784)	(\$351,784)
FEDERAL EXPENDITURES FUND TOTAL	(\$351,784)	(\$351,784)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by reimbursing outpatient services provided by hospital-based providers at 83.8% of MaineCare allowable costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,431,253)	(\$3,431,253)
GENERAL FUND TOTAL	(\$3,431,253)	(\$3,431,253)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$6,209,806)	(\$6,209,806)
FEDERAL EXPENDITURES FUND TOTAL	(\$6,209,806)	(\$6,209,806)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by reimbursing outpatient services provided by hospital emergency department providers at 93.4% of MaineCare allowable costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$267,091)	(\$267,091)
GENERAL FUND TOTAL	(\$267,091)	(\$267,091)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$483,375)	(\$483,375)
FEDERAL EXPENDITURES FUND TOTAL	(\$483,375)	(\$483,375)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by reimbursing inpatient services provided by hospital-based providers at 93.3% of MaineCare allowable costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$423,424)	(\$423,424)
GENERAL FUND TOTAL	(\$423,424)	(\$423,424)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$766,303)	(\$766,303)
FEDERAL EXPENDITURES FUND TOTAL	(\$766,303)	(\$766,303)

Medical Care - Payments to Providers 0147

Initiative: Increases funding by reimbursing, effective February 1, 2010, at 70% of Medicare rates outpatient services provided by nonhospital-based physicians who are reimbursed below 70% of Medicare rates.

GENERAL FUND	2009-10	2010-11
All Other	\$2,058,571	\$4,700,271
GENERAL FUND TOTAL	\$2,058,571	\$4,700,271

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$3,725,557	\$8,506,447
FEDERAL EXPENDITURES FUND TOTAL	\$3,725,557	\$8,506,447

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by reducing MaineCare's price per discharge for inpatient hospital services by 6.7%.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,108,643)	(\$3,108,643)
GENERAL FUND TOTAL	(\$3,108,643)	(\$3,108,643)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$5,625,954)	(\$5,625,954)
FEDERAL EXPENDITURES FUND TOTAL	(\$5,625,954)	(\$5,625,954)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding as a result of reducing the reimbursement for hospitals reclassified to a wage area outside of the State by the Medicare Geographic Classification Review Board from 117% of the MaineCare allowable costs to 109% of the MaineCare allowable costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$110,477)	(\$110,477)
GENERAL FUND TOTAL	(\$110,477)	(\$110,477)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$199,939)	(\$199,939)
FEDERAL EXPENDITURES FUND TOTAL	(\$199,939)	(\$199,939)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$105,074,919)	(\$53,131,143)
GENERAL FUND TOTAL	(\$105,074,919)	(\$53,131,143)

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$156,049,380	\$78,802,262
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$156,049,380	\$78,802,262

Medical Care - Payments to Providers 0147

Initiative: Provides funding for hospital settlements.

GENERAL FUND	2009-10	2010-11
All Other	\$36,720,000	\$0

GENERAL FUND TOTAL	\$36,720,000	\$0
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$94,925,728	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$94,925,728	\$0

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$14,416,325	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$14,416,325	\$0

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to reflect the availability of funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$9,794,031)	\$0
GENERAL FUND TOTAL	(\$9,794,031)	\$0

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$9,794,031	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$9,794,031	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for targeted case management by limiting services to 2 months for children with scores between 50 and 70 on the Child and Adolescent Functional Assessment Scale. The assessment tool score may not be the sole criterion for determining needs and eligibility. The corresponding state funding is in the Mental Health Services - Child Medicaid program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$5,614,802)	(\$5,640,755)

FEDERAL EXPENDITURES FUND TOTAL	(\$5,614,802)	(\$5,640,755)
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Medical Care - Payments to Providers 0147

Initiative: Reduces funding by eliminating targeted case management services for members under the care management program.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,370,000)	(\$1,370,000)
GENERAL FUND TOTAL	(\$1,370,000)	(\$1,370,000)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$2,531,467)	(\$2,543,168)

FEDERAL EXPENDITURES FUND TOTAL	(\$2,531,467)	(\$2,543,168)
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Medical Care - Payments to Providers 0147

Initiative: Adjusts funding by implementing pharmacy initiatives.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,671,000)	(\$2,600,000)
GENERAL FUND TOTAL	(\$1,671,000)	(\$2,600,000)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$2,854,829)	(\$4,265,839)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,854,829)	(\$4,265,839)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$126,000	\$302,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,000	\$302,000

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by increasing the proposed rate reduction to providers of residential services under the waiver from 5% to 6%. The corresponding state funding decrease is in the Mental Retardation Waiver - MaineCare program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$1,570,618)	(\$1,577,878)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,570,618)	(\$1,577,878)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for children's private non-medical institutions by adopting 5 tiers of rates and a 95% occupancy rate. This assumes providers currently reimbursed below the new tier into which they fall will not receive a rate increase and no cut will be made in room and board payments.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,180,757)	(\$3,800,000)
GENERAL FUND TOTAL	(\$3,180,757)	(\$3,800,000)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$6,853,177)	(\$8,187,382)
FEDERAL EXPENDITURES FUND TOTAL	(\$6,853,177)	(\$8,187,382)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$528,102)	(\$630,915)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$528,102)	(\$630,915)

Medical Care - Payments to Providers 0147

Initiative: Provides funding to meet projected obligations based on current expenditure trends.

GENERAL FUND	2009-10	2010-11
All Other	\$25,000,000	\$15,000,000
GENERAL FUND TOTAL	\$25,000,000	\$15,000,000

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$64,628,083	\$38,776,850
FEDERAL EXPENDITURES FUND TOTAL	\$64,628,083	\$38,776,850

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$9,815,036	\$5,889,021
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$9,815,036	\$5,889,021

Medical Care - Payments to Providers 0147

Initiative: Provides funding to implement the patient-centered medical home initiative.

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

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,292,562	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,292,562	\$0

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$196,301	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$196,301	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding as a result of savings to be achieved from enhanced third party liability recovery efforts.

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

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$1,809,778)	(\$1,809,778)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,809,778)	(\$1,809,778)

Medical Care - Payments to Providers 0147

Initiative: Provides funds for services to persons on the Home and Community-based Waiver for Individuals with Developmental Disabilities program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$553,242	\$553,242
FEDERAL EXPENDITURES FUND TOTAL	\$553,242	\$553,242

Medical Care - Payments to Providers 0147

Initiative: Appropriates funds to increase reimbursement rates for speech and hearing services provided through speech and hearing agencies.

GENERAL FUND	2009-10	2010-11
All Other	\$100,000	\$102,500
GENERAL FUND TOTAL	\$100,000	\$102,500

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$180,978	\$185,502
FEDERAL EXPENDITURES FUND TOTAL	\$180,978	\$185,502

MEDICAL CARE - PAYMENTS TO PROVIDERS 0147

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$249,241,818	\$260,997,401
GENERAL FUND TOTAL	\$249,241,818	\$260,997,401

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,359,446,284	\$1,231,989,348
FEDERAL EXPENDITURES FUND TOTAL	\$1,359,446,284	\$1,231,989,348

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$131,099,807	\$131,048,941
OTHER SPECIAL REVENUE FUNDS TOTAL	\$131,099,807	\$131,048,941

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$25,178,645	\$25,178,645
FEDERAL BLOCK GRANT FUND TOTAL	\$25,178,645	\$25,178,645

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$190,271,073	\$84,691,283
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$190,271,073	\$84,691,283

Medical Care - Payments To Providers - Non Match 0997

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$6,648,675	\$6,648,675
GENERAL FUND TOTAL	\$6,648,675	\$6,648,675

Medical Care - Payments To Providers - Non Match 0997

Initiative: Eliminates funding no longer required by community agencies that were expected to be affected by federal targeted case management rule changes as it is anticipated that these changes will not be implemented.

GENERAL FUND	2009-10	2010-11
All Other	(\$6,648,675)	(\$6,648,675)
GENERAL FUND TOTAL	(\$6,648,675)	(\$6,648,675)

MEDICAL CARE - PAYMENTS TO PROVIDERS - NON MATCH 0997

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

MR/Elderly PNMI Room and Board Z009

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$10,814,379	\$10,814,379

GENERAL FUND TOTAL	\$10,814,379	\$10,814,379
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**MR/ELDERLY PNMI ROOM AND BOARD Z009
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
All Other	\$10,814,379	\$10,814,379
GENERAL FUND TOTAL	\$10,814,379	\$10,814,379

Multicultural Services, Rate Setting and Quality Improvement Z034

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,385,903	\$1,366,795
All Other	\$84,737	\$84,737
GENERAL FUND TOTAL	\$1,470,640	\$1,451,532

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$108,773	\$110,846
All Other	\$15,458	\$15,458
FEDERAL EXPENDITURES FUND TOTAL	\$124,231	\$126,304

Multicultural Services, Rate Setting and Quality Improvement Z034

Initiative: Transfers one Mental Health Worker III position, 2 Office Associate II positions, one Planning and Research Associate I position, one Social Services Program Specialist I position, 3 Social Services Program Specialist II positions, one Social Services Program Manager position and one Public Service Manager III position and reallocates the General Fund portion of those positions and related All Other from the Multicultural Services, Rate Setting and Quality Improvement program to the Office of Management and Budget program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(10.000)	(10.000)
Personal Services	(\$598,754)	(\$595,120)
All Other	(\$39,444)	(\$39,444)

GENERAL FUND TOTAL	(\$638,198)	(\$634,564)
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Multicultural Services, Rate Setting and Quality Improvement Z034

Initiative: Transfers one Management Analyst II position and 3 Public Service Coordinator I positions and related All Other costs from the Multicultural Services, Rate Setting and Quality Improvement program to the Division of Purchased Services program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$377,594)	(\$370,454)
All Other	(\$29,332)	(\$29,332)
GENERAL FUND TOTAL	(\$406,926)	(\$399,786)

Multicultural Services, Rate Setting and Quality Improvement Z034

Initiative: Provides funding for refugee assistance services.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,000,000	\$1,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,000,000	\$1,000,000

Multicultural Services, Rate Setting and Quality Improvement Z034

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,318)	(\$1,133)
GENERAL FUND TOTAL	(\$1,318)	(\$1,133)

MULTICULTURAL SERVICES, RATE SETTING AND QUALITY IMPROVEMENT Z034

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$409,555	\$401,221
All Other	\$14,643	\$14,828

GENERAL FUND TOTAL	\$424,198	\$416,049
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$108,773	\$110,846
All Other	\$1,015,458	\$1,015,458
FEDERAL EXPENDITURES FUND TOTAL	\$1,124,231	\$1,126,304

Nursing Facilities 0148

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$73,979,227	\$73,979,227
GENERAL FUND TOTAL	\$73,979,227	\$73,979,227

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$273,279,867	\$273,279,867
FEDERAL EXPENDITURES FUND TOTAL	\$273,279,867	\$273,279,867

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$29,600,017	\$29,600,017
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,600,017	\$29,600,017

Nursing Facilities 0148

Initiative: Notwithstanding the Maine Revised Statutes, Title 22, section 333-A, reduces funding on a one-time basis in the nursing facility MaineCare funding pool.

GENERAL FUND	2009-10	2010-11
All Other	(\$300,000)	(\$300,000)
GENERAL FUND TOTAL	(\$300,000)	(\$300,000)

Nursing Facilities 0148

Initiative: Adjusts funding in the various MaineCare accounts to reflect modifications to projections of

Medicaid-dedicated tax revenues to comport with Revenue Forecasting Committee rejections.

GENERAL FUND	2009-10	2010-11
All Other	(\$159,192)	(\$903,173)
GENERAL FUND TOTAL	(\$159,192)	(\$903,173)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$159,192	\$903,173
OTHER SPECIAL REVENUE FUNDS TOTAL	\$159,192	\$903,173

Nursing Facilities 0148

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 Federal Medical Assistance Percentage (FMAP).

GENERAL FUND	2009-10	2010-11
All Other	(\$1,458,915)	(\$1,744,012)
GENERAL FUND TOTAL	(\$1,458,915)	(\$1,744,012)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$2,414,667	\$2,897,711
FEDERAL EXPENDITURES FUND TOTAL	\$2,414,667	\$2,897,711

Nursing Facilities 0148

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	(\$29,059,986)	(\$14,739,410)
GENERAL FUND TOTAL	(\$29,059,986)	(\$14,739,410)

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$35,841,731	\$18,081,370
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$35,841,731	\$18,081,370

**NURSING FACILITIES 0148
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
All Other	\$43,001,134	\$56,292,632
GENERAL FUND TOTAL	\$43,001,134	\$56,292,632
FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$275,694,534	\$276,177,578
FEDERAL EXPENDITURES FUND TOTAL	\$275,694,534	\$276,177,578
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$29,759,209	\$30,503,190
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,759,209	\$30,503,190
FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$35,841,731	\$18,081,370
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$35,841,731	\$18,081,370

Office of Elder Services Adult Protective Services Z040

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	68.000	68.000
Personal Services	\$5,270,454	\$5,230,572
All Other	\$713,287	\$713,287
GENERAL FUND TOTAL	\$5,983,741	\$5,943,859
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$126,528	\$126,528
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,528	\$126,528

Office of Elder Services Adult Protective Services Z040

Initiative: Establishes one Human Services Case-worker position in the Adult Protective Services program to be funded with a reduction in the All Other line category in the Office of Elder Services Central Office program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,375	\$72,157
All Other	\$5,333	\$5,333
GENERAL FUND TOTAL	\$75,708	\$77,490

Office of Elder Services Adult Protective Services Z040

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$15,039)	(\$14,145)
GENERAL FUND TOTAL	(\$15,039)	(\$14,145)

**OFFICE OF ELDER SERVICES ADULT PROTECTIVE SERVICES Z040
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	69.000	69.000
Personal Services	\$5,340,829	\$5,302,729
All Other	\$703,581	\$704,475
GENERAL FUND TOTAL	\$6,044,410	\$6,007,204
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000

Personal Services	\$779,523	\$771,439
All Other	\$5,158,788	\$5,158,788
GENERAL FUND TOTAL	\$5,938,311	\$5,930,227

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6,500	6,500
Personal Services	\$508,229	\$508,269
All Other	\$8,794,314	\$8,794,314
FEDERAL EXPENDITURES FUND TOTAL	\$9,302,543	\$9,302,583

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000

Office of Elder Services Central Office 0140

Initiative: Reallocates funding for one Social Services Manager I position from 100% Office of Elder Services Central Office program, General Fund to 37.5% Bureau of Medical Services program, Federal Expenditures Fund and 62.5% Office of Elder Services Central Office program, General Fund and transfers the Office of Elder Services Central Office program General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$35,510)	(\$36,173)
GENERAL FUND TOTAL	(\$35,510)	(\$36,173)

Office of Elder Services Central Office 0140

Initiative: Reallocates funding for one Clerk IV position in the Office of Elder Services Central Office program from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 40% Bureau of Medical Services program, Federal Expenditures Fund and 60% Office of Elder Services Central Office program, General Fund and offsets the General Fund Personal Services costs with a reduction in the All Other line category in the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
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Personal Services	\$6,617	\$6,509
All Other	\$534	\$534
GENERAL FUND TOTAL	\$7,151	\$7,043

Office of Elder Services Central Office 0140

Initiative: Reallocates funding for one Social Services Program Specialist I position from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services Central Office program, General Fund to 12.5% Bureau of Medical Services program, Federal Expenditures Fund, 37.5% Office of Elder Services Central Office program, General Fund and 50% Office of Elder Services Central Office program, Federal Expenditures Fund and transfers the Office of Elder Services Central Office General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$8,483)	(\$8,731)
All Other	(\$668)	(\$668)
GENERAL FUND TOTAL	(\$9,151)	(\$9,399)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$33,921	\$34,922
All Other	\$2,666	\$2,666
FEDERAL EXPENDITURES FUND TOTAL	\$36,587	\$37,588

Office of Elder Services Central Office 0140

Initiative: Reallocates funding for one Health Services Supervisor position from 100% Office of Elder Services Central Office program, General Fund to 40% Office of Elder Services Central Office program, General Fund and 60% Bureau of Medical Services program, Federal Expenditures Fund and transfers the Office of Elder Services Central Office program General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$54,728)	(\$54,607)
All Other	(\$3,200)	(\$3,200)
GENERAL FUND TOTAL	(\$57,928)	(\$57,807)

Office of Elder Services Central Office 0140

Initiative: Transfers funding from the Office of Elder Services Central Office program to the Long Term Care - Human Services program for independent support services.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,900,000)	(\$1,900,000)
GENERAL FUND TOTAL	(\$1,900,000)	(\$1,900,000)

Office of Elder Services Central Office 0140

Initiative: Establishes one Human Services Case-worker position in the Adult Protective Services program to be funded with a reduction in the All Other line category in the Office of Elder Services Central Office program.

GENERAL FUND	2009-10	2010-11
All Other	(\$75,708)	(\$77,490)
GENERAL FUND TOTAL	(\$75,708)	(\$77,490)

Office of Elder Services Central Office 0140

Initiative: Reallocates funding for one Public Service Manager II position and related All Other costs from 50% Bureau of Medical Services program, Federal Expenditures Fund and 50% Office of Elder Services program, General Fund to 12.5% Bureau of Medical Services program, Federal Expenditures Fund, 37.5% Office of Elder Services Central Office program, General Fund and 50% Office of Elder Services Central Office Federal Expenditures Fund and transfers the Office of Elder Services Central Office General Fund savings to the Long Term Care - Human Services program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$13,412)	(\$13,135)
All Other	(\$668)	(\$668)
GENERAL FUND TOTAL	(\$14,080)	(\$13,803)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$53,642	\$52,535
All Other	\$2,666	\$2,666
FEDERAL EXPENDITURES FUND TOTAL	\$56,308	\$55,201

Office of Elder Services Central Office 0140

Initiative: Reallocates the General Fund portion of one Nursing Education Consultant position from the Bu-

reau of Medical Services program to the Office of Elder Services Central Office program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$42,716	\$41,921
All Other	\$2,666	\$2,666
GENERAL FUND TOTAL	\$45,382	\$44,587

Office of Elder Services Central Office 0140

Initiative: Reallocates the General Fund portion of one part-time Office Associate II position and related All Other costs from the Bureau of Medical Services program to the Office of Elder Services Central Office program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$10,949	\$11,144
All Other	\$2,666	\$2,666
GENERAL FUND TOTAL	\$13,615	\$13,810

Office of Elder Services Central Office 0140

Initiative: Provides funding for the promotion and advancement of statewide access to an evidence-based prevention program for older adults.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

Office of Elder Services Central Office 0140

Initiative: Transfers funding in the Social Services Block Grant for nutrition programs from the Purchased Social Services program to the Office of Elder Services Central Office program.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$415,000	\$415,000
FEDERAL BLOCK GRANT FUND TOTAL	\$415,000	\$415,000

Office of Elder Services Central Office 0140

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$12)	(\$15)

GENERAL FUND TOTAL	(\$12)	(\$15)
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OFFICE OF ELDER SERVICES CENTRAL OFFICE 0140 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$727,672	\$718,367
All Other	\$3,184,398	\$3,182,613
GENERAL FUND TOTAL	\$3,912,070	\$3,900,980

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.500	6.500
Personal Services	\$595,792	\$595,726
All Other	\$8,799,646	\$8,799,646
FEDERAL EXPENDITURES FUND TOTAL	\$9,395,438	\$9,395,372

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$204,000	\$204,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$204,000	\$204,000

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,557,037	\$1,553,787
All Other	\$1,897,696	\$1,897,696
GENERAL FUND TOTAL	\$3,454,733	\$3,451,483

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	48.000	48.000
Personal Services	\$3,100,812	\$3,095,789
All Other	\$8,279,429	\$8,279,429
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,380,241	\$11,375,218

Office of Integrated Access and Support - Central Office Z020

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$127,586	\$127,586
OTHER SPECIAL REVENUE FUNDS TOTAL	\$127,586	\$127,586

Office of Integrated Access and Support - Central Office Z020

Initiative: Transfers positions and reallocates funding for 18 positions within the Office of Integrated Access and Support. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,458	\$94,646
All Other	\$5,333	\$5,333

GENERAL FUND TOTAL	\$100,791	\$99,979
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.500	4.500
Personal Services	\$263,972	\$267,876
All Other	\$26,665	\$26,665
OTHER SPECIAL REVENUE FUNDS TOTAL	\$290,637	\$294,541

Office of Integrated Access and Support - Central Office Z020

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$7)	(\$9)
GENERAL FUND TOTAL	(\$7)	(\$9)

Office of Integrated Access and Support - Central Office Z020

Initiative: Provides funding for the reclassification of Family Independence Specialist positions and Community Care Worker positions in order to implement an arbitration award.

GENERAL FUND	2009-10	2010-11
Personal Services	\$29,444	\$5,280
GENERAL FUND TOTAL	\$29,444	\$5,280

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$157,032	\$28,160
OTHER SPECIAL REVENUE FUNDS TOTAL	\$157,032	\$28,160

OFFICE OF INTEGRATED ACCESS AND SUPPORT - CENTRAL OFFICE Z020 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,681,939	\$1,653,713
All Other	\$1,903,022	\$1,903,020
GENERAL FUND TOTAL	\$3,584,961	\$3,556,733

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	52.500	52.500
Personal Services	\$3,521,816	\$3,391,825
All Other	\$8,433,680	\$8,433,680
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,955,496	\$11,825,505

Office of Management and Budget 0142

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
Personal Services	\$4,278,165	\$4,252,583
All Other	\$9,957,001	\$9,957,001
GENERAL FUND TOTAL	\$14,235,166	\$14,209,584

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$108,813	\$106,759
All Other	\$2,452,363	\$2,452,363
FEDERAL EXPENDITURES FUND TOTAL	\$2,561,176	\$2,559,122

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	32.000	32.000
Personal Services	\$2,764,222	\$2,753,545
All Other	\$7,042,038	\$7,042,038
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,806,260	\$9,795,583

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$80,280	\$80,280
FEDERAL BLOCK GRANT FUND TOTAL	\$80,280	\$80,280

Office of Management and Budget 0142

Initiative: Transfers one Mental Health Worker III position, 2 Office Associate II positions, one Planning and Research Associate I position, one Social Services Program Specialist I position, 3 Social Services Program Specialist II positions, one Social Services Program Manager position and one Public Service Manager III position and reallocates the General Fund portion of those positions and related All Other from the Multicultural Services, Rate Setting and Quality Improvement program to the Office of Management and Budget program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$598,754	\$595,120

All Other	\$39,444	\$39,444
GENERAL FUND TOTAL	\$638,198	\$634,564

GENERAL FUND TOTAL	(\$69,240)	(\$69,240)
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Office of Management and Budget 0142

Initiative: Reallocates funding for 3 positions from 25% General Fund in the Office of Management and Budget program and 75% Federal Expenditures Fund in the Bureau of Medical Services program to 50% General Fund in the Office of Management and Budget program and 50% Federal Expenditures Fund in the Bureau of Medical Services program; for 4 positions from 25% General Fund, 75% Federal Expenditures Fund to 50% General Fund, 50% Federal Expenditures Fund in the Bureau of Medical Services program for fiscal year 2009-10 only; and for 5 positions from 25% General Fund and 75% Federal Expenditures Fund in the Bureau of Medical Services program to 50% General Fund and 50% Federal Expenditures Fund in the Bureau of Medical Services program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$57,279	\$57,028
All Other	\$7,999	\$7,999
GENERAL FUND TOTAL	\$65,278	\$65,027

Office of Management and Budget 0142

Initiative: Transfers funding from several programs to the Office of Management and Budget program to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	\$763,460	\$788,636
GENERAL FUND TOTAL	\$763,460	\$788,636

Office of Management and Budget 0142

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$743)	(\$983)
GENERAL FUND TOTAL	(\$743)	(\$983)

Office of Management and Budget 0142

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$69,240)	(\$69,240)

Office of Management and Budget 0142

Initiative: Transfers one Public Service Manager II position and related All Other expenses from the OMB Division of Regional Business Operations program to the Office of Management and Budget program to reflect the proper functional location of the position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$104,857	\$104,215
All Other	\$5,527	\$5,526
GENERAL FUND TOTAL	\$110,384	\$109,741

OFFICE OF MANAGEMENT AND BUDGET 0142

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	58.000	58.000
Personal Services	\$5,039,055	\$5,008,946
All Other	\$10,703,448	\$10,728,383
GENERAL FUND TOTAL	\$15,742,503	\$15,737,329

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$108,813	\$106,759
All Other	\$2,452,363	\$2,452,363
FEDERAL EXPENDITURES FUND TOTAL	\$2,561,176	\$2,559,122

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	32.000	32.000
Personal Services	\$2,764,222	\$2,753,545
All Other	\$7,042,038	\$7,042,038
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,806,260	\$9,795,583

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
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All Other	\$80,280	\$80,280
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FEDERAL BLOCK GRANT FUND TOTAL	\$80,280	\$80,280
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OMB Division of Regional Business Operations 0196

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	140.500	140.500
Personal Services	\$7,669,608	\$7,736,091
All Other	\$7,704,299	\$7,704,299

GENERAL FUND TOTAL	\$15,373,907	\$15,440,390
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	150.500	150.500
Personal Services	\$8,093,933	\$8,164,151
All Other	\$4,721,508	\$4,721,508

OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,815,441	\$12,885,659
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FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$15,339	\$15,339

FEDERAL BLOCK GRANT FUND TOTAL	\$15,339	\$15,339
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OMB Division of Regional Business Operations 0196

Initiative: Transfers funding from several programs to the Office of Management and Budget program to expedite Department of Health and Human Services Service Center payment processing.

GENERAL FUND	2009-10	2010-11
All Other	(\$146,762)	(\$151,654)

GENERAL FUND TOTAL	(\$146,762)	(\$151,654)
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OMB Division of Regional Business Operations 0196

Initiative: Transfers positions and reallocates funding for 79 positions within the regional offices of the de-

partment. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(27.000)	(27.000)
Personal Services	(\$1,336,283)	(\$1,353,758)
All Other	(\$149,322)	(\$149,322)

GENERAL FUND TOTAL	(\$1,485,605)	(\$1,503,080)
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(50.500)	(50.500)
Personal Services	(\$2,538,358)	(\$2,571,132)
All Other	(\$271,979)	(\$271,979)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,810,337)	(\$2,843,111)
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OMB Division of Regional Business Operations 0196

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$275)	(\$363)

GENERAL FUND TOTAL	(\$275)	(\$363)
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OMB Division of Regional Business Operations 0196

Initiative: Eliminates one Office Assistant II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$44,020)	(\$44,863)
All Other	(\$1,095)	(\$1,116)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$45,115)	(\$45,979)
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OMB Division of Regional Business Operations 0196

Initiative: Reduces funding from operational savings within the Department of Health and Human Services Service Center.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,970)	(\$2,970)
GENERAL FUND TOTAL	(\$2,970)	(\$2,970)

OMB Division of Regional Business Operations 0196

Initiative: Transfers one Public Service Manager II position and related All Other expenses from the OMB Division of Regional Business Operations program to the Office of Management and Budget program to reflect the proper functional location of the position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$104,857)	(\$104,215)
All Other	(\$5,527)	(\$5,526)
GENERAL FUND TOTAL	(\$110,384)	(\$109,741)

OMB DIVISION OF REGIONAL BUSINESS OPERATIONS 0196

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	112.500	112.500
Personal Services	\$6,228,468	\$6,278,118
All Other	\$7,399,443	\$7,394,464
GENERAL FUND TOTAL	\$13,627,911	\$13,672,582

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	99.000	99.000
Personal Services	\$5,511,555	\$5,548,156
All Other	\$4,448,434	\$4,448,413
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,959,989	\$9,996,569

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$15,339	\$15,339
FEDERAL BLOCK GRANT FUND TOTAL	\$15,339	\$15,339

Plumbing - Control Over 0205

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$531,129	\$529,985
All Other	\$156,709	\$156,709
OTHER SPECIAL REVENUE FUNDS TOTAL	\$687,838	\$686,694

Plumbing - Control Over 0205

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$47,446	\$35,709
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,446	\$35,709

Plumbing - Control Over 0205

Initiative: Provides funding for operating costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$179,820	\$204,235
OTHER SPECIAL REVENUE FUNDS TOTAL	\$179,820	\$204,235

PLUMBING - CONTROL OVER 0205

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$531,129	\$529,985
All Other	\$383,975	\$396,653
OTHER SPECIAL REVENUE FUNDS TOTAL	\$915,104	\$926,638

Prescription Drug Academic Detailing Z055

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**PRESCRIPTION DRUG ACADEMIC
DETAILING Z055**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Purchased Social Services 0228

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$159,188	\$156,805
All Other	\$5,420,641	\$5,420,641
GENERAL FUND TOTAL	\$5,579,829	\$5,577,446

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$4,382,844	\$4,382,844
FEDERAL EXPENDITURES FUND TOTAL	\$4,382,844	\$4,382,844

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$289,943	\$289,943
OTHER SPECIAL REVENUE FUNDS TOTAL	\$289,943	\$289,943

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,045	\$75,969
All Other	\$7,828,772	\$7,828,772

FEDERAL BLOCK GRANT FUND TOTAL	\$7,905,817	\$7,904,741
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Purchased Social Services 0228

Initiative: Provides funding for Florence House.

GENERAL FUND	2009-10	2010-11
All Other	\$556,376	\$842,523
GENERAL FUND TOTAL	\$556,376	\$842,523

Purchased Social Services 0228

Initiative: Provides funding to restore an allocation that was reduced in error.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$4,000,000	\$4,000,000
FEDERAL BLOCK GRANT FUND TOTAL	\$4,000,000	\$4,000,000

Purchased Social Services 0228

Initiative: Transfers funding in the Social Services Block Grant for nutrition programs from the Purchased Social Services program to the Office of Elder Services Central Office program.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	(\$415,000)	(\$415,000)
FEDERAL BLOCK GRANT FUND TOTAL	(\$415,000)	(\$415,000)

Purchased Social Services 0228

Initiative: Reduces funding for several contracts that primarily fund parent education programs.

GENERAL FUND	2009-10	2010-11
All Other	(\$191,802)	(\$191,802)
GENERAL FUND TOTAL	(\$191,802)	(\$191,802)

Purchased Social Services 0228

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$22,339)

GENERAL FUND TOTAL	\$0	(\$22,339)
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Purchased Social Services 0228

Initiative: Reduces funding due to fuel cost reductions.

GENERAL FUND	2009-10	2010-11
All Other	(\$4)	(\$5)
GENERAL FUND TOTAL	(\$4)	(\$5)

Purchased Social Services 0228

Initiative: Transfers funding from the Medical Care - Payments to Providers program to the Purchased Social Services program to continue to serve youth in need of transitional services.

GENERAL FUND	2009-10	2010-11
All Other	\$366,944	\$366,944
GENERAL FUND TOTAL	\$366,944	\$366,944

Purchased Social Services 0228

Initiative: Provides one-time funds for family planning services.

GENERAL FUND	2009-10	2010-11
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

PURCHASED SOCIAL SERVICES 0228

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$159,188	\$156,805
All Other	\$6,452,155	\$6,715,962
GENERAL FUND TOTAL	\$6,611,343	\$6,872,767

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
All Other	\$4,382,844	\$4,382,844
FEDERAL EXPENDITURES FUND TOTAL	\$4,382,844	\$4,382,844

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$289,943	\$289,943

OTHER SPECIAL REVENUE FUNDS TOTAL

FEDERAL BLOCK GRANT FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,045	\$75,969
All Other	\$11,413,772	\$11,413,772

FEDERAL BLOCK GRANT FUND TOTAL

Rape Crisis Control 0488

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$32,720	\$32,720

FEDERAL BLOCK GRANT FUND TOTAL

RAPE CRISIS CONTROL 0488

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$32,720	\$32,720

FEDERAL BLOCK GRANT FUND TOTAL

Risk Reduction 0489

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$158,156	\$155,986
All Other	\$178,308	\$178,308

FEDERAL BLOCK GRANT FUND TOTAL

Risk Reduction 0489

Initiative: Transfers one Office Specialist I Manager position from the Risk Reduction program to the FHM - Bureau of Health program to be funded through a reduction in the All Other line category.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$73,427)	(\$72,811)
All Other	(\$2,867)	(\$2,843)
FEDERAL BLOCK GRANT FUND TOTAL	(\$76,294)	(\$75,654)

Risk Reduction 0489

Initiative: Transfers one Senior Health Program Manager position from the Bureau of Health program, Federal Expenditures Fund to the Risk Reduction program, Federal Block Grant Fund.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$101,563	\$100,019
All Other	\$2,527	\$2,489
FEDERAL BLOCK GRANT FUND TOTAL	\$104,090	\$102,508

RISK REDUCTION 0489

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$186,292	\$183,194
All Other	\$177,968	\$177,954
FEDERAL BLOCK GRANT FUND TOTAL	\$364,260	\$361,148

Sexually Transmitted Diseases 0496

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$27,763	\$27,763

FEDERAL BLOCK GRANT FUND TOTAL	\$27,763	\$27,763
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SEXUALLY TRANSMITTED DISEASES 0496

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,102,330	\$1,097,822
All Other	\$98,438	\$98,438
FEDERAL BLOCK GRANT FUND TOTAL	\$1,200,768	\$1,196,260

Special Children's Services 0204

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$31,007	\$30,965
FEDERAL BLOCK GRANT FUND TOTAL	\$31,007	\$30,965

SPECIAL CHILDREN'S SERVICES 0204

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,102,330	\$1,097,822

All Other	\$129,445	\$129,403
FEDERAL BLOCK GRANT	\$1,231,775	\$1,227,225
FUND TOTAL		

State Supplement to Federal Supplemental Security Income 0131

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$7,445,632	\$7,445,632
GENERAL FUND TOTAL	\$7,445,632	\$7,445,632

State Supplement to Federal Supplemental Security Income 0131

Initiative: Reduces funding no longer required to meet expenditure requirements of the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
All Other	(\$745,179)	(\$745,179)
GENERAL FUND TOTAL	(\$745,179)	(\$745,179)

STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME 0131

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$6,700,453	\$6,700,453
GENERAL FUND TOTAL	\$6,700,453	\$6,700,453

State-Funded Foster Care/Adoption Assistance 0139

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18.500	18.500
Personal Services	\$1,467,804	\$1,463,763
All Other	\$38,669,510	\$38,669,510
GENERAL FUND TOTAL	\$40,137,314	\$40,133,273

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,713,114	\$1,707,457

All Other	\$1,380,487	\$1,380,487
FEDERAL EXPENDITURES	\$3,093,601	\$3,087,944
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
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 one Social Services Program Specialist II position and 8 Social Services Supervisor positions from the Federal Expenditures Fund to the General Fund within the State-funded Foster Care/Adoption Assistance program. The General Fund Personal Services costs are offset by a reduction in the All Other line category.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$748,636	\$745,260
All Other	(\$748,636)	(\$745,260)
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(9.000)	(9.000)
Personal Services	(\$748,636)	(\$745,260)
All Other	\$748,636	\$745,260

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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State-Funded Foster Care/Adoption Assistance 0139

Initiative: Transfers one Accountant II position and 2 Social Services Program Specialist I positions from the State-funded Foster Care/Adoption Assistance program, Federal Expenditures Fund to the Bureau of Child and Family Services - Central program, General Fund, funded by a reduction in the All Other line category.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$190,406)	(\$192,894)
All Other	(\$15,999)	(\$15,999)
FEDERAL EXPENDITURES FUND TOTAL	(\$206,405)	(\$208,893)

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Eliminates one part-time Human Services Caseworker position in the State-funded Foster Care/Adoption Assistance program and provides funding to increase one Human Services Caseworker position in the Bureau of Child and Family Services - Regional program from part-time to full-time.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$33,055)	(\$32,240)
GENERAL FUND TOTAL	(\$33,055)	(\$32,240)

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Reduces funding for a contract with the International Adoption Services Centre, Inc. and transferring some of the functions to current state casework staff.

GENERAL FUND	2009-10	2010-11
All Other	(\$272,500)	(\$272,500)
GENERAL FUND TOTAL	(\$272,500)	(\$272,500)

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Reduces funding from savings achieved in the alternative response program.

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

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Reduces funding by streamlining and simplifying the family foster home licensing process and by eliminating payments to unlicensed foster homes.

GENERAL FUND	2009-10	2010-11
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All Other	(\$1,300,000)	(\$1,300,000)
GENERAL FUND TOTAL	(\$1,300,000)	(\$1,300,000)

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Transfers funding between programs in order to fund information technology services.

GENERAL FUND	2009-10	2010-11
All Other	(\$67,953)	(\$85,738)
GENERAL FUND TOTAL	(\$67,953)	(\$85,738)

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Reduces funding due to fuel cost reductions.

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

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2009-10 federal financial participation rate.

GENERAL FUND	2009-10	2010-11
All Other	(\$18,312)	(\$22,051)
GENERAL FUND TOTAL	(\$18,312)	(\$22,051)

**State-Funded Foster Care/Adoption Assistance
0139**

Initiative: Provides funding for the reclassification of Family Independence Specialist positions and Community Care Worker positions in order to implement an arbitration award.

GENERAL FUND	2009-10	2010-11
Personal Services	\$10,104	\$2,063
GENERAL FUND TOTAL	\$10,104	\$2,063

**STATE-FUNDED FOSTER CARE/ADOPTION
ASSISTANCE 0139**

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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FIRST REGULAR SESSION - 2009

PUBLIC LAW, C. 213

POSITIONS - LEGISLATIVE COUNT	27,000	27,000
Personal Services	\$2,193,489	\$2,178,846
All Other	\$35,762,101	\$35,743,950

GENERAL FUND TOTAL	\$37,955,590	\$37,922,796
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	10,000	10,000
Personal Services	\$774,072	\$769,303
All Other	\$2,113,124	\$2,109,748

FEDERAL EXPENDITURES FUND TOTAL	\$2,887,196	\$2,879,051
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OTHER SPECIAL REVENUE FUNDS

All Other	\$1,636,131	\$1,636,131
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,636,131	\$1,636,131
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Temporary Assistance for Needy Families 0138

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$25,144,078	\$25,144,078

GENERAL FUND TOTAL	\$25,144,078	\$25,144,078
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OTHER SPECIAL REVENUE FUNDS

All Other	\$124,458,311	\$124,458,311
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,458,311	\$124,458,311
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FEDERAL BLOCK GRANT FUND

All Other	\$52,303,361	\$52,303,361
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FEDERAL BLOCK GRANT FUND TOTAL	\$52,303,361	\$52,303,361
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TEMPORARY ASSISTANCE FOR NEEDY FAMILIES 0138

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$25,144,078	\$25,144,078

GENERAL FUND TOTAL	\$25,144,078	\$25,144,078
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OTHER SPECIAL REVENUE FUNDS

All Other	\$124,458,311	\$124,458,311
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,458,311	\$124,458,311
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FEDERAL BLOCK GRANT FUND

All Other	\$52,303,361	\$52,303,361
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FEDERAL BLOCK GRANT FUND TOTAL	\$52,303,361	\$52,303,361
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Training Programs and Employee Assistance 0493

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$30,000	\$30,000

FEDERAL BLOCK GRANT FUND TOTAL	\$30,000	\$30,000
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TRAINING PROGRAMS AND EMPLOYEE ASSISTANCE 0493

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$30,000	\$30,000

FEDERAL BLOCK GRANT FUND TOTAL	\$30,000	\$30,000
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Tuberculosis Control Program 0497

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000

Personal Services	\$148,071	\$149,291
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All Other	\$42,647	\$42,647
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FEDERAL BLOCK GRANT FUND TOTAL	\$190,718	\$191,938
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Tuberculosis Control Program 0497

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support, network and telephone services including wireless technology.

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
All Other	\$1,512	\$1,512
FEDERAL BLOCK GRANT FUND TOTAL	\$1,512	\$1,512

TUBERCULOSIS CONTROL PROGRAM 0497 PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$148,071	\$149,291
All Other	\$44,159	\$44,159
FEDERAL BLOCK GRANT FUND TOTAL	\$192,230	\$193,450

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$593,692,742	\$609,885,387
FEDERAL EXPENDITURES FUND	\$1,898,286,161	\$1,765,326,289
FUND FOR A HEALTHY MAINE	\$50,940,275	\$49,237,665
OTHER SPECIAL REVENUE FUNDS	\$379,003,233	\$377,402,627
FEDERAL BLOCK GRANT FUND	\$142,451,494	\$142,366,503
FEDERAL EXPENDITURES FUND ARRA	\$227,312,804	\$102,772,653

DEPARTMENT TOTAL - ALL FUNDS	\$3,291,686,709	\$3,046,991,124
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Sec. A-33. 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	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

HISTORIC COMMERCIAL REHABILITATION FUND Z067

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Historic Preservation Commission 0036

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$286,403	\$293,301
All Other	\$44,781	\$44,781

GENERAL FUND TOTAL	\$331,184	\$338,082
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$418,084	\$425,720
All Other	\$337,555	\$337,555
FEDERAL EXPENDITURES FUND TOTAL	\$755,639	\$763,275

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	6.731	6.731
Personal Services	\$573,638	\$594,547
All Other	\$123,620	\$123,620
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$697,258	\$718,167

Historic Preservation Commission 0036

Initiative: Adjusts funding for the Maine State Library for service center costs to allocate funds to reflect actual costs for the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum.

GENERAL FUND	2009-10	2010-11
All Other	\$18,729	\$18,729
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GENERAL FUND TOTAL	\$18,729	\$18,729

Historic Preservation Commission 0036

Initiative: Reduces funding for the Maine archaeology grant program.

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

Historic Preservation Commission 0036

Initiative: Reduces funding for operating and technology expenses.

GENERAL FUND	2009-10	2010-11
All Other	(\$30,118)	(\$30,808)
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GENERAL FUND TOTAL	(\$30,118)	(\$30,808)

Historic Preservation Commission 0036

Initiative: Eliminates 4 seasonal Museum Technician I positions in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - FTE COUNT	(2.000)	(2.000)
Personal Services	(\$105,736)	(\$111,388)

OTHER SPECIAL REVENUE FUNDS TOTAL	<hr/>	<hr/>
	(\$105,736)	(\$111,388)

HISTORIC PRESERVATION COMMISSION 0036

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$286,403	\$293,301
All Other	\$30,392	\$29,702
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GENERAL FUND TOTAL	\$316,795	\$323,003

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$418,084	\$425,720
All Other	\$337,555	\$337,555
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$755,639	\$763,275

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.731	4.731
Personal Services	\$467,902	\$483,159
All Other	\$123,620	\$123,620
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OTHER SPECIAL REVENUE FUNDS TOTAL	<hr/>	<hr/>
	\$591,522	\$606,779

HISTORIC PRESERVATION COMMISSION, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$316,795	\$323,003
FEDERAL EXPENDITURES FUND	\$755,639	\$763,275
OTHER SPECIAL REVENUE FUNDS	\$592,022	\$607,279

DEPARTMENT TOTAL - ALL FUNDS	\$1,664,456	\$1,693,557
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Sec. A-34. Appropriations and allocations.
The following appropriations and allocations are made.

HISTORICAL SOCIETY, MAINE

Historical Society 0037

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$51,716	\$51,716
GENERAL FUND TOTAL	\$51,716	\$51,716

Historical Society 0037

Initiative: Reduces funding for grants.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,172)	(\$5,172)
GENERAL FUND TOTAL	(\$5,172)	(\$5,172)

HISTORICAL SOCIETY 0037

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$46,544	\$46,544
GENERAL FUND TOTAL	\$46,544	\$46,544

HISTORICAL SOCIETY, MAINE

DEPARTMENT TOTALS

GENERAL FUND	2009-10	2010-11
	\$46,544	\$46,544

DEPARTMENT TOTAL - ALL FUNDS	\$46,544	\$46,544
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Sec. A-35. Appropriations and allocations.
The following appropriations and allocations are made.

HOSPICE COUNCIL, MAINE

Maine Hospice Council 0663

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$65,884	\$65,884

GENERAL FUND TOTAL	\$65,884	\$65,884
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MAINE HOSPICE COUNCIL 0663

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$65,884	\$65,884

GENERAL FUND TOTAL	\$65,884	\$65,884
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Sec. A-36. 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	2009-10	2010-11
All Other	\$11,614,440	\$11,614,440

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,614,440	\$11,614,440
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Housing Authority - State 0442

Initiative: Reduces funding to maintain costs within available resources.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$5,406,362)	(\$4,432,075)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,406,362)	(\$4,432,075)
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HOUSING AUTHORITY - STATE 0442

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$6,208,078	\$7,182,365

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,208,078	\$7,182,365
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Low-income Home Energy Assistance - MSHA 0708

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$545	\$545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$545	\$545

LOW-INCOME HOME ENERGY ASSISTANCE - MSHA 0708

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$545	\$545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$545	\$545

Shelter Operating Subsidy 0661

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$437,570	\$437,570
GENERAL FUND TOTAL	\$437,570	\$437,570

Shelter Operating Subsidy 0661

Initiative: Reduces funding for grants.

GENERAL FUND	2009-10	2010-11
All Other	(\$43,757)	(\$43,757)
GENERAL FUND TOTAL	(\$43,757)	(\$43,757)

SHELTER OPERATING SUBSIDY 0661

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$393,813	\$393,813
GENERAL FUND TOTAL	\$393,813	\$393,813

HOUSING AUTHORITY, MAINE STATE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$393,813	\$393,813
OTHER SPECIAL REVENUE FUNDS	\$6,208,623	\$7,182,910

DEPARTMENT TOTAL - ALL FUNDS	2009-10	2010-11
	\$6,602,436	\$7,576,723

Sec. A-37. Appropriations and allocations.
The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$567,407	\$588,358
All Other	\$55,411	\$55,411
GENERAL FUND TOTAL	\$622,818	\$643,769

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$322,735	\$338,073
All Other	\$111,951	\$111,951
FEDERAL EXPENDITURES FUND TOTAL	\$434,686	\$450,024

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,698	\$5,698
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,698	\$5,698

Human Rights Commission - Regulation 0150

Initiative: Transfers one Paralegal Assistant position from the General Fund to the Federal Expenditures Fund within the same program and reduces funding for All Other in the General Fund to meet target reductions. Eliminates one Office Associate II position in the Federal Expenditures Fund and reduces funding for All Other to fund the Paralegal Assistant position transfer.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$57,257)	(\$60,485)
All Other	(\$5,025)	(\$3,852)

GENERAL FUND TOTAL	(\$62,282)	(\$64,337)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$15,876	\$16,614
All Other	(\$15,876)	(\$16,614)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

HUMAN RIGHTS COMMISSION - REGULATION 0150

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$510,150	\$527,873
All Other	\$50,386	\$51,559
GENERAL FUND TOTAL	\$560,536	\$579,432

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$338,611	\$354,687
All Other	\$96,075	\$95,337
FEDERAL EXPENDITURES FUND TOTAL	\$434,686	\$450,024

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,698	\$5,698
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,698	\$5,698

HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$560,536	\$579,432
FEDERAL EXPENDITURES FUND	\$434,686	\$450,024
OTHER SPECIAL REVENUE FUNDS	\$5,698	\$5,698

DEPARTMENT TOTAL - ALL FUNDS	\$1,000,920	\$1,035,154
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Sec. A-38. Appropriations and allocations.

The following appropriations and allocations are made.

HUMANITIES COUNCIL, MAINE

Humanities Council 0942

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$61,506	\$61,506
GENERAL FUND TOTAL	\$61,506	\$61,506

Humanities Council 0942

Initiative: Reduces funding for matching grants to grassroots cultural organizations in all regions of Maine.

GENERAL FUND	2009-10	2010-11
All Other	(\$6,151)	(\$6,151)
GENERAL FUND TOTAL	(\$6,151)	(\$6,151)

HUMANITIES COUNCIL 0942

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$55,355	\$55,355
GENERAL FUND TOTAL	\$55,355	\$55,355

HUMANITIES COUNCIL, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$55,355	\$55,355
DEPARTMENT TOTAL - ALL FUNDS	\$55,355	\$55,355

Sec. A-39. 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	2009-10	2010-11
All Other	\$34,277	\$34,277
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$34,277	\$34,277

Maine Indian Tribal-state Commission 0554

Initiative: Provides funding for the Maine Indian Tribal-State Commission.

GENERAL FUND	2009-10	2010-11
All Other	\$43,723	\$43,723
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$43,723	\$43,723

MAINE INDIAN TRIBAL-STATE COMMISSION 0554

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$78,000	\$78,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$78,000	\$78,000

INDIAN TRIBAL-STATE COMMISSION, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$78,000	\$78,000
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$78,000	\$78,000

Sec. A-40. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$283,797	\$290,627
All Other	\$2,446,531	\$2,446,531
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$2,730,328	\$2,737,158

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$223,479	\$223,479
	<hr/>	<hr/>

OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,479	\$223,479
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Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Provides funding for increases in rent, which includes electrical costs due to an escalator clause in rental agreements for both the Augusta and Bangor facilities.

GENERAL FUND	2009-10	2010-11
All Other	\$154,145	\$154,145
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$154,145	\$154,145

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Provides funding to cover the increase in risk management costs.

GENERAL FUND	2009-10	2010-11
All Other	\$10,905	\$10,905
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$10,905	\$10,905

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Provides funding to cover administrative costs of the department.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$275,623	\$276,498
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$275,623	\$276,498

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Provides funding for the department's cost for support services from the Natural Resources Service Center.

GENERAL FUND	2009-10	2010-11
All Other	\$127,259	\$148,031
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$127,259	\$148,031

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Provides funding for increased costs of 25% associated with the lease agreement for the department's office in Augusta.

GENERAL FUND	2009-10	2010-11
All Other	\$42,120	\$42,120
GENERAL FUND TOTAL	\$42,120	\$42,120

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$96,966	\$14,558
GENERAL FUND TOTAL	\$96,966	\$14,558

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$2,588	\$2,588
GENERAL FUND TOTAL	\$2,588	\$2,588

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding for computers, e-mail and phones associated with positions being eliminated.

GENERAL FUND	2009-10	2010-11
All Other	(\$27,888)	(\$27,888)
GENERAL FUND TOTAL	(\$27,888)	(\$27,888)

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding by transferring Office of Information Technology costs from the General Fund to Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
All Other	(\$61,756)	(\$81,451)
GENERAL FUND TOTAL	(\$61,756)	(\$81,451)

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$61,756	\$81,451
OTHER SPECIAL REVENUE FUNDS TOTAL	\$61,756	\$81,451

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding for rental of equipment and space, repairs and clothing.

GENERAL FUND	2009-10	2010-11
All Other	(\$109,517)	(\$109,517)
GENERAL FUND TOTAL	(\$109,517)	(\$109,517)

ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE 0530

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$283,797	\$290,627
All Other	\$2,681,353	\$2,600,022
GENERAL FUND TOTAL	\$2,965,150	\$2,890,649

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$560,858	\$581,428
OTHER SPECIAL REVENUE FUNDS TOTAL	\$560,858	\$581,428

ATV Safety and Educational Program 0559

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$107,862	\$110,549
All Other	\$45,170	\$45,170
GENERAL FUND TOTAL	\$153,032	\$155,719
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$95,567	\$95,567
OTHER SPECIAL REVENUE FUNDS TOTAL	\$95,567	\$95,567

ATV Safety and Educational Program 0559

Initiative: Transfers funding from the ATV Safety and Educational Program to the Enforcement Operations - Inland Fisheries and Wildlife program.

GENERAL FUND	2009-10	2010-11
All Other	(\$22,000)	(\$22,000)
GENERAL FUND TOTAL	(\$22,000)	(\$22,000)

ATV SAFETY AND EDUCATIONAL PROGRAM 0559

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,862	\$110,549
All Other	\$23,170	\$23,170
GENERAL FUND TOTAL	\$131,032	\$133,719
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
All Other	\$43,616	\$43,616
FEDERAL EXPENDITURES FUND TOTAL	\$43,616	\$43,616

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$53,015	\$55,825
All Other	\$93,233	\$93,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$146,248	\$149,058

Boating Access Sites 0631

Initiative: Provides funding to purchase and improve land for boat access.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Capital Expenditures	\$375,000	\$375,000
FEDERAL EXPENDITURES FUND TOTAL	\$375,000	\$375,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$400,000	\$400,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,000	\$400,000

BOATING ACCESS SITES 0631

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$43,616	\$43,616
Capital Expenditures	\$375,000	\$375,000
FEDERAL EXPENDITURES FUND TOTAL	\$418,616	\$418,616
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$53,015	\$55,825
All Other	\$93,233	\$93,233
Capital Expenditures	\$400,000	\$400,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$546,248	\$549,058

Endangered Nongame Operations 0536

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$18,241	\$19,270
All Other	\$7,431	\$7,431
GENERAL FUND TOTAL	\$25,672	\$26,701
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$242,728	\$252,711
All Other	\$109,966	\$109,966
FEDERAL EXPENDITURES FUND TOTAL	\$352,694	\$362,677
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$731,003	\$752,406
All Other	\$134,305	\$134,305
OTHER SPECIAL REVENUE FUNDS TOTAL	\$865,308	\$886,711

Endangered Nongame Operations 0536

Initiative: Transfers one Biologist I position from 100% Endangered Nongame Operations program, Other Special Revenue Funds to 30% General Fund and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$64,827)	(\$68,525)
All Other	(\$1,152)	(\$1,183)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$65,979)	(\$69,708)

Endangered Nongame Operations 0536

Initiative: Transfers one Cartographer position and one Biologist II position in the Endangered Nongame Operations program from 25% Other Special Revenue

Funds and 75% Federal Expenditures Fund to 50% in the Resource Management Services - Inland Fisheries and Wildlife program, General Fund and 50% in the Endangered Nongame Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$39,702)	(\$41,631)
All Other	(\$177)	(\$185)
FEDERAL EXPENDITURES FUND TOTAL	(\$39,879)	(\$41,816)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$39,703)	(\$41,632)
All Other	(\$177)	(\$185)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$39,880)	(\$41,817)

Endangered Nongame Operations 0536

Initiative: Transfers one Biologist III position in the Endangered Nongame Operations program from 99% Other Special Revenue Funds and 1% Federal Expenditures Fund to 30% in the Resource Management Services - Inland Fisheries and Wildlife program, General Fund and 70% in the Endangered Nongame Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$71,400	\$72,623
FEDERAL EXPENDITURES FUND TOTAL	\$71,400	\$72,623
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$102,445)	(\$104,199)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$102,445)	(\$104,199)

Endangered Nongame Operations 0536

Initiative: Reallocates 25% of the cost of one Biologist II position from the Federal Expenditures Fund to Other Special Revenue Funds within the same program.

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
Personal Services	(\$22,626)	(\$22,989)
FEDERAL EXPENDITURES FUND TOTAL	(\$22,626)	(\$22,989)
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$22,626	\$22,989
OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,626	\$22,989

Endangered Nongame Operations 0536

Initiative: Transfers one Biologist II position and one Biologist III position from 49% in the Endangered Nongame Operations program, Other Special Revenue Funds and 51% in the Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund to 70% Federal Expenditures Fund and 30% General Fund in the Resource Management Services - Inland Fisheries and Wildlife program.

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$91,699)	(\$93,053)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$91,699)	(\$93,053)

Endangered Nongame Operations 0536

Initiative: Transfers one Programmer Analyst position from the Endangered Nongame Operations program to the Resource Management Services - Inland Fisheries and Wildlife program and reallocates the cost from 100% Other Special Revenue Funds to 70% Federal Expenditures Fund and 30% Other Special Revenue Funds.

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$63,645)	(\$64,768)
All Other	(\$283)	(\$288)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$63,928)	(\$65,056)
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Endangered Nongame Operations 0536

Initiative: Reallocates 50% of the cost of 4 Biologist I positions from Other Special Revenue Funds to the Federal Expenditures Fund.

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
Personal Services	\$147,842	\$153,014
All Other	\$557	\$579
FEDERAL EXPENDITURES FUND TOTAL	\$148,399	\$153,593
OTHER SPECIAL REVENUE FUNDS		
Personal Services	(\$147,842)	(\$153,014)
All Other	(\$557)	(\$579)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$148,399)	(\$153,593)

Endangered Nongame Operations 0536

Initiative: Provides funding to cover costs of expanding the Endangered Nongame Operations program.

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
All Other	\$408,655	\$408,655
FEDERAL EXPENDITURES FUND TOTAL	\$408,655	\$408,655

Endangered Nongame Operations 0536

Initiative: Reallocates one Biologist III position from 30% General Fund and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program to 30% General Fund, 45% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program, 13% Federal Expenditures Fund and 12% Other Special Revenue Funds in the Endangered Nongame Operations program.

	2009-10	2010-11
FEDERAL EXPENDITURES FUND		
Personal Services	\$12,731	\$12,918
All Other	\$57	\$57

FEDERAL EXPENDITURES FUND TOTAL	\$12,788	\$12,975
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$11,750	\$11,923
All Other	\$52	\$53
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,802	\$11,976

Endangered Nongame Operations 0536

Initiative: Provides funding for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and all-terrain vehicles.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,464	\$1,464
FEDERAL EXPENDITURES FUND TOTAL	\$1,464	\$1,464

Endangered Nongame Operations 0536

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$209	\$330
FEDERAL EXPENDITURES FUND TOTAL	\$209	\$330

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$484	\$624
OTHER SPECIAL REVENUE FUNDS TOTAL	\$484	\$624

Endangered Nongame Operations 0536

Initiative: Reduces funding for clothing and office and other supplies to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,700)	(\$2,700)

GENERAL FUND TOTAL	(\$2,700)	(\$2,700)
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Endangered Nongame Operations 0536

Initiative: Continues 2 limited-period Biology Specialist positions funded 50% General Fund and 50% Federal Expenditures Funds. These positions will end on or before June 30, 2011.

GENERAL FUND	2009-10	2010-11
Personal Services	\$62,562	\$65,876
GENERAL FUND TOTAL	\$62,562	\$65,876

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$62,562	\$65,876
All Other	\$278	\$293
FEDERAL EXPENDITURES FUND TOTAL	\$62,840	\$66,169

**ENDANGERED NONGAME OPERATIONS 0536
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,803	\$85,146
All Other	\$4,731	\$4,731
GENERAL FUND TOTAL	\$85,534	\$89,877

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$474,935	\$492,522
All Other	\$521,009	\$521,159
FEDERAL EXPENDITURES FUND TOTAL	\$995,944	\$1,013,681

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$255,218	\$262,127
All Other	\$132,672	\$132,747

OTHER SPECIAL	\$387,890	\$394,874
REVENUE FUNDS TOTAL		

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	124.000	124.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$10,775,173	\$11,042,226
All Other	\$1,802,059	\$1,802,059
GENERAL FUND TOTAL	\$12,577,232	\$12,844,285

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$489,213	\$505,458
All Other	\$415,234	\$415,234
FEDERAL EXPENDITURES FUND TOTAL	\$904,447	\$920,692

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$539,005	\$551,585
All Other	\$200,245	\$200,245
OTHER SPECIAL REVENUE FUNDS TOTAL	\$739,250	\$751,830

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for capital equipment replacement needs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Capital Expenditures	\$210,000	\$60,000
FEDERAL EXPENDITURES FUND TOTAL	\$210,000	\$60,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11

Capital Expenditures	\$88,000	\$88,000
OTHER SPECIAL	\$88,000	\$88,000
REVENUE FUNDS TOTAL		

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for new capital equipment needs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Capital Expenditures	\$40,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$40,000	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for premium overtime in the Enforcement Operations - Inland Fisheries and Wildlife program for work associated with the federal boating safety program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$65,444	\$65,444
FEDERAL EXPENDITURES FUND TOTAL	\$65,444	\$65,444

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding to increase the total miles to be driven with Central Fleet Management vehicles by game wardens by 232,500 miles each year for fiscal years 2009-10 and 2010-11.

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

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Transfers funding from the ATV Safety and Educational Program to the Enforcement Operations - Inland Fisheries and Wildlife program.

GENERAL FUND	2009-10	2010-11
All Other	\$22,000	\$22,000
GENERAL FUND TOTAL	\$22,000	\$22,000

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for workers' compensation insurance premiums to cover search and rescue program volunteers.

GENERAL FUND	2009-10	2010-11
All Other	\$15,120	\$15,120
GENERAL FUND TOTAL	\$15,120	\$15,120

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Reorganizes one Secretary position to one Secretary Associate position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2009-10	2010-11
Personal Services	\$4,048	\$4,089
All Other	(\$4,048)	(\$4,089)
GENERAL FUND TOTAL	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Reorganizes 3 Game Warden positions to 3 Game Warden Specialist positions and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2009-10	2010-11
Personal Services	\$9,156	\$9,246
All Other	(\$9,156)	(\$9,246)
GENERAL FUND TOTAL	\$0	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and all-terrain vehicles.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$2,523	\$2,523
FEDERAL EXPENDITURES FUND TOTAL	\$2,523	\$2,523

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for one large watercraft for the Moosehead Lake region.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Capital Expenditures	\$150,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$0

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding from increased revenues related to milfoil stickers on seaplanes.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,800	\$1,800
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,800	\$1,800

ENFORCEMENT OPERATIONS - INLAND FISHERIES AND WILDLIFE 0537

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	124.000	124.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$10,788,377	\$11,055,561
All Other	\$1,925,975	\$1,925,844
GENERAL FUND TOTAL	\$12,714,352	\$12,981,405

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$554,657	\$570,902
All Other	\$417,757	\$417,757
Capital Expenditures	\$400,000	\$60,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,372,414	\$1,048,659

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$539,005	\$551,585
All Other	\$202,045	\$202,045
Capital Expenditures	\$88,000	\$88,000

OTHER SPECIAL	\$829,050	\$841,630
REVENUE FUNDS TOTAL		

Fisheries and Hatcheries Operations 0535

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	58.000	58.000
POSITIONS - FTE COUNT	1.731	1.731
Personal Services	\$2,829,507	\$2,918,130
All Other	\$726,769	\$726,769
GENERAL FUND TOTAL	\$3,556,276	\$3,644,899

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$1,683,612	\$1,725,273
All Other	\$1,044,768	\$1,044,768
FEDERAL EXPENDITURES FUND TOTAL	\$2,728,380	\$2,770,041

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$86,421	\$89,394
All Other	\$75,997	\$75,997
OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,418	\$165,391

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and all-terrain vehicles.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,408	\$1,408
FEDERAL EXPENDITURES FUND TOTAL	\$1,408	\$1,408

Fisheries and Hatcheries Operations 0535

Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,909	\$1,909
FEDERAL EXPENDITURES FUND TOTAL	\$1,909	\$1,909

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$246	\$313
FEDERAL EXPENDITURES FUND TOTAL	\$246	\$313

Fisheries and Hatcheries Operations 0535

Initiative: Provides funds for dietary feed and oxygen.

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

FISHERIES AND HATCHERIES OPERATIONS 0535

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	58.000	58.000
POSITIONS - FTE COUNT	1.731	1.731
Personal Services	\$2,829,507	\$2,918,130
All Other	\$976,769	\$976,769
GENERAL FUND TOTAL	\$3,806,276	\$3,894,899

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$1,683,612	\$1,725,273
All Other	\$1,048,331	\$1,048,398
FEDERAL EXPENDITURES FUND TOTAL	\$2,731,943	\$2,773,671

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,500	2,500
Personal Services	\$86,421	\$89,394
All Other	\$75,997	\$75,997
OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,418	\$165,391

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
All Other	\$28,336	\$49,576
GENERAL FUND TOTAL	\$28,336	\$49,576

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	19,000	19,000
Personal Services	\$1,131,291	\$1,168,424
All Other	\$534,760	\$534,760
GENERAL FUND TOTAL	\$1,666,051	\$1,703,184

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Eliminates one Office Assistant II position and reduces funding for associated All Other costs by requiring all licensing and registration agents who sell more than 300 licenses or registrations per year to become MOSES agents, eliminating the 10-day snowmobile option for nonresidents, and combining the 3-day and season stickers into one sticker.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$50,886)	(\$51,822)
All Other	(\$117,264)	(\$120,328)
GENERAL FUND TOTAL	(\$168,150)	(\$172,150)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$76,328	\$76,328
FEDERAL EXPENDITURES FUND TOTAL	\$76,328	\$76,328

LICENSING SERVICES - INLAND FISHERIES AND WILDLIFE 0531

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18,000	18,000
Personal Services	\$1,080,405	\$1,116,602
All Other	\$445,832	\$464,008
GENERAL FUND TOTAL	\$1,526,237	\$1,580,610

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$106,656	\$106,656
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,656	\$106,656

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Provides funding for baseline allocation in the Lifetime License Fund.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$209,828
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$209,828

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$76,328	\$76,328
FEDERAL EXPENDITURES FUND TOTAL	\$76,328	\$76,328

Licensing Services - Inland Fisheries and Wildlife 0531

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$106,656	\$316,484

OTHER SPECIAL	\$106,656	\$316,484
REVENUE FUNDS TOTAL		

All Other	(\$44,287)	(\$44,287)
GENERAL FUND TOTAL	(\$44,287)	(\$44,287)

Maine Outdoor Heritage Fund 0829

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNTEE	4.000	4.000
Personal Services	\$450,327	\$459,988
All Other	\$145,677	\$145,677
GENERAL FUND TOTAL	\$596,004	\$605,665

MAINE OUTDOOR HERITAGE FUND 0829

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,144,926	\$1,144,926
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,144,926	\$1,144,926

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$105,351	\$105,351
OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,351	\$105,351

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNTEE	4.000	4.000
Personal Services	\$450,327	\$459,988
All Other	\$189,964	\$189,964
GENERAL FUND TOTAL	\$640,291	\$649,952

Public Information and Education, Division of 0729

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNTEE	11.000	11.000
POSITIONS - FTE COUNTEE	4.841	4.841
Personal Services	\$727,491	\$750,765
All Other	\$237,463	\$237,463
GENERAL FUND TOTAL	\$964,954	\$988,228

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$105,351	\$105,351
OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,351	\$105,351

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$141,027	\$143,126
All Other	\$125,837	\$125,837
FEDERAL EXPENDITURES FUND TOTAL	\$266,864	\$268,963

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Transfers funding for general operations from the Office of the Commissioner - Inland Fisheries and Wildlife program to the Division of Public Information and Education program.

GENERAL FUND	2009-10	2010-11
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNTEE	4.000	4.000
Personal Services	\$298,556	\$309,948

All Other	\$500,552	\$500,552
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$799,108	\$810,500

Public Information and Education, Division of 0729

Initiative: Provides funding for additional scholarships to Maine's youth for the residential conservation camp.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$63,412	\$63,412
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$63,412	\$63,412

Public Information and Education, Division of 0729

Initiative: Transfers funding for general operations from the Office of the Commissioner - Inland Fisheries and Wildlife program to the Division of Public Information and Education program.

GENERAL FUND	2009-10	2010-11
All Other	\$44,287	\$44,287
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GENERAL FUND TOTAL	\$44,287	\$44,287

Public Information and Education, Division of 0729

Initiative: Provides funding to cover costs of expanding the hunter safety program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$22,000	\$22,000
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FEDERAL EXPENDITURES FUND TOTAL	\$22,000	\$22,000

Public Information and Education, Division of 0729

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,951	\$1,951
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,951	\$1,951

Public Information and Education, Division of 0729

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,885	\$2,885
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,885	\$2,885

Public Information and Education, Division of 0729

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$223	\$295
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$223	\$295

Public Information and Education, Division of 0729

Initiative: Eliminates one Office Associate II position and reduces funding for associated All Other costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(1.000)	(1.000)
Personal Services	(\$50,001)	(\$52,947)
All Other	(\$6,557)	(\$6,557)
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GENERAL FUND TOTAL	(\$56,558)	(\$59,504)

Public Information and Education, Division of 0729

Initiative: Changes the status of a full-time Public Relations Specialist position to a limited-period position and reduces the headcount accordingly. This position will end on or before June 30, 2011.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	(1.000)	(1.000)
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GENERAL FUND TOTAL	\$0	\$0

PUBLIC INFORMATION AND EDUCATION, DIVISION OF 0729

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	9.000	9.000
POSITIONS - FTE COUNT	4.841	4.841

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Personal Services	\$677,490	\$697,818
All Other	\$275,193	\$275,193
GENERAL FUND TOTAL	\$952,683	\$973,011

FEDERAL EXPENDITURES FUND

Personal Services	\$141,027	\$143,126
All Other	\$147,837	\$147,837

FEDERAL EXPENDITURES FUND TOTAL	\$288,864	\$290,963
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$298,556	\$309,948
All Other	\$569,023	\$569,095

OTHER SPECIAL REVENUE FUNDS TOTAL	\$867,579	\$879,043
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$1,467,549	\$1,507,739
All Other	\$260,519	\$260,519

GENERAL FUND TOTAL	\$1,728,068	\$1,768,258
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$1,896,161	\$1,949,857
All Other	\$479,633	\$479,633

FEDERAL EXPENDITURES FUND TOTAL	\$2,375,794	\$2,429,490
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
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POSITIONS - FTE COUNT	0.991	0.991
Personal Services	\$354,718	\$367,388
All Other	\$216,820	\$216,820

OTHER SPECIAL REVENUE FUNDS TOTAL	\$571,538	\$584,208
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Biologist I position from 100% Endangered Nongame Operations program, Other Special Revenue Funds to 30% General Fund and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$19,448	\$20,556

GENERAL FUND TOTAL	\$19,448	\$20,556
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$45,379	\$47,969
All Other	\$360	\$374

FEDERAL EXPENDITURES FUND TOTAL	\$45,739	\$48,343
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Cartographer position and one Biologist II position in the Endangered Nongame Operations program from 25% Other Special Revenue Funds and 75% Federal Expenditures Fund to 50% in the Resource Management Services - Inland Fisheries and Wildlife program, General Fund and 50% in the Endangered Nongame Operations program, Federal Expenditures Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$79,405	\$83,263

GENERAL FUND TOTAL	\$79,405	\$83,263
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for miscellaneous supplies and STA-CAP.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,500	\$1,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,500	\$1,500

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Biologist III position in the Endangered Nongame Operations program from 99% Other Special Revenue Funds and 1% Federal Expenditures Fund to 30% in the Resource Management Services - Inland Fisheries and Wildlife program, General Fund and 70% in the Endangered Nongame Operations program, Federal Expenditures Fund.

GENERAL FUND	2009-10	2010-11
Personal Services	\$31,045	\$31,576
GENERAL FUND TOTAL	\$31,045	\$31,576

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Biologist II position and one Biologist III position from 49% in the Endangered Nongame Operations program, Other Special Revenue Funds and 51% in the Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund to 70% Federal Expenditures Fund and 30% General Fund in the Resource Management Services - Inland Fisheries and Wildlife program.

GENERAL FUND	2009-10	2010-11
Personal Services	\$56,140	\$56,970
GENERAL FUND TOTAL	\$56,140	\$56,970

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$35,559	\$36,083
FEDERAL EXPENDITURES FUND TOTAL	\$35,559	\$36,083

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Programmer Analyst position from the Endangered Nongame Operations program to the Resource Management Services - Inland Fisheries and Wildlife program and reallocates the cost from 100% Other Special Revenue Funds to 70% Federal Expenditures Fund and 30% Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,645	\$64,768
All Other	\$283	\$288
FEDERAL EXPENDITURES FUND TOTAL	\$63,928	\$65,056

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist III position from 30% General Fund and 70% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program to 30% General Fund, 45% Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program, 13% Federal Expenditures Fund and 12% Other Special Revenue Funds in the Endangered Nongame Operations program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$24,481)	(\$24,841)
All Other	(\$109)	(\$111)
FEDERAL EXPENDITURES FUND TOTAL	(\$24,590)	(\$24,952)

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates 25% of the cost of one Biologist II position from Other Special Revenue Funds to Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$23,563	\$24,040
All Other	\$105	\$107
FEDERAL EXPENDITURES FUND TOTAL	\$23,668	\$24,147

OTHER SPECIAL REVENUE FUNDS

Personal Services	(\$23,563)	(\$24,040)
All Other	(\$105)	(\$107)
	(\$23,668)	(\$24,147)
OTHER SPECIAL REVENUE FUNDS TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for the increased cost of gasoline to operate department-owned hatchery trucks, boats, snowmobiles and all-terrain vehicles.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,034	\$1,034
	\$1,034	\$1,034
FEDERAL EXPENDITURES FUND TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding as a result of increased Central Fleet Management rates and gasoline prices based on estimates from Central Fleet Management.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$513	\$627
	\$513	\$627
OTHER SPECIAL REVENUE FUNDS TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Biologist I position from 40% General Fund and 60% Federal Expenditures Fund to 30% Other Special Revenue Funds and 70% Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$33,233)	(\$33,856)
	(\$33,233)	(\$33,856)
GENERAL FUND TOTAL		

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$8,310	\$8,466
	\$8,310	\$8,466
FEDERAL EXPENDITURES FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$24,923	\$25,390
All Other	\$19,227	\$18,760
	\$44,150	\$44,150
OTHER SPECIAL REVENUE FUNDS TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates 31 positions from 40% General Fund and 60% Federal Expenditures Fund to 30% General Fund and 70% Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(31.000)	(31.000)
Personal Services	(\$267,187)	(\$275,386)
	(\$267,187)	(\$275,386)
GENERAL FUND TOTAL		

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	31.000	31.000
Personal Services	\$267,187	\$275,386
All Other	\$10,378	\$10,642
	\$277,565	\$286,028
FEDERAL EXPENDITURES FUND TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Establishes one limited-period Biology Specialist position funded 75% Federal Expenditures Fund and 25% Other Special Revenue Funds. This position will end on June 18, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$46,919	\$49,404
All Other	\$209	\$220
	\$47,128	\$49,624
FEDERAL EXPENDITURES FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$15,639	\$16,468
All Other	\$70	\$73

OTHER SPECIAL	\$15,709	\$16,541
REVENUE FUNDS TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist I position from 100% General Fund to 30% General Fund, 70% Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$53,843)	(\$54,690)
GENERAL FUND TOTAL	(\$53,843)	(\$54,690)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$53,843	\$54,690
All Other	\$1,077	\$1,094
FEDERAL EXPENDITURES FUND TOTAL	\$54,920	\$55,784

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates one Biologist I position from 40% General Fund, 60% Federal Expenditures Fund to 30% General Fund, 70% Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$7,053)	(\$7,456)
GENERAL FUND TOTAL	(\$7,053)	(\$7,456)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$7,053	\$7,456
All Other	\$141	\$149
FEDERAL EXPENDITURES FUND TOTAL	\$7,194	\$7,605

RESOURCE MANAGEMENT SERVICES - INLAND FISHERIES AND WILDLIFE 0534

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,292,271	\$1,328,716

All Other	\$260,519	\$260,519
GENERAL FUND TOTAL	\$1,552,790	\$1,589,235

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$2,423,138	\$2,493,278
All Other	\$493,111	\$493,430
FEDERAL EXPENDITURES FUND TOTAL	\$2,916,249	\$2,986,708

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	0.991	0.991
Personal Services	\$371,717	\$385,206
All Other	\$238,025	\$237,673

OTHER SPECIAL REVENUE FUNDS TOTAL	\$609,742	\$622,879
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Sport Hunter Program 0827

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,787	\$2,814
All Other	\$10,905	\$10,905

OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,692	\$13,719
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SPORT HUNTER PROGRAM 0827

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,787	\$2,814
All Other	\$10,905	\$10,905

OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,692	\$13,719
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Support Landowners Program 0826

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$930	\$942
All Other	\$51,357	\$51,357
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,287	\$52,299

SUPPORT LANDOWNERS PROGRAM 0826

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$930	\$942
All Other	\$51,357	\$51,357
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,287	\$52,299

Waterfowl Habitat Acquisition and Management 0561

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$13,085	\$13,085
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,085	\$13,085

Waterfowl Habitat Acquisition and Management 0561

Initiative: Provides funding to purchase land for wild-life habitat.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Capital Expenditures	\$775,000	\$775,000
FEDERAL EXPENDITURES FUND TOTAL	\$775,000	\$775,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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Capital Expenditures	\$400,000	\$400,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,000	\$400,000

WATERFOWL HABITAT ACQUISITION AND MANAGEMENT 0561

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$25,000	\$25,000
Capital Expenditures	\$775,000	\$775,000
FEDERAL EXPENDITURES FUND TOTAL	\$800,000	\$800,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$13,085	\$13,085
Capital Expenditures	\$400,000	\$400,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$413,085	\$413,085

Whitewater Rafting - Inland Fisheries and Wildlife 0539

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,964	\$84,157
All Other	\$15,302	\$15,302
OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,266	\$99,459

Whitewater Rafting - Inland Fisheries and Wildlife 0539

Initiative: Provides an allocation from increasing the whitewater rafting outfitter user fee by \$1.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$14,000	\$28,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,000	\$28,000

WHITEWATER RAFTING - INLAND FISHERIES AND WILDLIFE 0539

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$82,964	\$84,157
All Other	\$29,302	\$43,302
OTHER SPECIAL REVENUE FUNDS TOTAL	\$112,266	\$127,459

Whitewater Rafting Fund 0533

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
All Other	\$10,904	\$10,904
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,904	\$10,904

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2009-10	2010-11
GENERAL FUND	\$24,330,058	\$24,739,070
FEDERAL EXPENDITURES FUND	\$9,600,358	\$9,408,626
OTHER SPECIAL REVENUE FUNDS	\$6,018,519	\$6,314,097
DEPARTMENT TOTAL - ALL FUNDS	\$39,948,935	\$40,461,793

Sec. A-41. Appropriations and allocations.
The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	511,000	511,000
Personal Services	\$38,881,743	\$38,886,536
All Other	\$28,823,162	\$28,823,162
GENERAL FUND TOTAL	\$67,704,905	\$67,709,698

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,500	1,500
Personal Services	\$1,813,311	\$1,826,453
All Other	\$1,090,199	\$1,090,199
FEDERAL EXPENDITURES FUND TOTAL	\$2,903,510	\$2,916,652

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$198,275	\$196,538
All Other	\$3,128,443	\$3,128,443
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,326,718	\$3,324,981

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Court Appointed Special Advocate Regional Coordinator position through June 18, 2011 and transfers All Other to Personal Services in the General Fund to fund 42.5% of the position. This position was previously authorized in Public Law 2007, chapter 240.

GENERAL FUND	2009-10	2010-11
Personal Services	\$36,228	\$36,968
All Other	(\$36,228)	(\$36,968)
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$49,013	\$50,013

OTHER SPECIAL	\$49,013	\$50,013
REVENUE FUNDS TOTAL		

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increases in constitutional and statutorily required indigent legal services costs.

GENERAL FUND	2009-10	2010-11
All Other	\$921,560	\$921,560
GENERAL FUND TOTAL	\$921,560	\$921,560

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increase in lease costs for tenant at will leases.

GENERAL FUND	2009-10	2010-11
All Other	\$21,178	\$22,237
GENERAL FUND TOTAL	\$21,178	\$22,237

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Project Coordinator position through June 18, 2011. The position was previously authorized in Public Law 2007, chapter 240.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$91,485	\$89,793
FEDERAL EXPENDITURES FUND TOTAL	\$91,485	\$89,793

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Administrative Assistant position through June 18, 2011. This position was previously authorized in Public Law 2007, chapter 240.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$71,140	\$72,057
FEDERAL EXPENDITURES FUND TOTAL	\$71,140	\$72,057

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for additional revenue received for the Jail Operations Surcharge Fund pro-

gram and the Maine Civil Legal Services Fund program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$735,555	\$735,555
OTHER SPECIAL REVENUE FUNDS TOTAL	\$735,555	\$735,555

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Project Coordinator position and one limited-period Domestic Violence Operational Specialist position through June 18, 2011. These positions were previously authorized in Public Law 2007, chapter 240.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$157,922	\$155,209
FEDERAL EXPENDITURES FUND TOTAL	\$157,922	\$155,209

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to maintain costs within available resources.

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

Courts - Supreme, Superior and District 0063

Initiative: Provides funding to properly account for the cost of court appointed counsel for indigent legal services. These costs are reimbursed from individuals who are partially indigent.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$363,897	\$363,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,897	\$363,897

Courts - Supreme, Superior and District 0063

Initiative: Provides funding to properly recognize the expenditure of funds for the collection of overdue fines and fees from money collected in accordance with the Maine Revised Statutes, Title 4, section 20.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11

All Other	\$103,084	\$103,084
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$103,084	\$103,084

Courts - Supreme, Superior and District 0063

Initiative: Transfers funding for debt service from the Superior, Supreme, District and Administrative Courts program to the newly established Judicial - Debt Service program. The account in the Judicial - Debt Service program is nonlapsing.

GENERAL FUND	2009-10	2010-11
All Other	(\$4,973,511)	(\$4,933,373)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$4,973,511)	(\$4,933,373)

Courts - Supreme, Superior and District 0063

Initiative: Continues one part-time limited-period Project Coordinator position. The position was established in Public Law 2009, chapter 1 and will end June 18, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$49,339	\$52,303
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$49,339	\$52,303

Courts - Supreme, Superior and District 0063

Initiative: Eliminates 4 Official Court Reporter positions, one part-time Official Court Reporter position and one part-time Court Officer position and transfers the reduced funding from Personal Services to All Other in the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5,000)	(5,000)
Personal Services	(\$394,523)	(\$402,569)
All Other	\$394,523	\$402,569
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Allocates funds to support judicial branch Capital Expenditures.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$300,000	\$300,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,000	\$300,000
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Courts - Supreme, Superior and District 0063

Initiative: Transfers jail operations surcharge funds from the judicial branch to the State Board of Corrections.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$743,991)	(\$743,991)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$743,991)	(\$743,991)

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to reflect savings to the State for the cost of health insurance through a change in the portion of the employee health insurance premium that is paid by the State.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$141,350)	(\$241,780)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$141,350)	(\$241,780)

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to reflect projected savings to the State from an increase in the attrition rate from 1.6% to 5% for fiscal years 2009-10 and 2010-11.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$867,665)	(\$857,115)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$867,665)	(\$857,115)

Courts - Supreme, Superior and District 0063

Initiative: Deappropriates funds from savings from eliminating longevity payments and merit pay increases in the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$634,293)	(\$942,746)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$634,293)	(\$942,746)

COURTS - SUPREME, SUPERIOR AND DISTRICT 0063

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	506.000	506.000
Personal Services	\$36,880,140	\$36,479,294
All Other	\$25,150,684	\$25,199,187
Unallocated	(\$1,000,000)	(\$1,000,000)
GENERAL FUND TOTAL	\$61,030,824	\$60,678,481

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$2,183,197	\$2,195,815
All Other	\$1,090,199	\$1,090,199
FEDERAL EXPENDITURES FUND TOTAL	\$3,273,396	\$3,286,014

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$247,288	\$246,551
All Other	\$3,586,988	\$3,586,988
Capital Expenditures	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,134,276	\$4,133,539

FHM - Judicial Department 0963

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$117,803	\$116,782
All Other	\$2,726	\$2,726
FUND FOR A HEALTHY MAINE TOTAL	\$120,529	\$119,508

FHM - Judicial Department 0963

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$121)	(\$255)

FUND FOR A HEALTHY MAINE TOTAL	(\$121)	(\$255)
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FHM - JUDICIAL DEPARTMENT 0963 PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$117,803	\$116,782
All Other	\$2,605	\$2,471
FUND FOR A HEALTHY MAINE TOTAL	\$120,408	\$119,253

Judicial - Debt Service 9998

Initiative: Transfers funding for debt service from the Superior, Supreme, District and Administrative Courts program to the newly established Judicial - Debt Service program. The account in the Judicial - Debt Service program is nonlapsing.

GENERAL FUND	2009-10	2010-11
All Other	\$4,973,511	\$4,933,373
GENERAL FUND TOTAL	\$4,973,511	\$4,933,373

Judicial - Debt Service 9998

Initiative: Provides funding for the increase in debt service costs for the Bangor courthouse.

GENERAL FUND	2009-10	2010-11
All Other	\$1,511,159	\$1,413,560
GENERAL FUND TOTAL	\$1,511,159	\$1,413,560

Judicial - Debt Service 9998

Initiative: Provides funding for the increase in debt service costs for the Houlton courthouse renovations.

GENERAL FUND	2009-10	2010-11
All Other	\$146,314	\$140,689
GENERAL FUND TOTAL	\$146,314	\$140,689

Judicial - Debt Service 9998

Initiative: Provides funds for the debt service costs associated with a \$67,500,000 increase in the authorization to issue securities to support courthouse con-

struction and renovation costs and for the additional debt service costs for similar securities previously authorized.

GENERAL FUND	2009-10	2010-11
All Other	\$109,375	\$573,824
GENERAL FUND TOTAL	\$109,375	\$573,824

**JUDICIAL - DEBT SERVICE 9998
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
All Other	\$6,740,359	\$7,061,446
GENERAL FUND TOTAL	\$6,740,359	\$7,061,446

**JUDICIAL DEPARTMENT
DEPARTMENT TOTALS**

	2009-10	2010-11
GENERAL FUND	\$67,771,183	\$67,739,927
FEDERAL EXPENDITURES FUND	\$3,273,396	\$3,286,014
FUND FOR A HEALTHY MAINE	\$120,408	\$119,253
OTHER SPECIAL REVENUE FUNDS	\$4,134,276	\$4,133,539
DEPARTMENT TOTAL - ALL FUNDS	\$75,299,263	\$75,278,733

Sec. A-42. Appropriations and allocations.
The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF
Administration - Bureau of Labor Standards 0158**

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$102,810	\$104,401
All Other	\$39,810	\$39,810
GENERAL FUND TOTAL	\$142,620	\$144,211

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Personal Services	\$134,527	\$141,023
All Other	\$229,367	\$229,367

FEDERAL EXPENDITURES FUND TOTAL	\$363,894	\$370,390
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$104,806	\$104,806

OTHER SPECIAL REVENUE FUNDS TOTAL	\$104,806	\$104,806
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ADMINISTRATION - BUREAU OF LABOR STANDARDS 0158

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$102,810	\$104,401
All Other	\$39,810	\$39,810
GENERAL FUND TOTAL	\$142,620	\$144,211

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$134,527	\$141,023
All Other	\$229,367	\$229,367

FEDERAL EXPENDITURES FUND TOTAL	\$363,894	\$370,390
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$104,806	\$104,806

OTHER SPECIAL REVENUE FUNDS TOTAL	\$104,806	\$104,806
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Administration - Labor 0030

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
Personal Services	\$57,132	\$58,276
All Other	\$161,932	\$161,932

GENERAL FUND TOTAL	\$219,064	\$220,208
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13,000	13,000
Personal Services	\$923,340	\$949,841
All Other	\$6,898,303	\$6,898,303
FEDERAL EXPENDITURES FUND TOTAL	\$7,821,643	\$7,848,144

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$48,697	\$49,765
All Other	\$529,544	\$529,544
OTHER SPECIAL REVENUE FUNDS TOTAL	\$578,241	\$579,309

Administration - Labor 0030

Initiative: Transfers funding for information technology expenditures from the Administration - Labor program to the Employment Security Services program.

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

Administration - Labor 0030

Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$23,437	\$39,430
FEDERAL EXPENDITURES FUND TOTAL	\$23,437	\$39,430

Administration - Labor 0030

Initiative: Reallocates a portion of the cost of 2 Public Service Manager II positions, 2 Labor Program Specialist positions, one Principal Economic Research Analyst position, one Planning and Research Assistant position, one Employment and Training Specialist IV

position and one Customer Representative Associate II position between the General Fund, the Federal Expenditures Fund and the Competitive Skills Scholarship Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$17,342)	(\$17,639)
FEDERAL EXPENDITURES FUND TOTAL	(\$17,342)	(\$17,639)

Administration - Labor 0030

Initiative: Eliminates one Inventory and Property Assistant position and one Management Analyst II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$115,110)	(\$121,879)
FEDERAL EXPENDITURES FUND TOTAL	(\$115,110)	(\$121,879)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$1,869)	(\$1,982)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,869)	(\$1,982)

ADMINISTRATION - LABOR 0030 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$57,132	\$58,276
All Other	\$161,932	\$161,932
GENERAL FUND TOTAL	\$219,064	\$220,208
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$790,888	\$810,323
All Other	\$3,921,740	\$3,937,733
FEDERAL EXPENDITURES FUND TOTAL	\$4,712,628	\$4,748,056

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$46,828	\$47,783
All Other	\$529,544	\$529,544
OTHER SPECIAL REVENUE FUNDS TOTAL	\$576,372	\$577,327

Blind and Visually Impaired - Division for the 0126
Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$625,755	\$638,894
All Other	\$2,407,696	\$2,407,696
GENERAL FUND TOTAL	\$3,033,451	\$3,046,590

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	24.500	24.500
Personal Services	\$1,686,389	\$1,738,532
All Other	\$2,135,158	\$2,135,158
FEDERAL EXPENDITURES FUND TOTAL	\$3,821,547	\$3,873,690

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$127,229	\$130,135
All Other	\$98,824	\$98,824
OTHER SPECIAL REVENUE FUNDS TOTAL	\$226,053	\$228,959

Blind and Visually Impaired - Division for the 0126
Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$4,127	\$6,943
FEDERAL EXPENDITURES FUND TOTAL	\$4,127	\$6,943

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,500	\$5,887
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,500	\$5,887

Blind and Visually Impaired - Division for the 0126
Initiative: Reduces funding for vocational rehabilitation services.

GENERAL FUND	2009-10	2010-11
All Other	(\$34,179)	(\$34,830)
GENERAL FUND TOTAL	(\$34,179)	(\$34,830)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$34,173)	(\$102,636)
FEDERAL EXPENDITURES FUND TOTAL	(\$34,173)	(\$102,636)

Blind and Visually Impaired - Division for the 0126
Initiative: Reduces funding for educational services to children who are blind.

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

BLIND AND VISUALLY IMPAIRED - DIVISION FOR THE 0126
PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$625,755	\$638,894
All Other	\$2,273,517	\$2,272,866
GENERAL FUND TOTAL	\$2,899,272	\$2,911,760

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	24.500	24.500
Personal Services	\$1,686,389	\$1,738,532
All Other	\$2,105,112	\$2,039,465

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FEDERAL EXPENDITURES FUND TOTAL	\$3,791,501	\$3,777,997
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$127,229	\$130,135
All Other	\$102,324	\$104,711

OTHER SPECIAL REVENUE FUNDS TOTAL	\$229,553	\$234,846
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Employment Security Services 0245

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	212.000	212.000
POSITIONS - FTE COUNT	1.615	1.615
Personal Services	\$14,107,166	\$14,611,255
All Other	\$13,774,718	\$13,774,718

FEDERAL EXPENDITURES FUND TOTAL	\$27,881,884	\$28,385,973
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$42,012	\$42,862
All Other	\$323,411	\$323,411

OTHER SPECIAL REVENUE FUNDS TOTAL	\$365,423	\$366,273
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EMPLOYMENT SECURITY TRUST FUND	2009-10	2010-11
All Other	\$128,178,880	\$128,178,880

EMPLOYMENT SECURITY TRUST FUND TOTAL	\$128,178,880	\$128,178,880
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Employment Security Services 0245

Initiative: Transfers funding for information technology expenditures from the Administration - Labor program to the Employment Security Services program.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$3,000,000	\$3,000,000

FEDERAL EXPENDITURES FUND TOTAL	\$3,000,000	\$3,000,000
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Employment Security Services 0245

Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$34,769	\$58,495

FEDERAL EXPENDITURES FUND TOTAL	\$34,769	\$58,495
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Employment Security Services 0245

Initiative: Reallocates a portion of the cost of 2 Public Service Manager II positions, 2 Labor Program Specialist positions, one Principal Economic Research Analyst position, one Planning and Research Assistant position, one Employment and Training Specialist IV position and one Customer Representative Associate II position between the General Fund, the Federal Expenditures Fund and the Competitive Skills Scholarship Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$15,151)	(\$15,449)

FEDERAL EXPENDITURES FUND TOTAL	(\$15,151)	(\$15,449)
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Employment Security Services 0245

Initiative: Eliminates one Office Associate I position and one part-time Unemployment Compensation Regional Manager position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)
All Other	(\$93,691)	(\$99,219)

FEDERAL EXPENDITURES FUND TOTAL	(\$93,691)	(\$99,219)
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EMPLOYMENT SECURITY SERVICES 0245 PROGRAM SUMMARY

	2009-10	2010-11		2009-10	2010-11
FEDERAL EXPENDITURES FUND			OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	210.500	210.500	Personal Services	\$24,374	\$25,711
POSITIONS - FTE COUNT	1.615	1.615	All Other	\$488,106	\$488,106
Personal Services	\$14,092,015	\$14,595,806			
All Other	\$16,715,796	\$16,733,994	OTHER SPECIAL REVENUE FUNDS TOTAL	\$512,480	\$513,817
FEDERAL EXPENDITURES FUND TOTAL	\$30,807,811	\$31,329,800	COMPETITIVE SKILLS SCHOLARSHIP FUND	2009-10	2010-11
			Personal Services	\$426,990	\$441,438
			All Other	\$2,562,342	\$2,562,342
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11	COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$2,989,332	\$3,003,780
Personal Services	\$42,012	\$42,862			
All Other	\$323,411	\$323,411			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$365,423	\$366,273	Employment Services Activity 0852		
			Initiative: Reallocates the cost of certain positions to reflect the reorganization of career centers and the participant services delivery system. Positions are on file in the Bureau of the Budget.		
EMPLOYMENT SECURITY TRUST FUND	2009-10	2010-11	FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$128,178,880	\$128,178,880	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$128,178,880	\$128,178,880	Personal Services	\$306,027	\$318,284
			FEDERAL EXPENDITURES FUND TOTAL	\$306,027	\$318,284
Employment Services Activity 0852			COMPETITIVE SKILLS SCHOLARSHIP FUND	2009-10	2010-11
Initiative: BASELINE BUDGET			POSITIONS - LEGISLATIVE COUNT	1.000	1.000
GENERAL FUND	2009-10	2010-11	Personal Services	(\$306,009)	(\$318,275)
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	All Other	\$306,009	\$318,275
Personal Services	\$621,720	\$639,614	COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	\$0
All Other	\$642,595	\$642,595			
GENERAL FUND TOTAL	\$1,264,315	\$1,282,209	Employment Services Activity 0852		
			Initiative: Adjusts funding for anticipated changes in utility costs.		
FEDERAL EXPENDITURES FUND	2009-10	2010-11	FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	136.000	136.000	All Other	\$43,002	\$72,346
Personal Services	\$8,302,435	\$8,581,731			
All Other	\$21,324,113	\$21,324,113			
FEDERAL EXPENDITURES FUND TOTAL	\$29,626,548	\$29,905,844			

FEDERAL EXPENDITURES	\$43,002	\$72,346
FUND TOTAL		

Employment Services Activity 0852

Initiative: Reduces funding for contractual services in the Maine Apprenticeship program and reallocates the cost of one Labor Program Specialist position from 100% Federal Expenditures Fund to 70% Federal Expenditures Fund and 30% General Fund.

GENERAL FUND	2009-10	2010-11
Personal Services	\$25,607	\$26,082
All Other	(\$152,000)	(\$152,000)
GENERAL FUND TOTAL	(\$126,393)	(\$125,918)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$25,607)	(\$26,082)
FEDERAL EXPENDITURES FUND TOTAL	(\$25,607)	(\$26,082)

Employment Services Activity 0852

Initiative: Reallocates a portion of the cost of 2 Public Service Manager II positions, 2 Labor Program Specialist positions, one Principal Economic Research Analyst position, one Planning and Research Assistant position, one Employment and Training Specialist IV position and one Customer Representative Associate II position between the General Fund, the Federal Expenditures Fund and the Competitive Skills Scholarship Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	\$71,166	\$75,187
FEDERAL EXPENDITURES FUND TOTAL	\$71,166	\$75,187

COMPETITIVE SKILLS SCHOLARSHIP FUND	2009-10	2010-11
Personal Services	\$43,356	\$44,099
All Other	(\$43,356)	(\$44,099)
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	\$0

Employment Services Activity 0852

Initiative: Eliminates one Customer Representative Associate I Employment position, one Public Service Manager II position, one Education Specialist III position, one Employment and Training Specialist III position and one Program Manager Employment and Training position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$340,193)	(\$360,180)
FEDERAL EXPENDITURES FUND TOTAL	(\$340,193)	(\$360,180)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$24,374)	(\$25,711)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$24,374)	(\$25,711)

EMPLOYMENT SERVICES ACTIVITY 0852

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$647,327	\$665,696
All Other	\$490,595	\$490,595
GENERAL FUND TOTAL	\$1,137,922	\$1,156,291

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	129.000	129.000
Personal Services	\$8,313,828	\$8,588,940
All Other	\$21,367,115	\$21,396,459
FEDERAL EXPENDITURES FUND TOTAL	\$29,680,943	\$29,985,399

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$0	\$0
All Other	\$488,106	\$488,106

OTHER SPECIAL REVENUE FUNDS TOTAL	\$488,106	\$488,106
COMPETITIVE SKILLS SCHOLARSHIP FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$164,337	\$167,262
All Other	\$2,824,995	\$2,836,518
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$2,989,332	\$3,003,780

Governor's Training Initiative Program 0842

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
Personal Services	\$176,181	\$181,888
All Other	\$1,401,075	\$1,401,075
GENERAL FUND TOTAL	\$1,577,256	\$1,582,963

Governor's Training Initiative Program 0842

Initiative: Reduces funding for training of incumbent workers.

GENERAL FUND	2009-10	2010-11
All Other	(\$75,730)	(\$72,099)
GENERAL FUND TOTAL	(\$75,730)	(\$72,099)

Governor's Training Initiative Program 0842

Initiative: Reallocates a portion of the cost of 2 Public Service Manager II positions, 2 Labor Program Specialist positions, one Principal Economic Research Analyst position, one Planning and Research Assistant position, one Employment and Training Specialist IV position and one Customer Representative Associate II position between the General Fund, the Federal Expenditures Fund and the Competitive Skills Scholarship Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	(\$82,029)	(\$86,198)
GENERAL FUND TOTAL	(\$82,029)	(\$86,198)

Governor's Training Initiative Program 0842

Initiative: Deappropriates funds to offset restoration of funds to the Division for the Blind and Visually Impaired program and the Maine Centers for Women, Work and Community.

GENERAL FUND	2009-10	2010-11
All Other	(\$215,507)	(\$216,164)
GENERAL FUND TOTAL	(\$215,507)	(\$216,164)

Governor's Training Initiative Program 0842

Initiative: Deappropriates funds to offset an appropriation to the Maine Public Employees Retirement System - Subsidized Military Service Credit program to subsidize the purchase of military service credit for 2 members who the Maine Public Employees Retirement System has determined are qualified to purchase military service credit at a subsidized rate pursuant to Public Law 2003, chapter 693 based on the earliest date of retirement eligibility.

GENERAL FUND	2009-10	2010-11
All Other	(\$55,600)	\$0
GENERAL FUND TOTAL	(\$55,600)	\$0

GOVERNOR'S TRAINING INITIATIVE PROGRAM 0842

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,152	\$95,690
All Other	\$1,054,238	\$1,112,812
GENERAL FUND TOTAL	\$1,148,390	\$1,208,502

Labor Relations Board 0160

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$467,879	\$475,726
All Other	\$26,965	\$26,965
GENERAL FUND TOTAL	\$494,844	\$502,691

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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Personal Services	\$60,000	\$60,000
All Other	\$39,906	\$39,906
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$99,906	\$99,906

**LABOR RELATIONS BOARD 0160
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$467,879	\$475,726
All Other	\$26,965	\$26,965
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GENERAL FUND TOTAL	\$494,844	\$502,691

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$60,000	\$60,000
All Other	\$39,906	\$39,906
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$99,906	\$99,906

Maine Centers for Women, Work and Community 0132

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$926,676	\$926,676
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GENERAL FUND TOTAL	\$926,676	\$926,676

Maine Centers for Women, Work and Community 0132

Initiative: Reduces funding for the annual contract to the Maine Centers for Women, Work and Community.

GENERAL FUND	2009-10	2010-11
All Other	(\$46,334)	(\$46,334)
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GENERAL FUND TOTAL	(\$46,334)	(\$46,334)

MAINE CENTERS FOR WOMEN, WORK AND COMMUNITY 0132

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$880,342	\$880,342

GENERAL FUND TOTAL	\$880,342	\$880,342
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Migrant and Immigrant Services 0920

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$359,152	\$373,407
All Other	\$88,772	\$88,772
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FEDERAL EXPENDITURES FUND TOTAL	\$447,924	\$462,179

**MIGRANT AND IMMIGRANT SERVICES 0920
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$359,152	\$373,407
All Other	\$88,772	\$88,772
<hr/>		
FEDERAL EXPENDITURES FUND TOTAL	\$447,924	\$462,179

Regulation and Enforcement 0159

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$600,690	\$620,859
All Other	\$89,656	\$89,656
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GENERAL FUND TOTAL	\$690,346	\$710,515

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$361,509	\$373,263
All Other	\$148,642	\$148,642
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FEDERAL EXPENDITURES FUND TOTAL	\$510,151	\$521,905

REGULATION AND ENFORCEMENT 0159
PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$600,690	\$620,859
All Other	\$89,656	\$89,656
GENERAL FUND TOTAL	\$690,346	\$710,515

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$361,509	\$373,263
All Other	\$148,642	\$148,642
FEDERAL EXPENDITURES FUND TOTAL	\$510,151	\$521,905

Rehabilitation Services 0799
Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18,000	18,000
Personal Services	\$1,140,871	\$1,185,628
All Other	\$3,072,155	\$3,072,155
GENERAL FUND TOTAL	\$4,213,026	\$4,257,783

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	99,000	99,000
Personal Services	\$6,604,802	\$6,823,762
All Other	\$10,777,728	\$10,777,728
FEDERAL EXPENDITURES FUND TOTAL	\$17,382,530	\$17,601,490

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$363,146	\$363,146
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,146	\$363,146

Rehabilitation Services 0799

Initiative: Adjusts funding for anticipated changes in utility costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$13,778	\$23,180
FEDERAL EXPENDITURES FUND TOTAL	\$13,778	\$23,180

Rehabilitation Services 0799

Initiative: Reduces funding for vocational services.

GENERAL FUND	2009-10	2010-11
All Other	(\$389,303)	(\$393,778)
GENERAL FUND TOTAL	(\$389,303)	(\$393,778)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$990,000)	(\$990,000)
FEDERAL EXPENDITURES FUND TOTAL	(\$990,000)	(\$990,000)

Rehabilitation Services 0799

Initiative: Eliminates funding for advocacy services provided by the Brain Injury Association of Maine.

GENERAL FUND	2009-10	2010-11
All Other	(\$27,000)	(\$27,000)
GENERAL FUND TOTAL	(\$27,000)	(\$27,000)

REHABILITATION SERVICES 0799
PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	18,000	18,000
Personal Services	\$1,140,871	\$1,185,628
All Other	\$2,655,852	\$2,651,377
GENERAL FUND TOTAL	\$3,796,723	\$3,837,005

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	99,000	99,000
Personal Services	\$6,604,802	\$6,823,762
All Other	\$9,801,506	\$9,810,908

FEDERAL EXPENDITURES FUND TOTAL	\$16,406,308	\$16,634,670
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$1,988,303	\$2,045,983
All Other	\$1,336,668	\$1,336,668
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,324,971	\$3,382,651

Safety Education and Training Programs 0161

Initiative: Adjusts funding for anticipated changes in utility costs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,495	\$9,243
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,495	\$9,243

Safety Education and Training Programs 0161

Initiative: Transfers funding from the Safety Education and Training Programs in the Department of Labor to the Maine Center for Disease Control and Prevention program in the Department of Health and Human Services for costs associated with a memorandum of understanding.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$203,273)	(\$209,245)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$203,273)	(\$209,245)

SAFETY EDUCATION AND TRAINING PROGRAMS 0161

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$1,988,303	\$2,045,983
All Other	\$1,138,890	\$1,136,666
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,127,193	\$3,182,649

LABOR, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$11,409,523	\$11,571,525
FEDERAL EXPENDITURES FUND	\$86,721,160	\$87,830,396
OTHER SPECIAL REVENUE FUNDS	\$5,354,505	\$5,417,059
EMPLOYMENT SECURITY TRUST FUND	\$128,178,880	\$128,178,880
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$2,989,332	\$3,003,780
DEPARTMENT TOTAL - ALL FUNDS	\$234,653,400	\$236,001,640

Sec. A-43. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,212,261	\$1,254,138
All Other	\$356,757	\$356,757
GENERAL FUND TOTAL	\$1,569,018	\$1,610,895

Law and Legislative Reference Library 0636

Initiative: Deappropriates funds based on estimated savings from requiring state employees to pay a portion of their health insurance.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$4,635)	(\$7,514)
GENERAL FUND TOTAL	(\$4,635)	(\$7,514)

LAW AND LEGISLATIVE REFERENCE LIBRARY 0636

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,207,626	\$1,246,624
All Other	\$356,757	\$356,757
GENERAL FUND TOTAL	\$1,564,383	\$1,603,381

LAW AND LEGISLATIVE REFERENCE LIBRARY

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$1,564,383	\$1,603,381
DEPARTMENT TOTAL - ALL FUNDS	\$1,564,383	\$1,603,381

Sec. A-44. Appropriations and allocations.

The following appropriations and allocations are made.

LEGISLATURE

Interstate Cooperation - Commission on 0053

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$218,998	\$218,998
GENERAL FUND TOTAL	\$218,998	\$218,998

Interstate Cooperation - Commission on 0053

Initiative: Increases funding to reflect the projected increases in dues to the Council of State Governments.

GENERAL FUND	2009-10	2010-11
All Other	\$3,432	\$7,002
GENERAL FUND TOTAL	\$3,432	\$7,002

Interstate Cooperation - Commission on 0053

Initiative: Increases funding to reflect the projected increases in dues to the National Conference of State Legislatures.

GENERAL FUND	2009-10	2010-11
All Other	\$4,385	\$9,057
GENERAL FUND TOTAL	\$4,385	\$9,057

Interstate Cooperation - Commission on 0053

Initiative: Reduces funding to reflect the elimination of dues to the Council of State Governments - Eastern Trade Council.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,500)	(\$5,500)
GENERAL FUND TOTAL	(\$5,500)	(\$5,500)

Interstate Cooperation - Commission on 0053

Initiative: Reduces funding to reflect the elimination of dues to the Council of State Governments - Northeast States Association for Agricultural Stewardship.

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

INTERSTATE COOPERATION - COMMISSION ON 0053

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$211,315	\$219,557
GENERAL FUND TOTAL	\$211,315	\$219,557

Legislature 0081

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	146.500	146.500
POSITIONS - FTE COUNT	37.373	37.373
Personal Services	\$20,389,827	\$22,088,193
All Other	\$4,825,342	\$4,825,342
GENERAL FUND TOTAL	\$25,215,169	\$26,913,535

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,980	\$1,320
All Other	\$62,400	\$62,400
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$64,380	\$63,720

Legislature 0081

Initiative: Adjusts funding to reflect operational needs and the difference in costs between the first and second regular sessions of the Legislature.

GENERAL FUND	2009-10	2010-11
All Other	(\$389,104)	\$149,031
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$389,104)	\$149,031

Legislature 0081

Initiative: Adjusts funding in fiscal years 2009-10 and 2010-11 to reflect the anticipated costs of compensating legislative members of 2 ongoing councils.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$60,525)	(\$61,150)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$60,525)	(\$61,150)

Legislature 0081

Initiative: Reduces funding to reflect a decrease in funding for the Legislative Youth Advisory Council.

GENERAL FUND	2009-10	2010-11
All Other	(\$9,920)	(\$9,920)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$9,920)	(\$9,920)

Legislature 0081

Initiative: Reduces funding to reflect a decrease in funding for the Citizen Trade Policy Commission.

GENERAL FUND	2009-10	2010-11
All Other	(\$30,000)	(\$30,000)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$30,000)	(\$30,000)

Legislature 0081

Initiative: Reduces funding budgeted for Welcome Back Day in fiscal year 2010-11.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$2,500)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	(\$2,500)

Legislature 0081

Initiative: Reduces funding to reflect the elimination of funding for the Percent for Art Program's artists' stipend.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,500)	(\$1,500)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,500)	(\$1,500)

Legislature 0081

Initiative: Reduces funding to reflect a decrease in funding for the Right to Know Advisory Committee.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,200)	(\$1,200)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,200)	(\$1,200)

Legislature 0081

Initiative: Reduces funding for the purchase of personal computers.

GENERAL FUND	2009-10	2010-11
All Other	(\$6,000)	(\$6,000)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$6,000)	(\$6,000)

Legislature 0081

Initiative: Reduces funding for mailing costs by having vendor payments directly mailed.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,300)	(\$1,300)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,300)	(\$1,300)

Legislature 0081

Initiative: Reduces funding to reflect a 2-week reduction in the number of weeks budgeted for session positions.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$71,532)	(\$75,042)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$71,532)	(\$75,042)

Legislature 0081

Initiative: Reduces funding to fund legal services for the Senate to \$15,000 per year.

GENERAL FUND	2009-10	2010-11
All Other	(\$17,500)	(\$17,500)
GENERAL FUND TOTAL	(\$17,500)	(\$17,500)

Legislature 0081

Initiative: Reduces funding to fund legal services for the House of Representatives to \$15,000 per year.

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

Legislature 0081

Initiative: Deappropriates funds based on estimated savings from requiring state employees to pay a portion of their health insurance.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$62,894)	(\$126,275)
GENERAL FUND TOTAL	(\$62,894)	(\$126,275)

LEGISLATURE 0081

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	146.500	146.500
POSITIONS - FTE COUNT	37.373	37.373
Personal Services	\$20,255,401	\$21,886,876
All Other	\$4,363,818	\$4,899,453
GENERAL FUND TOTAL	\$24,619,219	\$26,786,329

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
Personal Services	\$1,980	\$1,320
All Other	\$1,875	\$1,250
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,855	\$2,570

State House and Capitol Park Commission 0615

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$67,834	\$67,834
GENERAL FUND TOTAL	\$67,834	\$67,834

STATE HOUSE AND CAPITOL PARK COMMISSION 0615

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$67,834	\$67,834
GENERAL FUND TOTAL	\$67,834	\$67,834

Study Commissions - Funding 0444

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
Personal Services	\$7,450	\$7,450
All Other	\$12,550	\$12,550
GENERAL FUND TOTAL	\$20,000	\$20,000

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$2,950	\$2,950
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,950	\$2,950

Study Commissions - Funding 0444

Initiative: Adjusts funding to reflect studies that were funded and authorized for fiscal year 2008-09 only.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$2,950)	(\$2,950)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,950)	(\$2,950)

Study Commissions - Funding 0444

Initiative: Reduces funding to reflect a 50% decrease in funding for legislative studies.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$3,725)	(\$3,725)
All Other	(\$6,275)	(\$6,275)

GENERAL FUND TOTAL	(\$10,000)	(\$10,000)
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**STUDY COMMISSIONS - FUNDING 0444
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
Personal Services	\$3,725	\$3,725
All Other	\$6,275	\$6,275

GENERAL FUND TOTAL	\$10,000	\$10,000
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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Uniform State Laws - Commission on 0242

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$12,000	\$12,000

GENERAL FUND TOTAL	\$12,000	\$12,000
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Uniform State Laws - Commission on 0242

Initiative: Eliminates funding for the Commission on Uniform State Laws.

GENERAL FUND	2009-10	2010-11
All Other	(\$12,000)	(\$12,000)

GENERAL FUND TOTAL	(\$12,000)	(\$12,000)
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UNIFORM STATE LAWS - COMMISSION ON 0242

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0
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LEGISLATURE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$24,908,368	\$27,083,720

OTHER SPECIAL REVENUE FUNDS	\$3,855	\$2,570
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DEPARTMENT TOTAL - ALL FUNDS	\$24,912,223	\$27,086,290
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Sec. A-45. Appropriations and allocations.
The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Administration - Library 0215

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	1.000	1.000
Personal Services	\$140,571	\$142,783
All Other	\$177,474	\$177,474

GENERAL FUND TOTAL	\$318,045	\$320,257
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Administration - Library 0215

Initiative: Adjusts funding for the Maine State Library for service center costs to allocate funds to reflect actual costs for the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum.

GENERAL FUND	2009-10	2010-11
All Other	(\$79,435)	(\$79,435)

GENERAL FUND TOTAL	(\$79,435)	(\$79,435)
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ADMINISTRATION - LIBRARY 0215

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	1.000	1.000
Personal Services	\$140,571	\$142,783
All Other	\$98,039	\$98,039

GENERAL FUND TOTAL	\$238,610	\$240,822
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Library Special Acquisitions Fund 0260

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$475	\$475

GENERAL FUND TOTAL	\$475	\$475
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**LIBRARY SPECIAL ACQUISITIONS FUND
0260**

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$475	\$475
GENERAL FUND TOTAL	\$475	\$475

Maine State Library 0217

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	37,000	37,000
Personal Services	\$2,221,856	\$2,299,205
All Other	\$973,056	\$973,056
GENERAL FUND TOTAL	\$3,194,912	\$3,272,261

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13,000	13,000
Personal Services	\$766,968	\$798,463
All Other	\$592,671	\$592,671
FEDERAL EXPENDITURES FUND TOTAL	\$1,359,639	\$1,391,134

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$468,072	\$468,072
OTHER SPECIAL REVENUE FUNDS TOTAL	\$468,072	\$468,072

Maine State Library 0217

Initiative: Reduces funding for reduced technology costs due to the consolidation of 2 staff members transferred to the Office of Information Technology.

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

Maine State Library 0217

Initiative: Eliminates 2 Customer Representative Assistant II positions.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$88,806)	(\$94,101)
GENERAL FUND TOTAL	(\$88,806)	(\$94,101)

Maine State Library 0217

Initiative: Eliminates one Librarian Section Supervisor position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$72,713)	(\$76,841)
GENERAL FUND TOTAL	(\$72,713)	(\$76,841)

Maine State Library 0217

Initiative: Eliminates one part-time Librarian II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0,500)	(0,500)
Personal Services	(\$22,074)	(\$22,203)
GENERAL FUND TOTAL	(\$22,074)	(\$22,203)

Maine State Library 0217

Initiative: Eliminates one Statistician I position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$63,090)	(\$64,591)
GENERAL FUND TOTAL	(\$63,090)	(\$64,591)

Maine State Library 0217

Initiative: Reduces funding by eliminating reference book subscriptions, magazine and journal subscriptions, multivolume handbooks and encyclopedias on various subjects.

GENERAL FUND	2009-10	2010-11
All Other	(\$32,000)	(\$32,000)

GENERAL FUND TOTAL	(\$32,000)	(\$32,000)
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Maine State Library 0217

Initiative: Reduces funding for the book collection.

GENERAL FUND	2009-10	2010-11
All Other	(\$45,160)	(\$42,063)

GENERAL FUND TOTAL	(\$45,160)	(\$42,063)
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MAINE STATE LIBRARY 0217

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	32.500	32.500
Personal Services	\$1,975,173	\$2,041,469
All Other	\$845,896	\$848,993

GENERAL FUND TOTAL	\$2,821,069	\$2,890,462
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$766,968	\$798,463
All Other	\$592,671	\$592,671

FEDERAL EXPENDITURES FUND TOTAL	\$1,359,639	\$1,391,134
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$468,072	\$468,072

OTHER SPECIAL REVENUE FUNDS TOTAL	\$468,072	\$468,072
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Statewide Library Information System 0185

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$225,000	\$225,000

GENERAL FUND TOTAL	\$225,000	\$225,000
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STATEWIDE LIBRARY INFORMATION SYSTEM 0185

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$225,000	\$225,000

GENERAL FUND TOTAL	\$225,000	\$225,000
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LIBRARY, MAINE STATE DEPARTMENT TOTALS

	2009-10	2010-11
GENERAL FUND	\$3,285,154	\$3,356,759
FEDERAL EXPENDITURES FUND	\$1,359,639	\$1,391,134
OTHER SPECIAL REVENUE FUNDS	\$468,072	\$468,072

DEPARTMENT TOTAL - ALL FUNDS	\$5,112,865	\$5,215,965
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Sec. A-46. 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	2009-10	2010-11
All Other	\$86,539	\$86,539

OTHER SPECIAL REVENUE FUNDS TOTAL	\$86,539	\$86,539
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WATER SYSTEM OPERATORS - BOARD OF LICENSURE 0104

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$86,539	\$86,539

OTHER SPECIAL REVENUE FUNDS TOTAL	\$86,539	\$86,539
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Sec. A-47. Appropriations and allocations.
The following appropriations and allocations are made.

LOBSTER PROMOTION COUNCIL

Lobster Promotion Fund 0701

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$436,000	\$436,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$436,000	\$436,000

LOBSTER PROMOTION FUND 0701 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$436,000	\$436,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$436,000	\$436,000

Sec. A-48. Appropriations and allocations.
The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management 0027

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	27.500	27.500
POSITIONS - FTE COUNT	3.500	3.500
Personal Services	\$2,591,252	\$2,665,582
All Other	\$959,690	\$959,690
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$3,550,942	\$3,625,272

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.500	17.500
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$908,363	\$934,078
All Other	\$486,283	\$486,283
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$1,394,646	\$1,420,361

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.000	17.000

POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$1,438,391	\$1,484,396
All Other	\$962,038	\$962,038
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,400,429	\$2,446,434

Bureau of Resource Management 0027

Initiative: Transfers one part-time Secretary position from the Sea Run Fisheries and Habitat program to the Bureau of Resource Management program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$23,705	\$25,061
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$23,705	\$25,061

Bureau of Resource Management 0027

Initiative: Transfers one Office Associate II position from the Bureau of Resource Management program to the Sea Run Fisheries and Habitat program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$51,552)	(\$54,565)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$51,552)	(\$54,565)

Bureau of Resource Management 0027

Initiative: Eliminates 2 26-week seasonal Conservation Aide positions and reorganizes 2 26-week seasonal Conservation Aide positions to 2 Marine Resource Technician positions and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	(2.000)	(2.000)
Personal Services	\$1,846	\$3,120
All Other	(\$1,846)	(\$3,120)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

Bureau of Resource Management 0027

Initiative: Reduces funding to align allocation with current revenue.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$24,160)	(\$25,868)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$24,160)	(\$25,868)

Bureau of Resource Management 0027

Initiative: Provides funding to award lobster research, education and development contracts as approved by the research, education and development board.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$196,384	\$196,384
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$196,384	\$196,384

Bureau of Resource Management 0027

Initiative: Reduces funding for the Aquaculture Monitoring, Research and Development Fund.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$19,413)	(\$19,413)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$19,413)	(\$19,413)

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 11, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$724,540	\$757,430
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$724,540	\$757,430

Bureau of Resource Management 0027

Initiative: Provides funding for one Marine Resource Scientist III position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,352	\$88,354
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$83,352	\$88,354

Bureau of Resource Management 0027

Initiative: Provides funding for one Marine Resource Scientist I position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$71,746	\$75,875
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$71,746	\$75,875

Bureau of Resource Management 0027

Initiative: Provides funding for All Other costs related to one Marine Resource Scientist III position and 2 Marine Resource Scientist I positions.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$43,156	\$43,195
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$43,156	\$43,195

Bureau of Resource Management 0027

Initiative: Provides funding for one Marine Resource Scientist I position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$71,746	\$71,746
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$71,746	\$71,746

Bureau of Resource Management 0027

Initiative: Provides funding for overtime within the growing area classification program within the public health division.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$20,000	\$20,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$20,000

BUREAU OF RESOURCE MANAGEMENT 0027 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	29.000	29.000
POSITIONS - FTE COUNT	1.500	1.500
Personal Services	\$2,565,251	\$2,639,198
All Other	\$957,844	\$956,570
GENERAL FUND TOTAL	\$3,523,095	\$3,595,768

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	17.500	17.500
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$1,632,903	\$1,691,508
All Other	\$486,283	\$486,283
FEDERAL EXPENDITURES FUND TOTAL	\$2,119,186	\$2,177,791

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$1,685,235	\$1,740,371
All Other	\$1,158,005	\$1,156,336
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,843,240	\$2,896,707

Division of Administrative Services 0258

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$696,492	\$709,077
All Other	\$1,094,550	\$1,094,550
GENERAL FUND TOTAL	\$1,791,042	\$1,803,627

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,377	\$78,398
FEDERAL EXPENDITURES FUND TOTAL	\$76,377	\$78,398

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$538,715	\$554,995
All Other	\$543,146	\$543,146
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,081,861	\$1,098,141

Division of Administrative Services 0258

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$35,323	\$35,323
GENERAL FUND TOTAL	\$35,323	\$35,323

Division of Administrative Services 0258

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for direct-billed resources (staffing) based on collective bargaining agreements.

GENERAL FUND	2009-10	2010-11
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All Other	\$17,450	\$17,450
GENERAL FUND TOTAL	\$17,450	\$17,450

Division of Administrative Services 0258

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

GENERAL FUND	2009-10	2010-11
All Other	\$14,432	\$14,432
GENERAL FUND TOTAL	\$14,432	\$14,432

Division of Administrative Services 0258

Initiative: Adjusts funding for the cost of radio support services to be provided by the Office of Information Technology.

GENERAL FUND	2009-10	2010-11
All Other	\$44,334	\$44,334
GENERAL FUND TOTAL	\$44,334	\$44,334

Division of Administrative Services 0258

Initiative: Reduces funding for support services from the Natural Resources Service Center for fiscal years 2009-10 and 2010-11.

GENERAL FUND	2009-10	2010-11
All Other	(\$23,196)	(\$15,930)
GENERAL FUND TOTAL	(\$23,196)	(\$15,930)

Division of Administrative Services 0258

Initiative: Continues one limited-period Office Associate II position originally established by financial order. The position will end on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$55,409	\$58,654
OTHER SPECIAL REVENUE FUNDS TOTAL	\$55,409	\$58,654

Division of Administrative Services 0258

Initiative: Reorganizes one Resource Administrator position to one Public Service Coordinator I position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,850	\$2,850
All Other	(\$2,850)	(\$2,850)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Division of Administrative Services 0258

Initiative: Transfers funding for technology from the Sea Run Fisheries and Habitat program to the Division of Administrative Services program.

GENERAL FUND	2009-10	2010-11
All Other	\$32,799	\$32,799
GENERAL FUND TOTAL	\$32,799	\$32,799

Division of Administrative Services 0258

Initiative: Provides funding for subscription services provided by the Office of Information Technology for the Bureau of Sea Run Fisheries computer replacement needs.

GENERAL FUND	2009-10	2010-11
All Other	\$3,960	\$3,960
GENERAL FUND TOTAL	\$3,960	\$3,960

Division of Administrative Services 0258

Initiative: Reallocates the cost of one Office Associate II position from 100% General Fund to 50% General Fund and 50% Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$30,710)	(\$31,591)
GENERAL FUND TOTAL	(\$30,710)	(\$31,591)

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$30,710	\$31,591
All Other	\$1,187	\$1,221
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,897	\$32,812

Division of Administrative Services 0258

Initiative: Transfers one Planning and Research Associate I position from the Division of Community Re-

source Development program, General Fund to the Division of Administrative Services program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,464	\$67,606
All Other	\$4,834	\$4,879
OTHER SPECIAL REVENUE FUNDS TOTAL	\$71,298	\$72,485

DIVISION OF ADMINISTRATIVE SERVICES 0258

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$665,782	\$677,486
All Other	\$1,219,652	\$1,226,918
GENERAL FUND TOTAL	\$1,885,434	\$1,904,404

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,377	\$78,398
FEDERAL EXPENDITURES FUND TOTAL	\$76,377	\$78,398

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$694,148	\$715,696
All Other	\$546,317	\$546,396
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,240,465	\$1,262,092

Division of Community Resource Development 0043

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$301,850	\$315,473
All Other	\$27,985	\$27,985
GENERAL FUND TOTAL	\$329,835	\$343,458
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$319,767	\$331,463
All Other	\$44,173	\$44,173
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,940	\$375,636

Division of Community Resource Development 0043

Initiative: Eliminates one Marine Resource Scientist II position and reduces funding for associated All Other costs in Other Special Revenue Funds and transfers one Marine Resource Scientist III position from the General Fund to Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$88,097)	(\$93,039)
All Other	(\$4,909)	(\$4,909)
GENERAL FUND TOTAL	(\$93,006)	(\$97,948)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$3,297	\$6,945
All Other	\$121	\$255
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,418	\$7,200

Division of Community Resource Development 0043

Initiative: Transfers one Planning and Research Associate I position from the Division of Community Resource Development program, General Fund to the Division of Administrative Services program, Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)

Personal Services	(\$66,464)	(\$67,606)
GENERAL FUND TOTAL	(\$66,464)	(\$67,606)

DIVISION OF COMMUNITY RESOURCE DEVELOPMENT 0043

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$147,289	\$154,828
All Other	\$23,076	\$23,076
GENERAL FUND TOTAL	\$170,365	\$177,904

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$323,064	\$338,408
All Other	\$44,294	\$44,428

OTHER SPECIAL REVENUE FUNDS TOTAL	\$367,358	\$382,836
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Marine Patrol - Bureau of 0029

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	41.000	41.000
Personal Services	\$3,772,001	\$3,858,253
All Other	\$520,534	\$520,534
GENERAL FUND TOTAL	\$4,292,535	\$4,378,787

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$555,628	\$577,823
All Other	\$221,775	\$221,775

FEDERAL EXPENDITURES FUND TOTAL	\$777,403	\$799,598
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$768,111	\$795,500
All Other	\$795,549	\$795,549

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,563,660	\$1,591,049
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Marine Patrol - Bureau of 0029

Initiative: Reduces funding to align allocation with current revenue.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$31,502)	(\$31,502)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$31,502)	(\$31,502)
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Marine Patrol - Bureau of 0029

Initiative: Continues one limited-period Office Associate II position originally established in Public Law 2007, chapter 240. The position will end on June 11, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$65,320	\$66,775

FEDERAL EXPENDITURES FUND TOTAL	\$65,320	\$66,775
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MARINE PATROL - BUREAU OF 0029

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	41.000	41.000
Personal Services	\$3,772,001	\$3,858,253
All Other	\$520,534	\$520,534

GENERAL FUND TOTAL	\$4,292,535	\$4,378,787
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$620,948	\$644,598
All Other	\$221,775	\$221,775

FEDERAL EXPENDITURES FUND TOTAL	\$842,723	\$866,373
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$768,111	\$795,500
All Other	\$764,047	\$764,047
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,532,158	\$1,559,547

Sea Run Fisheries and Habitat Z049

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.500	6.500
Personal Services	\$569,982	\$584,734
All Other	\$137,992	\$137,992
GENERAL FUND TOTAL	\$707,974	\$722,726

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
POSITIONS - FTE COUNT	4.250	4.250
Personal Services	\$1,110,897	\$1,147,412
All Other	\$300,149	\$300,149

FEDERAL EXPENDITURES FUND TOTAL	\$1,411,046	\$1,447,561
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	2.250	2.250
Personal Services	\$415,477	\$428,100
All Other	\$292,597	\$292,597

OTHER SPECIAL REVENUE FUNDS TOTAL	\$708,074	\$720,697
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Sea Run Fisheries and Habitat Z049

Initiative: Transfers one part-time Secretary position from the Sea Run Fisheries and Habitat program to the Bureau of Resource Management program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$23,705)	(\$25,061)
GENERAL FUND TOTAL	(\$23,705)	(\$25,061)

Sea Run Fisheries and Habitat Z049

Initiative: Transfers one Office Associate II position from the Bureau of Resource Management program to the Sea Run Fisheries and Habitat program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,552	\$54,565
GENERAL FUND TOTAL	\$51,552	\$54,565

Sea Run Fisheries and Habitat Z049

Initiative: Continues one limited-period Biologist II position originally established in Public Law 2007, chapter 240. The position will end on June 11, 2011.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$96,279	\$98,058
FEDERAL EXPENDITURES FUND TOTAL	\$96,279	\$98,058

Sea Run Fisheries and Habitat Z049

Initiative: Transfers funding for technology from the Sea Run Fisheries and Habitat program to the Division of Administrative Services program.

GENERAL FUND	2009-10	2010-11
All Other	(\$32,799)	(\$32,799)
GENERAL FUND TOTAL	(\$32,799)	(\$32,799)

Sea Run Fisheries and Habitat Z049

Initiative: Eliminates one Biology Specialist position and reallocates the cost of one Biologist III position from 100% General Fund to 72% General Fund and 28% Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$98,902)	(\$102,794)
GENERAL FUND TOTAL	(\$98,902)	(\$102,794)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$27,216	\$28,109
FEDERAL EXPENDITURES FUND TOTAL	\$27,216	\$28,109

SEA RUN FISHERIES AND HABITAT Z049 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$498,927	\$511,444
All Other	\$105,193	\$105,193
GENERAL FUND TOTAL	\$604,120	\$616,637
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
POSITIONS - FTE COUNT	4.250	4.250
Personal Services	\$1,234,392	\$1,273,579
All Other	\$300,149	\$300,149
FEDERAL EXPENDITURES FUND TOTAL	\$1,534,541	\$1,573,728
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	2.250	2.250
Personal Services	\$415,477	\$428,100
All Other	\$292,597	\$292,597
OTHER SPECIAL REVENUE FUNDS TOTAL	\$708,074	\$720,697

MARINE RESOURCES, DEPARTMENT OF	2009-10	2010-11
DEPARTMENT TOTALS		
GENERAL FUND	\$10,475,549	\$10,673,500
FEDERAL EXPENDITURES FUND	\$4,572,827	\$4,696,290
OTHER SPECIAL REVENUE FUNDS	\$6,691,295	\$6,821,879
DEPARTMENT TOTAL - ALL FUNDS	\$21,739,671	\$22,191,669

Sec. A-49. Appropriations and allocations.
The following appropriations and allocations are made.

MARITIME ACADEMY, MAINE

Maritime Academy - Operations 0035

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$8,854,314	\$8,854,314
GENERAL FUND TOTAL	\$8,854,314	\$8,854,314

Maritime Academy - Operations 0035

Initiative: Reduces funding to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$242,608)	(\$242,608)
GENERAL FUND TOTAL	(\$242,608)	(\$242,608)

Maritime Academy - Operations 0035

Initiative: Provides for one-time reductions in only fiscal years 2009-10 and 2010-11 to maintain costs within available resources due to the May 1, 2009 downward revenue reprojected.

GENERAL FUND	2009-10	2010-11
All Other	(\$144,278)	(\$144,278)
GENERAL FUND TOTAL	(\$144,278)	(\$144,278)

Maritime Academy - Operations 0035

Initiative: Provides funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$414,964	\$414,964
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$414,964	\$414,964

MARITIME ACADEMY - OPERATIONS 0035 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$8,467,428	\$8,467,428
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$8,467,428	\$8,467,428

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$414,964	\$414,964
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$414,964	\$414,964

MARITIME ACADEMY, MAINE DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$8,467,428	\$8,467,428
FEDERAL EXPENDITURES FUND ARRA	\$414,964	\$414,964
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$8,882,392	\$8,882,392

Sec. A-50. 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	2009-10	2010-11
All Other	\$79,920	\$79,920
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$79,920	\$79,920

Maine Municipal Bond Bank - Maine Rural Water Association 0699

Initiative: Reduces funding for grants that support technical assistance and training provided to small communities and businesses.

GENERAL FUND	2009-10	2010-11
All Other	(\$7,992)	(\$7,992)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$7,992)	(\$7,992)

MAINE MUNICIPAL BOND BANK - MAINE RURAL WATER ASSOCIATION 0699 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$71,928	\$71,928
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$71,928	\$71,928

MUNICIPAL BOND BANK, MAINE DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$71,928	\$71,928
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$71,928	\$71,928

Sec. A-51. Appropriations and allocations.
The following appropriations and allocations are made.

MUSEUM, MAINE STATE

Maine State Museum 0180

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	0.318	0.318
Personal Services	\$1,528,216	\$1,571,844
All Other	\$192,768	\$192,768
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,720,984	\$1,764,612

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

POSITIONS - FTE	0.839	0.839
COUNT		
Personal Services	\$73,153	\$76,431
All Other	\$78,937	\$78,937
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$152,090	\$155,368

Maine State Museum 0180

Initiative: Adjusts funding for the Maine State Library for service center costs to allocate funds to reflect actual costs for the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum.

GENERAL FUND	2009-10	2010-11
All Other	\$21,303	\$21,303
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$21,303	\$21,303

Maine State Museum 0180

Initiative: Eliminates 2 seasonal part-time Museum Technician I positions.

GENERAL FUND	2009-10	2010-11
POSITIONS - FTE	(0.318)	(0.318)
COUNT		
Personal Services	(\$14,880)	(\$15,137)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$14,880)	(\$15,137)

Maine State Museum 0180

Initiative: Eliminates one part-time Office Associate II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$28,567)	(\$29,300)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$28,567)	(\$29,300)

Maine State Museum 0180

Initiative: Eliminates one part-time Museum Technician I position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$27,252)	(\$27,745)

GENERAL FUND TOTAL	<hr/>	<hr/>
	(\$27,252)	(\$27,745)

Maine State Museum 0180

Initiative: Eliminates 2 part-time Museum Technician I positions.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$48,415)	(\$50,403)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$48,415)	(\$50,403)

Maine State Museum 0180

Initiative: Reduces funding for position elimination, related All Other costs and the purchase of exhibit maintenance, construction and office supplies.

GENERAL FUND	2009-10	2010-11
All Other	(\$9,739)	(\$9,966)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$9,739)	(\$9,966)

Maine State Museum 0180

Initiative: Deappropriates funds to reflect a voluntary 20% reduction in hours within the Voluntary Cost Savings Program for the Director (Public Service Executive III) position, for the 2010-2011 biennium only, to offset the restoration of the Museum Specialist III position to 80 hours biweekly.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$24,622)	(\$24,871)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$24,622)	(\$24,871)

Maine State Museum 0180

Initiative: Deappropriates funds to reflect a voluntary 20% reduction in hours within the Voluntary Cost Savings Program for the Assistant Director (Public Service Manager II) position, for the 2010-2011 biennium only, to offset the restoration of the Museum Specialist III position to 80 hours biweekly.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$18,576)	(\$18,769)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$18,576)	(\$18,769)

MAINE STATE MUSEUM 0180 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$1,365,904	\$1,405,619
All Other	\$204,332	\$204,105
GENERAL FUND TOTAL	\$1,570,236	\$1,609,724

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.839	0.839
Personal Services	\$73,153	\$76,431
All Other	\$78,937	\$78,937
OTHER SPECIAL REVENUE FUNDS TOTAL	\$152,090	\$155,368

Research and Collection - Museum 0174

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$63,238	\$63,238
OTHER SPECIAL REVENUE FUNDS TOTAL	\$63,238	\$63,238

Research and Collection - Museum 0174

Initiative: Provides funding for consultants and supplies associated with museum exhibit and education program development projects. The funds will come in the form of private donations to the museum.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000
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RESEARCH AND COLLECTION - MUSEUM 0174

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$163,238	\$163,238
OTHER SPECIAL REVENUE FUNDS TOTAL	\$163,238	\$163,238

MUSEUM, MAINE STATE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$1,570,236	\$1,609,724
FEDERAL EXPENDITURES FUND	\$130,606	\$130,606
OTHER SPECIAL REVENUE FUNDS	\$315,328	\$318,606
DEPARTMENT TOTAL - ALL FUNDS	\$2,016,170	\$2,058,936

Sec. A-52. 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	2009-10	2010-11
All Other	\$9,165	\$9,165
GENERAL FUND TOTAL	\$9,165	\$9,165

Maine Joint Environmental Training Coordinating Committee 0980

Initiative: Reduces funding in the Maine Joint Environmental Training Coordinating Committee program to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$917)	(\$917)
GENERAL FUND TOTAL	(\$917)	(\$917)

MAINE JOINT ENVIRONMENTAL TRAINING COORDINATING COMMITTEE 0980

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$8,248	\$8,248
GENERAL FUND TOTAL	\$8,248	\$8,248

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$8,248	\$8,248
DEPARTMENT TOTAL - ALL FUNDS	\$8,248	\$8,248

Sec. A-53. Appropriations and allocations.
The following appropriations and allocations are made.

PINE TREE LEGAL ASSISTANCE

Legal Assistance 0553

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$293,717	\$293,717
GENERAL FUND TOTAL	\$293,717	\$293,717

Legal Assistance 0553

Initiative: Reduces funding for civil legal services to low-income Maine residents.

GENERAL FUND	2009-10	2010-11
All Other	(\$29,372)	(\$29,372)
GENERAL FUND TOTAL	(\$29,372)	(\$29,372)

LEGAL ASSISTANCE 0553

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$264,345	\$264,345
GENERAL FUND TOTAL	\$264,345	\$264,345

PINE TREE LEGAL ASSISTANCE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$264,345	\$264,345
DEPARTMENT TOTAL - ALL FUNDS	\$264,345	\$264,345

Sec. A-54. Appropriations and allocations.
The following appropriations and allocations are made.

POTATO BOARD, MAINE

Potato Board 0429

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,417,526	\$1,417,526
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,417,526	\$1,417,526

POTATO BOARD 0429

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,417,526	\$1,417,526
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,417,526	\$1,417,526

Sec. A-55. 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	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$364,226	\$377,373
All Other	\$2,352,678	\$2,352,678
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,716,904	\$2,730,051

Administrative Services - Professional and Financial Regulation 0094

Initiative: Transfers one Office Assistant II position from the Licensing and Enforcement program to the Administrative Services - Professional and Financial Regulation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$48,783	\$51,698
All Other	\$150	\$159
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,933	\$51,857

Administrative Services - Professional and Financial Regulation 0094

Initiative: Adjusts funding for STA-CAP charges due to rate changes.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,628	\$2,669
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,628	\$2,669

Administrative Services - Professional and Financial Regulation 0094

Initiative: Reorganizes one Office Assistant II position from 42 hours biweekly to an Office Associate II Supervisor position 80 hours biweekly and transfers the position from the Licensing and Enforcement program to the Administrative Services - Professional and Financial Regulation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$56,196	\$59,575
All Other	\$172	\$183

OTHER SPECIAL	\$56,368	\$59,758
REVENUE FUNDS TOTAL	<hr/>	<hr/>

Administrative Services - Professional and Financial Regulation 0094

Initiative: Transfers one Secretary Specialist position from the Administrative Services - Professional and Financial Regulation program to the Office of Securities program and transfers one Secretary Specialist position from the Office of Securities program to the Administrative Services - Professional and Financial Regulation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,755	\$2,534
All Other	\$5	\$8
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,760	\$2,542

Administrative Services - Professional and Financial Regulation 0094

Initiative: Provides funding for a new lease agreement.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$63,193	\$83,255
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$63,193	\$83,255

Administrative Services - Professional and Financial Regulation 0094

Initiative: Provides funding necessary to pay for services provided by the Security and Employment Service Center.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$101,711	\$116,356
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$101,711	\$116,356

Administrative Services - Professional and Financial Regulation 0094

Initiative: Adjusts funding for fiscal years 2009-10 and 2010-11 enhancements to existing information technology applications.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,003,070	\$1,003,070
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,003,070	\$1,003,070

Administrative Services - Professional and Financial Regulation 0094

Initiative: Adjusts funding for information technology equipment to meet agency program needs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$50,000	\$50,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

ADMINISTRATIVE SERVICES - PROFESSIONAL AND FINANCIAL REGULATION 0094

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$470,960	\$491,180
All Other	\$3,523,607	\$3,558,378
Capital Expenditures	\$50,000	\$50,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,044,567	\$4,099,558

Bureau of Consumer Credit Protection 0091

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,213,384	\$1,253,136
All Other	\$217,818	\$217,818
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,431,202	\$1,470,954

Bureau of Consumer Credit Protection 0091

Initiative: Provides funding for software improvements necessitated by mandated participation in a

web-based nationwide licensing system administered by the Conference of State Bank Supervisors. The new software will allow integration of the current system with the Nationwide Mortgage Licensing System, which will allow state-licensed loan officers to apply for, amend, update or renew a license online.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$35,308	\$35,308
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,308	\$35,308

BUREAU OF CONSUMER CREDIT PROTECTION 0091

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,213,384	\$1,253,136
All Other	\$253,126	\$253,126
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,466,510	\$1,506,262

Dental Examiners - Board of 0384

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$191,312	\$201,855
All Other	\$202,929	\$202,929
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$394,241	\$404,784

DENTAL EXAMINERS - BOARD OF 0384

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$191,312	\$201,855
All Other	\$202,929	\$202,929

OTHER SPECIAL	\$394,241	\$404,784
REVENUE FUNDS TOTAL		

Engineers - Board of Registration for Professional 0369

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.438	0.438
Personal Services	\$80,795	\$82,032
All Other	\$160,478	\$160,478

OTHER SPECIAL	\$241,273	\$242,510
REVENUE FUNDS TOTAL		

ENGINEERS - BOARD OF REGISTRATION FOR PROFESSIONAL 0369

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.438	0.438
Personal Services	\$80,795	\$82,032
All Other	\$160,478	\$160,478

OTHER SPECIAL	\$241,273	\$242,510
REVENUE FUNDS TOTAL		

Financial Institutions - Bureau of 0093

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,759,284	\$1,812,188
All Other	\$644,377	\$644,377

OTHER SPECIAL	\$2,403,661	\$2,456,565
REVENUE FUNDS TOTAL		

FINANCIAL INSTITUTIONS - BUREAU OF 0093

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,759,284	\$1,812,188
All Other	\$644,377	\$644,377

OTHER SPECIAL	\$2,403,661	\$2,456,565
REVENUE FUNDS TOTAL		

Insurance - Bureau of 0092

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	80.500	80.500
Personal Services	\$6,614,334	\$6,789,334
All Other	\$1,793,609	\$1,793,609

OTHER SPECIAL	\$8,407,943	\$8,582,943
REVENUE FUNDS TOTAL		

Insurance - Bureau of 0092

Initiative: Provides funding to address increases in costs of Attorney General salaries and benefits for those attorneys providing legal services to the Department of Professional and Financial Regulation.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$6,297	\$22,050

OTHER SPECIAL	\$6,297	\$22,050
REVENUE FUNDS TOTAL		

Insurance - Bureau of 0092

Initiative: Provides funding for a new lease agreement.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$73,966	\$191,195

OTHER SPECIAL	\$73,966	\$191,195
REVENUE FUNDS TOTAL		

INSURANCE - BUREAU OF 0092 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	80.500	80.500
Personal Services	\$6,614,334	\$6,789,334
All Other	\$1,873,872	\$2,006,854
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,488,206	\$8,796,188

Licensing and Enforcement 0352

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	63.500	63.500
Personal Services	\$4,400,103	\$4,524,822
All Other	\$2,328,016	\$2,328,016
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,728,119	\$6,852,838

Licensing and Enforcement 0352

Initiative: Transfers one Office Assistant II position from the Licensing and Enforcement program to the Administrative Services - Professional and Financial Regulation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$48,783)	(\$51,698)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$48,783)	(\$51,698)

Licensing and Enforcement 0352

Initiative: Provides funding for an increase in the contract cost of hearing officer services.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$35,000	\$35,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,000	\$35,000

Licensing and Enforcement 0352

Initiative: Provides funding to pay for the increased cost of background checks for new license applicants.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$57,832	\$56,832
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$57,832	\$56,832

Licensing and Enforcement 0352

Initiative: Provides funding to address increases in costs of Attorney General salaries and benefits for those attorneys providing legal services to the Department of Professional and Financial Regulation.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$18,841	\$82,827
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,841	\$82,827

Licensing and Enforcement 0352

Initiative: Reorganizes one Office Assistant II position from 42 hours biweekly to an Office Associate II Supervisor position 80 hours biweekly and transfers the position from the Licensing and Enforcement program to the Administrative Services - Professional and Financial Regulation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$25,808)	(\$27,341)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$25,808)	(\$27,341)

LICENSING AND ENFORCEMENT 0352 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	61.500	61.500
Personal Services	\$4,325,512	\$4,445,783
All Other	\$2,439,689	\$2,502,675
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,765,201	\$6,948,458

Licensure in Medicine - Board of 0376

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$725,437	\$745,033
All Other	\$670,889	\$670,889
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,396,326	\$1,415,922

Licensure in Medicine - Board of 0376

Initiative: Continues one limited-period Office Associate II position previously authorized to continue in Public Law 2007, chapter 240. The position will end on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$54,053	\$57,298
All Other	\$667	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,720	\$57,298

Licensure in Medicine - Board of 0376

Initiative: Continues one limited-period part-time Physician III position previously established in Public Law 2007, chapter 240. This position is needed to review and evaluate medical components of consumer complaints. This position will end on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$100,320	\$101,762
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,320	\$101,762

Licensure in Medicine - Board of 0376

Initiative: Adjusts funding for STA-CAP charges due to rate changes.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,426	\$7,760
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,426	\$7,760

LICENSURE IN MEDICINE - BOARD OF 0376 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$879,810	\$904,093
All Other	\$674,982	\$678,649
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,554,792	\$1,582,742

Manufactured Housing Board 0351

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$23,554	\$23,554
FEDERAL EXPENDITURES FUND TOTAL	\$23,554	\$23,554

MANUFACTURED HOUSING BOARD 0351 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$495,619	\$504,412
All Other	\$361,543	\$361,543
OTHER SPECIAL REVENUE FUNDS TOTAL	\$857,162	\$865,955

Nursing - Board of 0372

Initiative: Establishes one limited-period Field Investigator position to enable the State Board of Nursing to

investigate filed complaints. This position will end on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$65,052	\$68,990
All Other	\$881	\$935
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,933	\$69,925

Nursing - Board of 0372

Initiative: Establishes one limited-period Consumer Outreach Specialist position to enable the State Board of Nursing to assist complainants through the complaint process. This position will end on June 11, 2011.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$72,904	\$77,032
All Other	\$988	\$1,044
OTHER SPECIAL REVENUE FUNDS TOTAL	\$73,892	\$78,076

NURSING - BOARD OF 0372 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$633,575	\$650,434
All Other	\$363,412	\$363,522
OTHER SPECIAL REVENUE FUNDS TOTAL	\$996,987	\$1,013,956

Office of Securities 0943

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$956,711	\$990,850
All Other	\$335,090	\$335,090
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,291,801	\$1,325,940

Office of Securities 0943

Initiative: Transfers one Secretary Specialist position from the Administrative Services - Professional and Financial Regulation program to the Office of Securities program and transfers one Secretary Specialist position from the Office of Securities program to the Administrative Services - Professional and Financial Regulation program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$1,755)	(\$2,534)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,755)	(\$2,534)

Office of Securities 0943

Initiative: Provides funding for an increase in expected expenditures and related STA-CAP based on new Investor Protection Trust-funded initiatives from Investor Protection Trust grant.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$59,926	\$59,926
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,926	\$59,926

Office of Securities 0943

Initiative: Provides funding for a new lease agreement.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,749	\$36,347
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,749	\$36,347

OFFICE OF SECURITIES 0943

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$954,956	\$988,316
All Other	\$410,765	\$431,363
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,365,721	\$1,419,679

Optometry - Board of 0385

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$47,479	\$48,480
All Other	\$19,052	\$19,052
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,531	\$67,532

OPTOMETRY - BOARD OF 0385

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$47,479	\$48,480
All Other	\$19,052	\$19,052
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,531	\$67,532

Osteopathic Licensure - Board of 0383

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$71,621	\$72,834
All Other	\$125,658	\$125,658
OTHER SPECIAL REVENUE FUNDS TOTAL	\$197,279	\$198,492

OSTEOPATHIC LICENSURE - BOARD OF 0383

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$71,621	\$72,834
All Other	\$125,658	\$125,658
OTHER SPECIAL REVENUE FUNDS TOTAL	\$197,279	\$198,492

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$23,554	\$23,554
OTHER SPECIAL REVENUE FUNDS	\$27,984,969	\$28,736,726
DEPARTMENT TOTAL - ALL FUNDS	\$28,008,523	\$28,760,280

Sec. A-56. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$772,463	\$804,048
All Other	\$253,949	\$253,949
GENERAL FUND TOTAL	\$1,026,412	\$1,057,997

Office of Program Evaluation and Government Accountability 0976

Initiative: Reduces funding based on projected operational needs and expenditure patterns.

GENERAL FUND	2009-10	2010-11
All Other	(\$34,864)	(\$32,278)
GENERAL FUND TOTAL	(\$34,864)	(\$32,278)

Office of Program Evaluation and Government Accountability 0976

Initiative: Reduces funding based on projected operational needs and expenditure patterns and the biennial budget recommended by the Government Oversight Committee and approved by the Legislative Council.

GENERAL FUND	2009-10	2010-11
All Other	(\$46,483)	(\$45,483)

GENERAL FUND TOTAL	(\$46,483)	(\$45,483)
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Office of Program Evaluation and Government Accountability 0976

Initiative: Reduces funding budgeted for consultant services.

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

GENERAL FUND TOTAL	(\$50,000)	(\$50,000)
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Office of Program Evaluation and Government Accountability 0976

Initiative: Deappropriates funds based on estimated savings from requiring state employees to pay a portion of their health insurance.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$2,472)	(\$3,713)

GENERAL FUND TOTAL	(\$2,472)	(\$3,713)
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OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY 0976

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$769,991	\$800,335
All Other	\$122,602	\$126,188

GENERAL FUND TOTAL	\$892,593	\$926,523
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PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY, OFFICE OF

DEPARTMENT TOTALS	2009-10	2010-11
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GENERAL FUND	\$892,593	\$926,523
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DEPARTMENT TOTAL - ALL FUNDS	\$892,593	\$926,523
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Sec. A-57. 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	2009-10	2010-11
Personal Services	\$9,400	\$9,400
All Other	\$83,611	\$83,611

GENERAL FUND TOTAL	\$93,011	\$93,011
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Property Tax Review - State Board of 0357

Initiative: Reduces funding for per diem and All Other for the State Board of Property Tax Review by limiting the number of hearings held annually.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$3,301)	(\$3,301)
All Other	(\$6,000)	(\$6,000)

GENERAL FUND TOTAL	(\$9,301)	(\$9,301)
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PROPERTY TAX REVIEW - STATE BOARD OF 0357

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
Personal Services	\$6,099	\$6,099
All Other	\$77,611	\$77,611

GENERAL FUND TOTAL	\$83,710	\$83,710
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PROPERTY TAX REVIEW, STATE BOARD OF

DEPARTMENT TOTALS	2009-10	2010-11
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GENERAL FUND	\$83,710	\$83,710
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DEPARTMENT TOTAL - ALL FUNDS	\$83,710	\$83,710
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Sec. A-58. Appropriations and allocations.
The following appropriations and allocations are made.

PUBLIC BROADCASTING CORPORATION, MAINE

Maine Public Broadcasting Corporation 0033

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,171,372	\$2,171,372

GENERAL FUND TOTAL	\$2,171,372	\$2,171,372
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Maine Public Broadcasting Corporation 0033

Initiative: Reduces funding to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$217,137)	(\$217,137)
GENERAL FUND TOTAL	(\$217,137)	(\$217,137)

MAINE PUBLIC BROADCASTING CORPORATION 0033 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,954,235	\$1,954,235
GENERAL FUND TOTAL	\$1,954,235	\$1,954,235

PUBLIC BROADCASTING CORPORATION, MAINE DEPARTMENT TOTALS

GENERAL FUND	2009-10	2010-11
	\$1,954,235	\$1,954,235
DEPARTMENT TOTAL - ALL FUNDS	\$1,954,235	\$1,954,235

Sec. A-59. Appropriations and allocations.
The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety 0088

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$144,148	\$144,693
All Other	\$200,318	\$200,318
GENERAL FUND TOTAL	\$344,466	\$345,011

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$150,317	\$155,531

All Other	\$1,398,937	\$1,398,937
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FEDERAL EXPENDITURES FUND TOTAL	\$1,549,254	\$1,554,468
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$153,756	\$155,947
All Other	\$102,299	\$102,299

OTHER SPECIAL REVENUE FUNDS TOTAL	\$256,055	\$258,246
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Administration - Public Safety 0088

Initiative: Provides funding for the increased cost of building rent.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$86	\$174

FEDERAL EXPENDITURES FUND TOTAL	\$86	\$174
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Administration - Public Safety 0088

Initiative: Provides funding for increases in financial and human resource services.

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

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
All Other	\$1,752	\$1,752
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,752	\$1,752

ADMINISTRATION - PUBLIC SAFETY 0088 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$144,148	\$144,693
All Other	\$214,318	\$214,318

GENERAL FUND TOTAL	\$358,466	\$359,011
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$150,317	\$155,531
All Other	\$1,399,023	\$1,399,111
FEDERAL EXPENDITURES FUND TOTAL	\$1,549,340	\$1,554,642
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$153,756	\$155,947
All Other	\$104,051	\$104,051
OTHER SPECIAL REVENUE FUNDS TOTAL	\$257,807	\$259,998

Background Checks - Certified Nursing Assistants 0992

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$55,700	\$58,526
All Other	\$12,056	\$12,056
GENERAL FUND TOTAL	\$67,756	\$70,582

BACKGROUND CHECKS - CERTIFIED NURSING ASSISTANTS 0992

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$55,700	\$58,526
All Other	\$12,056	\$12,056
GENERAL FUND TOTAL	\$67,756	\$70,582

Bureau of Building Codes and Standards Z073

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,672	\$181,382
All Other	\$130,639	\$130,639
OTHER SPECIAL REVENUE FUNDS TOTAL	\$302,311	\$312,021

BUREAU OF BUILDING CODES AND STANDARDS Z073

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,672	\$181,382
All Other	\$130,639	\$130,639
OTHER SPECIAL REVENUE FUNDS TOTAL	\$302,311	\$312,021

Capitol Security - Bureau of 0101

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$588,968	\$608,755
All Other	\$45,420	\$45,420
GENERAL FUND TOTAL	\$634,388	\$654,175

Capitol Security - Bureau of 0101

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$8,250	\$7,890
GENERAL FUND TOTAL	\$8,250	\$7,890

CAPITOL SECURITY - BUREAU OF 0101

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$588,968	\$608,755
All Other	\$53,670	\$53,310
GENERAL FUND TOTAL	\$642,638	\$662,065

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$304,055	\$320,875
All Other	\$15,295	\$15,541
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$319,350	\$336,416

Consolidated Emergency Communications Z021

Initiative: BASELINE BUDGET

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	75.000	75.000
Personal Services	\$5,221,274	\$5,383,944
All Other	\$496,347	\$496,347
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$5,717,621	\$5,880,291

Consolidated Emergency Communications Z021

Initiative: Provides funding for increased costs of technology, professional services, gasoline and supplies for the Consolidated Emergency Communications Fund program.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11
All Other	\$114,349	\$119,339
Capital Expenditures	\$26,000	\$0
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$140,349	\$119,339

Consolidated Emergency Communications Z021

Initiative: Provides funding for the increased cost of building rent.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11
All Other	\$1,513	\$3,025
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$1,513	\$3,025

Consolidated Emergency Communications Z021

Initiative: Eliminates 2 vacant Emergency Communications Technician positions.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$102,598)	(\$107,659)
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	(\$102,598)	(\$107,659)

Consolidated Emergency Communications Z021

Initiative: Establishes 2 Emergency Communications Specialist Supervisor positions, one Emergency Communications Specialist position and one Public Safety Emergency Dispatch System Administrator position and provides funding for related All Other costs.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11

CONSOLIDATED EMERGENCY COMMUNICATIONS Z021

PROGRAM SUMMARY

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11

POSITIONS - LEGISLATIVE COUNT	77,000	77,000
Personal Services	\$5,422,731	\$5,597,160
All Other	\$627,504	\$634,252
Capital Expenditures	\$26,000	\$0
<hr/>		
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$6,076,235	\$6,231,412

Criminal Justice Academy 0290

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$802,878	\$821,258
All Other	\$842,847	\$842,847
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,645,725	\$1,664,105

Criminal Justice Academy 0290

Initiative: Provides funding for the increased cost of gasoline.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$7,929	\$7,929
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,929	\$7,929

Criminal Justice Academy 0290

Initiative: Provides funding for the basic law enforcement training program at the Maine Criminal Justice Academy.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$156,588	\$156,588
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$156,588	\$156,588

Criminal Justice Academy 0290

Initiative: Provides funding for contracted services to provide lesson planning and development.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$80,445	\$80,445
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,445	\$80,445

Criminal Justice Academy 0290

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,000	\$17,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,000	\$17,000

Criminal Justice Academy 0290

Initiative: Provides funding for federal highway safety grants.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$25,000	\$25,000
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FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

CRIMINAL JUSTICE ACADEMY 0290

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$25,000	\$25,000
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FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$802,878	\$821,258
All Other	\$1,102,809	\$1,104,809

OTHER SPECIAL	\$1,905,687	\$1,926,067
REVENUE FUNDS TOTAL		

Drug Enforcement Agency 0388

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$211,749	\$214,269
All Other	\$2,138,222	\$2,138,222
GENERAL FUND TOTAL	\$2,349,971	\$2,352,491

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$864,410	\$864,410
FEDERAL EXPENDITURES FUND TOTAL	\$864,410	\$864,410

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$398,344	\$398,344
OTHER SPECIAL REVENUE FUNDS TOTAL	\$398,344	\$398,344

Drug Enforcement Agency 0388

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

GENERAL FUND	2009-10	2010-11
All Other	\$135,000	\$135,000
GENERAL FUND TOTAL	\$135,000	\$135,000

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$19,808	\$20,527
FEDERAL EXPENDITURES FUND TOTAL	\$19,808	\$20,527

Drug Enforcement Agency 0388

Initiative: Provides funding for federal drug enforcement programs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$76,745	\$48,495
FEDERAL EXPENDITURES FUND TOTAL	\$76,745	\$48,495

DRUG ENFORCEMENT AGENCY 0388 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$211,749	\$214,269
All Other	\$2,273,222	\$2,273,222
GENERAL FUND TOTAL	\$2,484,971	\$2,487,491

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$960,963	\$933,432
FEDERAL EXPENDITURES FUND TOTAL	\$960,963	\$933,432

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$398,344	\$398,344
OTHER SPECIAL REVENUE FUNDS TOTAL	\$398,344	\$398,344

Emergency Medical Services 0485

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$384,973	\$393,680
All Other	\$599,833	\$599,833
GENERAL FUND TOTAL	\$984,806	\$993,513

FEDERAL EXPENDITURES FUND	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,833	\$75,005
All Other	\$104,805	\$104,805
FEDERAL EXPENDITURES FUND TOTAL	\$178,638	\$179,810

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,240	\$81,980
All Other	\$46,512	\$46,512
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,752	\$128,492

Emergency Medical Services 0485

Initiative: Provides funding for federal highway safety grants.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$80,000	\$80,000
FEDERAL EXPENDITURES FUND TOTAL	\$80,000	\$80,000

Emergency Medical Services 0485

Initiative: Provides funding for grants from the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$125,000	\$125,000
FEDERAL EXPENDITURES FUND TOTAL	\$125,000	\$125,000

Emergency Medical Services 0485

Initiative: Reduces funding from savings achieved by eliminating paper distribution of emergency medical publications.

GENERAL FUND	2009-10	2010-11
All Other	(\$17,864)	(\$54,500)
GENERAL FUND TOTAL	(\$17,864)	(\$54,500)

**EMERGENCY MEDICAL SERVICES 0485
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$384,973	\$393,680
All Other	\$581,969	\$545,333
GENERAL FUND TOTAL	\$966,942	\$939,013

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,833	\$75,005
All Other	\$309,805	\$309,805
FEDERAL EXPENDITURES FUND TOTAL	\$383,638	\$384,810

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,240	\$81,980
All Other	\$46,512	\$46,512
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,752	\$128,492

FHM - Fire Marshal 0964

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$223,564	\$228,303
All Other	\$12,120	\$12,120
FUND FOR A HEALTHY MAINE TOTAL	\$235,684	\$240,423

FHM - Fire Marshal 0964

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support

and network and telephone services including wireless technology.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	\$2,524	\$2,524
FUND FOR A HEALTHY MAINE TOTAL	\$2,524	\$2,524

FHM - Fire Marshal 0964

Initiative: Reduces funding to maintain costs within available resources.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$171)	(\$918)
FUND FOR A HEALTHY MAINE TOTAL	(\$171)	(\$918)

FHM - FIRE MARSHAL 0964 PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$223,564	\$228,303
All Other	\$14,473	\$13,726
FUND FOR A HEALTHY MAINE TOTAL	\$238,037	\$242,029

Fire Marshal - Office of 0327

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$3,375,777	\$3,453,975
All Other	\$715,610	\$715,610
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,091,387	\$4,169,585

Fire Marshal - Office of 0327

Initiative: Provides funding for the increased cost of building rent.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,011	\$2,022
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,011	\$2,022

Fire Marshal - Office of 0327

Initiative: Provides funding for the increased cost of gasoline.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$106,058	\$106,058
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,058	\$106,058

Fire Marshal - Office of 0327

Initiative: Adjusts funding for information technology services provided to agency employees based on fiscal years 2009-10 and 2010-11 Office of Information Technology monthly rates. Services include all employee-related services such as subscription services, e-mail, file services, desktop and laptop support and network and telephone services including wireless technology.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$57,465	\$57,465
OTHER SPECIAL REVENUE FUNDS TOTAL	\$57,465	\$57,465

Fire Marshal - Office of 0327

Initiative: Adjusts funding for fiscal years 2009-10 and 2010-11 enhancements to existing information technology applications.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$5,040	\$5,040
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,040	\$5,040

Fire Marshal - Office of 0327

Initiative: Provides funding for vehicles and other capital equipment.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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Capital Expenditures	\$215,750	\$215,750
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$215,750	\$215,750

FIRE MARSHAL - OFFICE OF 0327 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$3,375,777	\$3,453,975
All Other	\$885,184	\$886,195
Capital Expenditures	\$215,750	\$215,750
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,476,711	\$4,555,920

Gambling Control Board Z002 Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$534,946	\$548,937
All Other	\$651,085	\$651,085
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GENERAL FUND TOTAL	\$1,186,031	\$1,200,022

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$668,697	\$668,697
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$668,697	\$668,697

Gambling Control Board Z002 Initiative: Reduces funding for gambling addiction services on a one-time basis in fiscal years 2009-10 and 2010-11.

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

Gambling Control Board Z002 Initiative: Reduces funding to bring allocations into line with projected available resources based on the

reprojections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$189,534)	(\$180,451)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$189,534)	(\$180,451)

Gambling Control Board Z002 Initiative: Eliminates a vacant Clerk IV position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$61,370)	(\$64,244)
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GENERAL FUND TOTAL	(\$61,370)	(\$64,244)

GAMBLING CONTROL BOARD Z002 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$473,576	\$484,693
All Other	\$601,085	\$601,085
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GENERAL FUND TOTAL	\$1,074,661	\$1,085,778

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$479,163	\$488,246
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$479,163	\$488,246

Highway Safety DPS 0457 Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$245,533	\$255,192
All Other	\$1,719,235	\$1,719,235
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FEDERAL EXPENDITURES FUND TOTAL	\$1,964,768	\$1,974,427
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$31,447	\$31,975
All Other	\$309,035	\$309,035
OTHER SPECIAL REVENUE FUNDS TOTAL	\$340,482	\$341,010

Highway Safety DPS 0457

Initiative: Provides funding to establish one Highway Safety Coordinator position to administer certain highway safety programs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,639	\$67,950
All Other	\$746	\$785
FEDERAL EXPENDITURES FUND TOTAL	\$65,385	\$68,735

Highway Safety DPS 0457

Initiative: Reorganizes 2 Highway Safety Coordinator positions from range 19 to range 21.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$7,567	\$7,646
All Other	\$93	\$94
FEDERAL EXPENDITURES FUND TOTAL	\$7,660	\$7,740

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$2,539	\$2,566
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,539	\$2,566

HIGHWAY SAFETY DPS 0457

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000

Personal Services	\$317,739	\$330,788
All Other	\$1,720,074	\$1,720,114
FEDERAL EXPENDITURES FUND TOTAL	\$2,037,813	\$2,050,902

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$33,986	\$34,541
All Other	\$309,035	\$309,035
OTHER SPECIAL REVENUE FUNDS TOTAL	\$343,021	\$343,576

Licensing and Enforcement - Public Safety 0712

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$866,858	\$891,877
All Other	\$258,286	\$258,286
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,125,144	\$1,150,163

Licensing and Enforcement - Public Safety 0712

Initiative: Provides funding for the increased cost of building rent.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$794	\$1,588
OTHER SPECIAL REVENUE FUNDS TOTAL	\$794	\$1,588

Licensing and Enforcement - Public Safety 0712

Initiative: Eliminates one Office Assistant II position, one Public Safety Inspector I position and one State Police Detective position associated with tournament gaming.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$199,680)	(\$207,067)

All Other	(\$12,900)	(\$12,900)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$212,580)	(\$219,967)

Licensing and Enforcement - Public Safety 0712

Initiative: Provides funding for vehicles and other capital equipment.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$38,300	\$40,100
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,300	\$40,100

LICENSING AND ENFORCEMENT - PUBLIC SAFETY 0712

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$667,178	\$684,810
All Other	\$246,180	\$246,974
Capital Expenditures	\$38,300	\$40,100
OTHER SPECIAL REVENUE FUNDS TOTAL	\$951,658	\$971,884

Liquor Enforcement 0293

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$751,824	\$769,200
All Other	\$127,999	\$127,999
GENERAL FUND TOTAL	\$879,823	\$897,199
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$19,190	\$19,190
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,190	\$19,190

Liquor Enforcement 0293

Initiative: Establishes one Public Safety Inspector II position and related All Other to administer an increased number of liquor licenses and ensure compliance.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$63,106
All Other	\$0	\$10,000
GENERAL FUND TOTAL	\$0	\$73,106

LIQUOR ENFORCEMENT 0293 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	11,000	12,000
Personal Services	\$751,824	\$832,306
All Other	\$127,999	\$137,999
GENERAL FUND TOTAL	\$879,823	\$970,305
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$19,190	\$19,190
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,190	\$19,190

State Police 0291

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	318,000	318,000
Personal Services	\$13,743,917	\$14,067,945
All Other	\$5,619,782	\$5,619,782
GENERAL FUND TOTAL	\$19,363,699	\$19,687,727
FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$340,399	\$356,851
All Other	\$2,120,304	\$2,120,304

FEDERAL EXPENDITURES FUND TOTAL	\$2,460,703	\$2,477,155
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$653,603	\$683,606
All Other	\$613,175	\$613,175
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,266,778	\$1,296,781

State Police 0291

Initiative: Provides funding for contracted system maintenance of the criminal history repository.

GENERAL FUND	2009-10	2010-11
All Other	\$68,978	\$135,350
GENERAL FUND TOTAL	\$68,978	\$135,350

State Police 0291

Initiative: Adjusts funding from 40% General Fund and 60% Highway Fund to 51% General Fund and 49% Highway Fund in accordance with Public Law 2007, chapter 682.

GENERAL FUND	2009-10	2010-11
Personal Services	\$3,780,088	\$3,869,186
All Other	\$1,521,961	\$1,521,961
GENERAL FUND TOTAL	\$5,302,049	\$5,391,147

State Police 0291

Initiative: Eliminates one Communications Technician position and all funding in the Communications Other Special Revenue Funds account within the State Police program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$62,382)	(\$66,085)
All Other	(\$82,175)	(\$82,175)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$144,557)	(\$148,260)

State Police 0291

Initiative: Reduces funding for the replacement of state police vehicles.

GENERAL FUND	2009-10	2010-11
All Other	(\$102,000)	(\$204,000)
GENERAL FUND TOTAL	(\$102,000)	(\$204,000)

State Police 0291

Initiative: Reduces funding for overtime in the State Bureau of Identification.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$83,374)	(\$84,440)
GENERAL FUND TOTAL	(\$83,374)	(\$84,440)

State Police 0291

Initiative: Reduces funding for general operating expenses in the State Police program.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,490)	(\$11,691)
GENERAL FUND TOTAL	(\$11,490)	(\$11,691)

State Police 0291

Initiative: Reduces funding for travel related to training and investigations.

GENERAL FUND	2009-10	2010-11
All Other	(\$28,050)	(\$28,050)
GENERAL FUND TOTAL	(\$28,050)	(\$28,050)

State Police 0291

Initiative: Eliminates funding for reimbursement for educational costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$19,380)	(\$19,380)
GENERAL FUND TOTAL	(\$19,380)	(\$19,380)

State Police 0291

Initiative: Reduces funding for printing of statutes for each state police officer.

GENERAL FUND	2009-10	2010-11
All Other	(\$8,843)	(\$8,843)

GENERAL FUND TOTAL	(\$8,843)	(\$8,843)
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State Police 0291

Initiative: Eliminates one Auto Mechanic II position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$30,149)

GENERAL FUND TOTAL	\$0	(\$30,149)
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STATE POLICE 0291

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	318.000	317.000
Personal Services	\$17,440,631	\$17,822,542
All Other	\$7,040,958	\$7,005,129

GENERAL FUND TOTAL	\$24,481,589	\$24,827,671
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$340,399	\$356,851
All Other	\$2,120,304	\$2,120,304
FEDERAL EXPENDITURES FUND TOTAL	\$2,460,703	\$2,477,155

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$591,221	\$617,521
All Other	\$531,000	\$531,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,122,221	\$1,148,521

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Adjusts funding in the Federal Expenditures Fund and Highway Fund in order to accurately account for Federal Motor Carrier Safety Administration funds by reallocating 12 Motor Carrier Inspector posi-

tions and one Motor Carrier Inspector Supervisor position from 100% Highway Fund to 66% Highway Fund and 34% Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$338,724	\$345,420
All Other	\$5,244	\$5,347
FEDERAL EXPENDITURES FUND TOTAL	\$343,968	\$350,767

TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$338,724	\$345,420
All Other	\$5,244	\$5,347
FEDERAL EXPENDITURES FUND TOTAL	\$343,968	\$350,767

Turnpike Enforcement 0547

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$4,689,108	\$4,747,764
All Other	\$1,013,840	\$1,013,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,702,948	\$5,761,604

Turnpike Enforcement 0547

Initiative: Provides funding for the increased cost of gasoline.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$66,233	\$66,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,233	\$66,233

Turnpike Enforcement 0547

Initiative: Provides funding for vehicles and other capital equipment.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Capital Expenditures	\$290,565	\$296,850
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$290,565	\$296,850

TURNPIKE ENFORCEMENT 0547 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$4,689,108	\$4,747,764
All Other	\$1,080,073	\$1,080,073
Capital Expenditures	\$290,565	\$296,850
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,059,746	\$6,124,687

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	\$30,956,846	\$31,401,916
FEDERAL EXPENDITURES FUND	\$7,761,425	\$7,776,708
FUND FOR A HEALTHY MAINE	\$238,037	\$242,029
OTHER SPECIAL REVENUE FUNDS	\$16,442,611	\$16,676,946
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	\$6,076,235	\$6,231,412
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$61,475,154	\$62,329,011

Sec. A-60. Appropriations and allocations.

The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Conservation Administration Fund 0966

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

Personal Services	\$211,634	\$218,280
All Other	\$424,919	\$424,919
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$636,553	\$643,199

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$876,036	\$921,469
All Other	\$853,465	\$853,465
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,729,501	\$1,774,934

Conservation Administration Fund 0966

Initiative: Adjusts funding to accurately reflect anticipated revenues.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	(\$122,553)	(\$129,199)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$122,553)	(\$129,199)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$119,501)	(\$164,934)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$119,501)	(\$164,934)

Conservation Administration Fund 0966

Initiative: Eliminates one Environmental Engineer position in accordance with Public Law 2007, chapter 653, Part C, section 2.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$76,805)	(\$81,226)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$76,805)	(\$81,226)

CONSERVATION ADMINISTRATION FUND 0966

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$134,829	\$137,054
All Other	\$302,366	\$295,720
FEDERAL EXPENDITURES FUND TOTAL	\$437,195	\$432,774

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$876,036	\$921,469
All Other	\$733,964	\$688,531
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,610,000	\$1,610,000

Conservation Program Fund 0967

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,167,739	\$15,167,739
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,167,739	\$15,167,739

Conservation Program Fund 0967

Initiative: Adjusts funding to accurately reflect anticipated revenues.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$1,082,405)	(\$1,032,405)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,082,405)	(\$1,032,405)

CONSERVATION PROGRAM FUND 0967

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$14,085,334	\$14,135,334
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,085,334	\$14,135,334

Emergency Services Communication Bureau 0994

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$521,726	\$534,722
All Other	\$4,206,039	\$4,206,039

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,727,765	\$4,740,761
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Emergency Services Communication Bureau 0994

Initiative: Eliminates one Office Associate II position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$54,767)	(\$58,012)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$54,767)	(\$58,012)
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EMERGENCY SERVICES COMMUNICATION BUREAU 0994

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$466,959	\$476,710
All Other	\$4,206,039	\$4,206,039

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,672,998	\$4,682,749
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Public Utilities - Administrative Division 0184

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$1,672	\$1,672
FEDERAL EXPENDITURES FUND TOTAL	\$1,672	\$1,672

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	58.500	58.500
POSITIONS - FTE COUNT	0.250	0.250
Personal Services	\$6,104,111	\$6,380,991
All Other	\$2,029,515	\$2,029,515
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,133,626	\$8,410,506

Public Utilities - Administrative Division 0184

Initiative: Provides funding for a federal grant award.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$48,328	\$48,328
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$48,328	\$48,328

Public Utilities - Administrative Division 0184

Initiative: Eliminates one part-time Information Associate position, one part-time Laborer I position, one part-time Information System Support Specialist position, one Librarian II position and one Secretary Associate Legal position in accordance with Public Law 2007, chapter 653, Part C, section 2.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.500)	(3.500)
Personal Services	(\$148,931)	(\$157,100)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$148,931)	(\$157,100)

PUBLIC UTILITIES - ADMINISTRATIVE DIVISION 0184

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$50,000	\$50,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$50,000	\$50,000

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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POSITIONS - LEGISLATIVE COUNT	55.000	55.000
POSITIONS - FTE COUNT	0.250	0.250
Personal Services	\$5,955,180	\$6,223,891
All Other	\$2,029,515	\$2,029,515
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,984,695	\$8,253,406

Renewable Resource Fund Z052

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$100,500	\$100,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,500	\$100,500

Renewable Resource Fund Z052

Initiative: Adjusts funding to accurately reflect anticipated revenues.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$25,500)	(\$25,500)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$25,500)	(\$25,500)

RENEWABLE RESOURCE FUND Z052

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$75,000	\$75,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

Solar Rebate Program Fund Z012

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500,000	\$500,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

SOLAR REBATE PROGRAM FUND Z012

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

PUBLIC UTILITIES COMMISSION

DEPARTMENT TOTALS	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$487,195	\$482,774
OTHER SPECIAL REVENUE FUNDS	\$28,928,027	\$29,256,489
DEPARTMENT TOTAL - ALL FUNDS	\$29,415,222	\$29,739,263

Sec. A-61. 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	2009-10	2010-11
All Other	\$973,996	\$973,996
GENERAL FUND TOTAL	\$973,996	\$973,996

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides funding based on calculations from the Maine Public Employees Retirement System for retired Governors and their widows and retired pre-1984 judges and their widows.

GENERAL FUND	2009-10	2010-11
All Other	\$83,215	\$148,574
GENERAL FUND TOTAL	\$83,215	\$148,574

RETIREMENT SYSTEM - RETIREMENT ALLOWANCE FUND 0085

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$1,057,211	\$1,122,570
GENERAL FUND TOTAL	\$1,057,211	\$1,122,570

Retirement System - Subsidized Military Service Credit N059

Initiative: Notwithstanding the Maine Revised Statutes, Title 5, section 17760, subsection 6, paragraph C, appropriates funds to allow for 2 members who the Maine Public Employees Retirement System has determined are qualified to purchase military service credit at a subsidized rate pursuant to Public Law 2003, chapter 693 based on the earliest date of retirement eligibility.

GENERAL FUND	2009-10	2010-11
All Other	\$55,600	\$0
GENERAL FUND TOTAL	\$55,600	\$0

RETIREMENT SYSTEM - SUBSIDIZED MILITARY SERVICE CREDIT N059

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$55,600	\$0
GENERAL FUND TOTAL	\$55,600	\$0

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$1,112,811	\$1,122,570
DEPARTMENT TOTAL - ALL FUNDS	\$1,112,811	\$1,122,570

Sec. A-62. Appropriations and allocations.
The following appropriations and allocations are made.

SACO RIVER CORRIDOR COMMISSION

Saco River Corridor Commission 0322

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$54,132	\$54,132
GENERAL FUND TOTAL	\$54,132	\$54,132

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$34,348	\$34,348
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,348	\$34,348

Saco River Corridor Commission 0322

Initiative: Reduces funding for grants by reducing the hours of the regulatory compliance and natural resource analyst and reducing chemical data collection sites and related lab work costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,413)	(\$5,413)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$5,413)	(\$5,413)

SACO RIVER CORRIDOR COMMISSION 0322 PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$48,719	\$48,719
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$48,719	\$48,719

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$34,348	\$34,348
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,348	\$34,348

SACO RIVER CORRIDOR COMMISSION DEPARTMENT TOTALS

	2009-10	2010-11
GENERAL FUND	\$48,719	\$48,719
OTHER SPECIAL REVENUE FUNDS	\$34,348	\$34,348
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$83,067	\$83,067

Sec. A-63. Appropriations and allocations.
The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Archives 0050

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$867,761	\$889,128
All Other	\$77,105	\$77,105
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$944,866	\$966,233

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$36,631	\$37,255
All Other	\$2,673	\$2,673
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$39,304	\$39,928

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$36,626	\$37,250
All Other	\$17,730	\$17,730
	<hr/>	<hr/>

OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,356	\$54,980
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Administration - Archives 0050

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

GENERAL FUND	2009-10	2010-11
All Other	\$1,356	\$1,487
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,356	\$1,487

Administration - Archives 0050

Initiative: Eliminates one Director Archives Services position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$80,709)	(\$81,974)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$80,709)	(\$81,974)

Administration - Archives 0050

Initiative: Provides funding for the approved reclassification of one Photographer I position to one Photographer II position and the approved range change of one Records Management Services Division Director position from range 24 to range 27.

GENERAL FUND	2009-10	2010-11
Personal Services	\$29,604	\$17,950
All Other	(\$5,000)	(\$5,000)
GENERAL FUND TOTAL	\$24,604	\$12,950

**ADMINISTRATION - ARCHIVES 0050
PROGRAM SUMMARY**

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$816,656	\$825,104
All Other	\$73,461	\$73,592
GENERAL FUND TOTAL	\$890,117	\$898,696

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$36,631	\$37,255
All Other	\$2,673	\$2,673
FEDERAL EXPENDITURES FUND TOTAL	\$39,304	\$39,928

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$36,626	\$37,250
All Other	\$17,730	\$17,730
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,356	\$54,980

Administration - Motor Vehicles 0077

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$485,423	\$485,423

FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$99,342	\$100,702
All Other	\$198,171	\$198,171

OTHER SPECIAL REVENUE FUNDS TOTAL	\$297,513	\$298,873
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**ADMINISTRATION - MOTOR VEHICLES 0077
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$485,423	\$485,423

FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$99,342	\$100,702
All Other	\$198,171	\$198,171

OTHER SPECIAL REVENUE FUNDS TOTAL	\$297,513	\$298,873
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Bureau of Administrative Services and Corporations 0692

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	34.000	34.000
Personal Services	\$2,129,932	\$2,206,952
All Other	\$639,455	\$639,455

GENERAL FUND TOTAL	\$2,769,387	\$2,846,407
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OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000

Personal Services	\$208,425	\$219,385
All Other	\$14,385	\$14,385
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$222,810	\$233,770

Bureau of Administrative Services and Corporations 0692

Initiative: Adjusts funding for the same level of information technology agency program and application support services at the fiscal years 2009-10 and 2010-11 Office of Information Technology rates for application services including server support, storage and shared platforms.

GENERAL FUND	2009-10	2010-11
All Other	\$4,990	\$5,078
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GENERAL FUND TOTAL	\$4,990	\$5,078

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding to cover the costs associated with conducting 2 statewide elections in fiscal year 2009-10 and one election in fiscal year 2010-11.

GENERAL FUND	2009-10	2010-11
All Other	\$124,034	\$102,542
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GENERAL FUND TOTAL	\$124,034	\$102,542

Bureau of Administrative Services and Corporations 0692

Initiative: Eliminates 2 Deputy Secretary of State positions funded 50% Highway Fund and 50% General Fund and reduces funding for related All Other costs.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$87,338)	(\$92,204)
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GENERAL FUND TOTAL	(\$87,338)	(\$92,204)

Bureau of Administrative Services and Corporations 0692

Initiative: Eliminates one Secretary Associate position and one Customer Representative Associate position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$114,927)	(\$118,796)

GENERAL FUND TOTAL	(\$114,927)	(\$118,796)
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Bureau of Administrative Services and Corporations 0692

Initiative: Eliminates one Public Service Coordinator I position through a consolidation of human resource and financial activities.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$82,155)	(\$83,677)
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GENERAL FUND TOTAL	(\$82,155)	(\$83,677)

Bureau of Administrative Services and Corporations 0692

Initiative: Transfers 6% of the cost of one Public Services Manager I position and 16% of one Public Services Manager I position in the Administration - Motor Vehicles program, Highway Fund to the Bureau of Administrative Services and Corporations program, General Fund to absorb the human resources and financial activities previously performed by a Public Services Coordinator I position.

GENERAL FUND	2009-10	2010-11
Personal Services	\$20,000	\$20,000
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GENERAL FUND TOTAL	\$20,000	\$20,000

BUREAU OF ADMINISTRATIVE SERVICES AND CORPORATIONS 0692

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	31.000	31.000
Personal Services	\$1,865,512	\$1,932,275
All Other	\$768,479	\$747,075
<hr/>		
GENERAL FUND TOTAL	\$2,633,991	\$2,679,350

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$208,425	\$219,385
All Other	\$14,385	\$14,385

OTHER SPECIAL	\$222,810	\$233,770
REVENUE FUNDS TOTAL		

Elections and Commissions 0693

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$103,402	\$109,206
FEDERAL EXPENDITURES FUND TOTAL	\$103,402	\$109,206

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000

ELECTIONS AND COMMISSIONS 0693

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$103,402	\$109,206
FEDERAL EXPENDITURES FUND TOTAL	\$103,402	\$109,206
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
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

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,264,050	\$1,264,050
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,264,050	\$1,264,050
SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$3,524,108	\$3,578,046
FEDERAL EXPENDITURES FUND	\$628,129	\$634,557
OTHER SPECIAL REVENUE FUNDS	\$1,842,729	\$1,855,673
DEPARTMENT TOTAL - ALL FUNDS	\$5,994,966	\$6,068,276

Sec. A-64. 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	2009-10	2010-11
All Other	\$25,196	\$25,196
GENERAL FUND TOTAL	\$25,196	\$25,196

St. Croix International Waterway Commission 0576

Initiative: Reduces funding for grants by reducing the hours of a part-time executive director, the sole staff person for the commission.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,520)	(\$2,520)
GENERAL FUND TOTAL	(\$2,520)	(\$2,520)

ST. CROIX INTERNATIONAL WATERWAY COMMISSION 0576

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$22,676	\$22,676
GENERAL FUND TOTAL	\$22,676	\$22,676

ST. CROIX INTERNATIONAL WATERWAY COMMISSION DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$22,676	\$22,676
DEPARTMENT TOTAL - ALL FUNDS	\$22,676	\$22,676

Sec. A-65. 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	2009-10	2010-11
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	2009-10	2010-11
All Other	\$800,000	\$800,000
GENERAL FUND TOTAL	\$800,000	\$800,000

Sec. A-66. Appropriations and allocations.
The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF

Administration - Treasury 0022

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	16.000	16.000

Personal Services	\$1,195,125	\$1,239,800
All Other	\$254,444	\$254,444
GENERAL FUND TOTAL	\$1,449,569	\$1,494,244

FEDERAL EXPENDITURES FUND

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$54,191	\$57,193
All Other	\$12,379	\$12,379
FEDERAL EXPENDITURES FUND TOTAL	\$66,570	\$69,572

ABANDONED PROPERTY FUND

	2009-10	2010-11
All Other	\$217,686	\$217,686
ABANDONED PROPERTY FUND TOTAL	\$217,686	\$217,686

Administration - Treasury 0022

Initiative: Eliminates one Accounting Technician position and reduces funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$54,191)	(\$57,193)
All Other	(\$12,379)	(\$12,379)
FEDERAL EXPENDITURES FUND TOTAL	(\$66,570)	(\$69,572)

Administration - Treasury 0022

Initiative: Provides funding for the Treasurer of State's Cash Management Transparency and Proficiency Initiative, which will ensure the long-term sustainability of cost-effective banking services and management-level personnel required to maintain cash management, oversight and analysis.

GENERAL FUND	2009-10	2010-11
Personal Services	\$0	\$25,000
All Other	\$697,000	\$697,000
GENERAL FUND TOTAL	\$697,000	\$722,000

Administration - Treasury 0022

Initiative: Reduces funding for training and office supplies.

GENERAL FUND	2009-10	2010-11
All Other	(\$8,000)	(\$8,000)
GENERAL FUND TOTAL	(\$8,000)	(\$8,000)

ADMINISTRATION - TREASURY 0022

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	16,000	16,000
Personal Services	\$1,195,125	\$1,264,800
All Other	\$943,444	\$943,444
GENERAL FUND TOTAL	\$2,138,569	\$2,208,244

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

ABANDONED PROPERTY FUND	2009-10	2010-11
All Other	\$217,686	\$217,686
ABANDONED PROPERTY FUND TOTAL	\$217,686	\$217,686

Debt Service - Treasury 0021

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$89,026,467	\$89,026,467
GENERAL FUND TOTAL	\$89,026,467	\$89,026,467

Debt Service - Treasury 0021

Initiative: Provides funding to bring the appropriation in line with projected debt service requirements.

GENERAL FUND	2009-10	2010-11

All Other	\$8,484,771	\$16,943,285
GENERAL FUND TOTAL	\$8,484,771	\$16,943,285

Debt Service - Treasury 0021

Initiative: Adjusts the funding request for debt service based on the Governor's bond package proposal, the estimated need for a \$275,000,000 tax anticipation note and the projected use of any unexpended funds at the end of the fiscal year 2008-09.

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$1,932,740
GENERAL FUND TOTAL	\$0	\$1,932,740

DEBT SERVICE - TREASURY 0021

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$97,511,238	\$107,902,492
GENERAL FUND TOTAL	\$97,511,238	\$107,902,492

Disproportionate Tax Burden Fund 0472

Initiative: Transfers allocations between the State-Municipal Revenue Sharing program and the Disproportionate Tax Burden Fund program to separate and adjust amounts based on the adjustments to the General Fund revenue forecast and provisions in this Act.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,647,003	\$16,140,217
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,647,003	\$16,140,217

DISPROPORTIONATE TAX BURDEN FUND 0472

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$15,647,003	\$16,140,217
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,647,003	\$16,140,217

Passamaquoddy Sales Tax Fund 0915

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$17,607	\$17,607
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,607	\$17,607

**PASSAMAQUODDY SALES TAX FUND 0915
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$17,607	\$17,607
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,607	\$17,607

State - Municipal Revenue Sharing 0020

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$135,340,038	\$135,340,038
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,340,038	\$135,340,038

State - Municipal Revenue Sharing 0020

Initiative: Transfers allocations between the State-Municipal Revenue Sharing program and the Disproportionate Tax Burden Fund program to separate and adjust amounts based on the adjustments to the General Fund revenue forecast and provisions in this Act.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$58,007,024)	(\$63,728,900)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$58,007,024)	(\$63,728,900)

STATE - MUNICIPAL REVENUE SHARING 0020

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$77,333,014	\$71,611,138
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$77,333,014	\$71,611,138

TREASURER OF STATE, OFFICE OF		
DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$99,649,807	\$110,110,736
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$92,997,624	\$87,768,962
ABANDONED PROPERTY FUND	\$217,686	\$217,686
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$192,865,117	\$198,097,384

Sec. A-67. 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	2009-10	2010-11
All Other	\$35,000	\$35,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$35,000	\$35,000

CASCO BAY ESTUARY PROJECT - UNIVERSITY OF SOUTHERN MAINE 0983

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$35,000	\$35,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$35,000	\$35,000

Debt Service - University of Maine System 0902

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$2,500,000	\$2,500,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

DEBT SERVICE - UNIVERSITY OF MAINE SYSTEM 0902

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
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All Other	\$2,500,000	\$2,500,000
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

Educational and General Activities - UMS 0031

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$183,529,206	\$183,529,206
GENERAL FUND TOTAL	\$183,529,206	\$183,529,206

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$550,000	\$550,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$550,000	\$550,000

Educational and General Activities - UMS 0031

Initiative: Reduces funding to maintain costs within available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,028,700)	(\$5,028,700)
GENERAL FUND TOTAL	(\$5,028,700)	(\$5,028,700)

Educational and General Activities - UMS 0031

Initiative: Reduces funding in only fiscal years 2009-10 and 2010-11 to maintain costs within available resources due to the May 1, 2009 downward revenue reprojected.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,070,118)	(\$2,070,118)
GENERAL FUND TOTAL	(\$2,070,118)	(\$2,070,118)

Educational and General Activities - UMS 0031

Initiative: Provides funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$5,956,578	\$5,956,578
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$5,956,578	\$5,956,578

EDUCATIONAL AND GENERAL ACTIVITIES - UMS 0031

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$176,430,388	\$176,430,388
GENERAL FUND TOTAL	\$176,430,388	\$176,430,388

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$550,000	\$550,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$550,000	\$550,000

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
All Other	\$5,956,578	\$5,956,578
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$5,956,578	\$5,956,578

Graduate School of Biomedical Sciences Z088

Initiative: Provides funding for tuition stipends, fees and operating costs of the Graduate School of Biomedical Sciences at the University of Maine. Funding is available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2009-10	2010-11
All Other	\$750,000	\$0
GENERAL FUND TOTAL	\$750,000	\$0

GRADUATE SCHOOL OF BIOMEDICAL SCIENCES Z088

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$750,000	\$0
GENERAL FUND TOTAL	\$750,000	\$0

Maine Economic Improvement Fund 0986

Initiative: BASELINE BUDGET

GENERAL FUND	2009-10	2010-11
All Other	\$14,700,000	\$14,700,000

GENERAL FUND TOTAL	\$14,700,000	\$14,700,000
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MAINE ECONOMIC IMPROVEMENT FUND 0986

PROGRAM SUMMARY

GENERAL FUND	2009-10	2010-11
All Other	\$14,700,000	\$14,700,000
GENERAL FUND TOTAL	\$14,700,000	\$14,700,000

UM Cooperative Extension - Pesticide Education Z059

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

UM COOPERATIVE EXTENSION - PESTICIDE EDUCATION Z059

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

University of Maine Scholarship Fund Z011

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,427,834	\$1,427,834
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,427,834	\$1,427,834

University of Maine Scholarship Fund Z011

Initiative: Reduces funding to bring the allocation into line with projected available resources based on the rejections of racino revenue by the Revenue Forecasting Committee in December 2008.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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All Other	(\$379,069)	(\$360,902)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$379,069)	(\$360,902)

UNIVERSITY OF MAINE SCHOLARSHIP FUND Z011

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$1,048,765	\$1,066,932
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,048,765	\$1,066,932

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$194,415,388	\$193,665,388
OTHER SPECIAL REVENUE FUNDS	\$1,599,265	\$1,617,432
FEDERAL EXPENDITURES FUND ARRA	\$5,956,578	\$5,956,578
DEPARTMENT TOTAL - ALL FUNDS	\$201,971,231	\$201,239,398

Sec. A-68. 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	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	110.000	110.000
Personal Services	\$8,424,638	\$8,627,989
All Other	\$2,062,459	\$2,062,459
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,487,097	\$10,690,448

Administration - Workers' Compensation Board 0183

Initiative: Reorganizes one Hearings Officer Workers' Compensation Board position to an Auditor III position, one Office Assistant II position to a Paralegal position and increases the hours of one Office Assistant II position from 56 hours to 64 hours biweekly.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$56,859)	(\$53,188)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$56,859)	(\$53,188)

Administration - Workers' Compensation Board 0183

Initiative: Reduces funding to reflect projected expenditures.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$83,224)	(\$79,648)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$83,224)	(\$79,648)

ADMINISTRATION - WORKERS' COMPENSATION BOARD 0183

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	110.000	110.000
Personal Services	\$8,367,779	\$8,574,801
All Other	\$1,979,235	\$1,982,811
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,347,014	\$10,557,612

Employment Rehabilitation Program 0195

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Employment Rehabilitation Program 0195

Initiative: Provides funding for increased costs in providing employment rehabilitation services to injured workers.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

EMPLOYMENT REHABILITATION PROGRAM 0195

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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	2009-10	2010-11
Personal Services	\$20,000	\$20,000
All Other	\$20,398	\$20,398
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,398	\$40,398

WORKERS' COMPENSATION BOARD 0751

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$20,000	\$20,000
All Other	\$20,398	\$20,398
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,398	\$40,398

WORKERS' COMPENSATION BOARD DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$10,512,412	\$10,723,010
DEPARTMENT TOTAL - ALL FUNDS	\$10,512,412	\$10,723,010

PART B

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: RECLASSIFICATIONS

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND

	2009-10	2010-11
Personal Services	\$4,136	\$3,413
All Other	(\$4,136)	(\$3,413)

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	\$0	\$0
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Administration - Human Resources 0038

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$33,289	\$32,929
All Other	(\$33,289)	(\$32,929)

GENERAL FUND TOTAL	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
Personal Services	\$3,328	\$3,362

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,328	\$3,362
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Buildings and Grounds Operations 0080

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$24,789	\$25,051
All Other	(\$24,789)	(\$25,051)

GENERAL FUND TOTAL	\$0	\$0
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Financial and Personnel Services - Division of 0713

Initiative: RECLASSIFICATIONS

FINANCIAL AND PERSONNEL SERVICES FUND

	2009-10	2010-11
Personal Services	\$60,274	\$61,388

FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$60,274	\$61,388
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Information Services 0155

Initiative: RECLASSIFICATIONS

OFFICE OF INFORMATION SERVICES FUND

	2009-10	2010-11
Personal Services	\$227,628	\$252,183

OFFICE OF INFORMATION SERVICES FUND TOTAL	\$227,628	\$252,183
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Revenue Services - Bureau of 0002

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$2,999	\$3,031
All Other	(\$2,999)	(\$3,031)

GENERAL FUND TOTAL	\$0	\$0
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State Controller - Office of the 0056

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$32,372	\$33,634
All Other	(\$32,372)	(\$33,634)

GENERAL FUND TOTAL	\$0	\$0
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS

	2009-10	2010-11
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$3,328	\$3,362
FINANCIAL AND PERSONNEL SERVICES FUND	\$60,274	\$61,388

OFFICE OF INFORMATION SERVICES FUND	\$227,628	\$252,183
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$291,230	\$316,933
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AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of the Commissioner 0401

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$2,169	\$2,323
All Other	(\$2,169)	(\$2,323)

GENERAL FUND TOTAL	\$0	\$0
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AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
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GENERAL FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
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ARTS COMMISSION, MAINE

Arts - Sponsored Program 0176

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$5,242	\$5,571
All Other	(\$5,242)	(\$5,571)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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ARTS COMMISSION, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
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FEDERAL EXPENDITURES FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
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BAXTER STATE PARK AUTHORITY

Baxter State Park Authority 0253

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$3,415	\$4,533

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,415	\$4,533
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BAXTER STATE PARK AUTHORITY

DEPARTMENT TOTALS	2009-10	2010-11
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OTHER SPECIAL REVENUE FUNDS	\$3,415	\$4,533
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DEPARTMENT TOTAL - ALL FUNDS	\$3,415	\$4,533
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CONSERVATION, DEPARTMENT OF

Division of Forest Protection 0232

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$15,735	\$15,900
All Other	(\$15,735)	(\$15,900)

GENERAL FUND TOTAL	\$0	\$0
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Forest Policy and Management - Division of 0240

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$3,526	\$3,563
All Other	(\$3,526)	(\$3,563)

GENERAL FUND TOTAL	\$0	\$0
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Land Management and Planning 0239

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$38,841	\$40,250
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,841	\$40,250

Off-road Recreational Vehicles Program 0224

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$6,602	\$6,670
All Other	(\$6,602)	(\$6,670)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

CONSERVATION, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$38,841	\$40,250
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$38,841	\$40,250

**CORRECTIONS, DEPARTMENT OF
Charleston Correctional Facility 0400**

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$1,628	\$1,673
All Other	(\$1,628)	(\$1,673)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

Correctional Center 0162

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$7,328	\$7,281
All Other	(\$7,328)	(\$7,281)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

Juvenile Community Corrections 0892

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$2,380	\$2,047
All Other	(\$2,380)	(\$2,047)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

Long Creek Youth Development Center 0163

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$14,341	\$17,865
All Other	(\$14,341)	(\$17,865)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

State Prison 0144

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$24,537	\$22,142
All Other	(\$24,537)	(\$22,142)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

CORRECTIONS, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Maine Emergency Management Agency 0214

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$5,378	\$5,434
All Other	(\$5,378)	(\$5,434)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$5,377	\$5,434

FEDERAL EXPENDITURES	\$5,377	\$5,434
FUND TOTAL		

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$5,377	\$5,434

DEPARTMENT TOTAL - ALL FUNDS	\$5,377	\$5,434
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF Office of Tourism 0577

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$12,745	\$12,880
All Other	(\$12,745)	(\$12,880)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

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

EDUCATION, DEPARTMENT OF Federal and State Program Services Z079

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$7,217	\$7,293
All Other	(\$7,217)	(\$7,293)

GENERAL FUND TOTAL	\$0	\$0
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PK-20 Curriculum, Instruction and Assessment Z081

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$13,254	\$13,392
All Other	(\$13,254)	(\$13,392)

GENERAL FUND TOTAL	\$0	\$0
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FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$1,769	\$1,906
All Other	(\$1,769)	(\$1,906)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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Special Services Team Z080

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$13,797	\$17,013
All Other	(\$13,797)	(\$17,013)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF Maine Environmental Protection Fund 0421

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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Personal Services	\$5,695	\$6,076
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,695	\$6,076

Performance Partnership Grant 0851

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$11,580	\$11,700
All Other	\$430	\$431
FEDERAL EXPENDITURES FUND TOTAL	\$12,010	\$12,131

Remediation and Waste Management 0247

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$10,945	\$11,060
All Other	\$404	\$408
FEDERAL EXPENDITURES FUND TOTAL	\$11,349	\$11,468

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$20,313	\$21,068
All Other	\$595	\$604
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,908	\$21,672

ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
DEPARTMENT TOTALS	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$23,359	\$23,599
OTHER SPECIAL REVENUE FUNDS	\$26,603	\$27,748
DEPARTMENT TOTAL - ALL FUNDS	\$49,962	\$51,347

**EXECUTIVE DEPARTMENT
Planning Office 0082**

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$12,262	\$12,391
All Other	(\$12,262)	(\$12,391)
GENERAL FUND TOTAL	\$0	\$0

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$7,192	\$7,283
All Other	(\$7,192)	(\$7,283)
GENERAL FUND TOTAL	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$6,870	\$6,759
All Other	(\$6,870)	(\$6,759)
GENERAL FUND TOTAL	\$0	\$0

Dorothea Dix Psychiatric Center 0120

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$13,260	\$13,543
All Other	(\$13,260)	(\$13,543)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Mental Health Services - Children 0136

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$9,317	\$9,064
All Other	(\$9,317)	(\$9,064)
GENERAL FUND TOTAL	\$0	\$0

Mental Retardation Services - Community 0122

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$27,052	\$26,649
All Other	(\$27,052)	(\$26,649)
GENERAL FUND TOTAL	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$12,684	\$12,522
All Other	(\$12,684)	(\$12,522)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Bureau of Family Independence - Regional 0453

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$3,576	\$2,744

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,576	\$2,744
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Bureau of Medical Services 0129

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$7,335	\$4,385
All Other	(\$7,335)	(\$4,385)

GENERAL FUND TOTAL	\$0	\$0
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FEDERAL EXPENDITURES FUND

	2009-10	2010-11
Personal Services	\$11,837	\$9,349

FEDERAL EXPENDITURES FUND TOTAL	\$11,837	\$9,349
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Division of Licensing and Regulatory Services Z036

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$2,831	\$2,757
All Other	(\$2,831)	(\$2,757)

GENERAL FUND TOTAL	\$0	\$0
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FEDERAL BLOCK GRANT FUND

	2009-10	2010-11
Personal Services	\$60,791	\$15,725

FEDERAL BLOCK GRANT FUND TOTAL	\$60,791	\$15,725
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Health - Bureau of 0143

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$7,015	\$6,823

FEDERAL EXPENDITURES FUND TOTAL	\$7,015	\$6,823
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Maine Rx Plus Program 0927

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
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Personal Services	\$944	\$776
All Other	(\$944)	(\$776)
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GENERAL FUND TOTAL	\$0	\$0

Office of Management and Budget 0142

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$3,561	\$4,185
All Other	(\$3,561)	(\$4,185)
<hr/>		
GENERAL FUND TOTAL	\$0	\$0

OMB Division of Regional Business Operations 0196

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$5,493	\$6,724
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,493	\$6,724

Plumbing - Control Over 0205

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,736	\$1,690
All Other	\$68	\$66
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,804	\$1,756

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$18,852	\$16,172
OTHER SPECIAL REVENUE FUNDS	\$10,873	\$11,224
FEDERAL BLOCK GRANT FUND	\$60,791	\$15,725

DEPARTMENT TOTAL - ALL FUNDS	\$90,516	\$43,121
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HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$2,688	\$2,714
All Other	(\$2,688)	(\$2,714)
<hr/>		
GENERAL FUND TOTAL	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$4,047	\$4,088
All Other	(\$4,047)	(\$4,088)
<hr/>		
GENERAL FUND TOTAL	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$5,818	\$5,880
All Other	(\$5,818)	(\$5,880)
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GENERAL FUND TOTAL	\$0	\$0

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: RECLASSIFICATIONS

GENERAL FUND	2009-10	2010-11
Personal Services	\$8,903	\$8,994

All Other (\$8,903) (\$8,994)

GENERAL FUND TOTAL \$0 \$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

DEPARTMENT TOTALS 2009-10 2010-11

GENERAL FUND \$0 \$0

DEPARTMENT TOTAL - ALL FUNDS \$0 \$0

LABOR, DEPARTMENT OF Blind and Visually Impaired - Division for the 0126

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND 2009-10 2010-11

Personal Services \$2,740 \$2,768

All Other (\$2,740) (\$2,768)

FEDERAL EXPENDITURES FUND TOTAL \$0 \$0

LABOR, DEPARTMENT OF

DEPARTMENT TOTALS 2009-10 2010-11

FEDERAL EXPENDITURES FUND \$0 \$0

DEPARTMENT TOTAL - ALL FUNDS \$0 \$0

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND 2009-10 2010-11

Personal Services \$3,655 \$5,093

All Other (\$3,655) (\$5,093)

FEDERAL EXPENDITURES FUND TOTAL \$0 \$0

LIBRARY, MAINE STATE

DEPARTMENT TOTALS 2009-10 2010-11

FEDERAL EXPENDITURES FUND \$0 \$0

DEPARTMENT TOTAL - ALL FUNDS \$0 \$0

MARINE RESOURCES, DEPARTMENT OF Division of Community Resource Development 0043

Initiative: RECLASSIFICATIONS

GENERAL FUND 2009-10 2010-11

Personal Services \$4,318 \$4,879

All Other (\$4,318) (\$4,879)

GENERAL FUND TOTAL \$0 \$0

Marine Patrol - Bureau of 0029

Initiative: RECLASSIFICATIONS

GENERAL FUND 2009-10 2010-11

Personal Services \$7,157 \$7,260

All Other (\$7,157) (\$7,260)

GENERAL FUND TOTAL \$0 \$0

MARINE RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS 2009-10 2010-11

GENERAL FUND \$0 \$0

DEPARTMENT TOTAL - ALL FUNDS \$0 \$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Nursing - Board of 0372

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS 2009-10 2010-11

Personal Services \$5,104 \$7,603

All Other \$167 \$168

OTHER SPECIAL REVENUE FUNDS TOTAL \$5,271 \$7,771

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$5,271	\$7,771
DEPARTMENT TOTAL - ALL FUNDS	\$5,271	\$7,771

FUND FOR A HEALTHY MAINE	\$14,073	\$14,240
OTHER SPECIAL REVENUE FUNDS	\$163,647	\$166,690
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	\$1,949,971	\$769,978
DEPARTMENT TOTAL - ALL FUNDS	\$2,127,691	\$950,908

**PUBLIC SAFETY, DEPARTMENT OF
Consolidated Emergency Communications Z021**

Initiative: RECLASSIFICATIONS

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2009-10	2010-11
Personal Services	\$1,903,133	\$758,202
All Other	\$46,838	\$11,776
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$1,949,971	\$769,978

SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$47,588	\$45,205
FUND FOR A HEALTHY MAINE	\$14,073	\$14,240
OTHER SPECIAL REVENUE FUNDS	\$251,978	\$261,578
FEDERAL BLOCK GRANT FUND	\$60,791	\$15,725
FINANCIAL AND PERSONNEL SERVICES FUND	\$60,274	\$61,388
OFFICE OF INFORMATION SERVICES FUND	\$227,628	\$252,183
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	\$1,949,971	\$769,978
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$0	\$0

FHM - Fire Marshal 0964

Initiative: RECLASSIFICATIONS

FUND FOR A HEALTHY MAINE	2009-10	2010-11
Personal Services	\$14,073	\$14,240
FUND FOR A HEALTHY MAINE TOTAL	\$14,073	\$14,240

SECTION TOTAL - ALL FUNDS	\$2,612,303	\$1,420,297
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PART C

Sec. C-1. 20-A MRSA §5401, sub-§3-A is enacted to read:

3-A. Waiver for transportation of public pre-school students. The commissioner shall waive the requirement for school administrative units to provide transportation for public preschool students.

Sec. C-2. 20-A MRSA §5806, sub-§2, as amended by PL 2007, c. 539, Pt. C, §2, is further amended to read:

Fire Marshal - Office of 0327

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$163,647	\$166,690
OTHER SPECIAL REVENUE FUNDS TOTAL	\$163,647	\$166,690

PUBLIC SAFETY, DEPARTMENT OF		
DEPARTMENT TOTALS	2009-10	2010-11

2. Maximum allowable tuition. The maximum allowable tuition charged to a school administrative unit by a private school is the rate established under subsection 1 or the state average per public secondary student cost as adjusted, whichever is lower, plus an insured value factor. The insured value factor is computed by dividing 5% of the insured value of school buildings and equipment by the average number of pupils enrolled in the school on October 1st and April 1st of the year immediately before the school year for which the tuition charge is computed. ~~It may not exceed 10% of a school's legal tuition rate per student in any one year.~~ For the 2008-09 school year only, a school administrative unit is not required to pay an insured value factor greater than 5% of the school's tuition rate per student, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student. Beginning in school year 2009-10, a school administrative unit is not required to pay an insured value factor greater than 5% of the school's tuition rate or \$500 per student, whichever is less, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student.

Sec. C-3. 20-A MRSA §15671, sub-§7, ¶A, as amended by PL 2007, c. 539, Pt. C, §3, 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 ~~and succeeding years~~, the target is ~~100%~~ 97%.
- (6) For fiscal year 2010-11 and succeeding years, the target is 100%.

Sec. C-4. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2007, c. 539, Pt. C, §4, 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 ~~54.01%~~ 52.52%.

(5) For fiscal year 2009-10 ~~and succeeding years~~, the target is ~~55%~~ 50.95%.

(6) For fiscal year 2010-11 and succeeding years, the target is 55%.

Sec. C-5. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2007, c. 668, §34, 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% 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% statewide total local share in fiscal year 2008-09.

(4-A) For the 2009 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a ~~45.0%~~ 49.05% statewide total local share in fiscal year 2009-10 ~~and after~~.

(4-B) For the 2010 property tax year and subsequent tax years, the full-value education

mill rate is the amount necessary to result in a 45.0% statewide total local share in fiscal year 2010-11 and after.

Sec. C-6. 20-A MRSA §15682, as amended by PL 2005, c. 519, Pt. AAAA, §9, 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 ~~within~~ for labor market areas ~~in the State 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.

Sec. C-7. 20-A MRSA §15683-A, as amended by PL 2007, c. 539, Pt. C, §9, is further amended to read:

§15683-A. Total debt service allocation

For each school administrative unit, that unit's total debt service allocation is that unit's debt service costs as defined in section 15672, subsection 2-A. For the 2008-09 and 2009-10 funding year years only, for each school administrative unit, that unit's total debt service allocation is that unit's debt service costs as defined in section 15672, subsection 2-A excluding 80% of the insured value factor pursuant to section 15672, subsection 2-A, paragraph C. For the 2010-11 funding year only, each school administrative unit's total debt service allocation must include the portion of the tuition cost applicable to the insured value factor for the base year computed under section 5806 limited to an insured value factor no greater than 5% for each eligible student.

Sec. C-8. 20-A MRSA §15689, sub-§1, ¶B, as amended by PL 2007, c. 539, Pt. C, §10, is further amended to read:

B. The school administrative unit's special education costs as calculated pursuant to section 15681-A, subsection 2 multiplied by the following transition percentages:

- (1) In fiscal year 2005-06, 84%;
- (2) In fiscal year 2006-07, 84%;
- (3) In fiscal year 2007-08, 84%;
- (4) In fiscal year 2008-09, ~~50%~~ 45%; and
- (5) In fiscal year 2009-10 ~~and succeeding years, 84%.~~ 45%; and

(6) In fiscal year 2010-11 and succeeding years, 84%.

Sec. C-9. 20-A MRSA §15689, sub-§10 is enacted to read:

10. Innovative school construction project adjustment. For any fiscal year, if the appropriation for the state share of debt service exceeds the annual payments, the commissioner may expend and disburse the balance of funds to carry out the purposes of innovative school construction.

Sec. C-10. 20-A MRSA §15689-A, sub-§10, as amended by PL 2007, c. 539, Pt. W, §1, is further amended to read:

10. Data management and support services for essential programs and services. The commissioner may pay costs attributed to system maintenance and staff support consisting of 11 positions that provide professional and administrative support to general purpose aid for local schools necessary to implement the requirements of the Essential Programs and Services Funding Act. ~~A transfer of All Other funds from the General Purpose Aid for Local Schools account to Personal Services in the Management Information Systems account for 11 positions that provide professional and administrative support to general purpose aid for local schools in the department's management information systems program may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.~~

Sec. C-11. 20-A MRSA §15689-A, sub-§12-A, as amended by PL 2007, c. 539, Pt. C, §11, is further amended to read:

12-A. Learning through technology. The commissioner may pay costs attributed to staff support consisting of one Education Team and Policy Director position, 2 Education Specialist III positions, one Planning and Research Associate I position, one Director of Special Projects position and 2 Education Specialist II positions and system maintenance for a program that promotes learning through technology. ~~A transfer of All Other funds from the General Purpose Aid for Local Schools account to Personal Services and the All Other line categories category in the Learning Through Technology General Fund nonlapsing account sufficient to support the Personal Services and All Other costs of one Education Team and Policy Director position, 2 Education Specialist III positions, one Planning and Research Associate I position, one Director of Special Projects position, one Education Specialist II position, the General Fund share of one Education Specialist II position and the agreement that provides one-to-one wireless computers for 7th grade, 8th grade and high school students and educators may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.~~

Sec. C-12. 20-A MRSA §15689-A, sub-§16, as enacted by PL 2007, c. 539, Pt. C, §12, is amended to read:

16. Transportation administration. The commissioner may pay costs attributed to ~~staff support one Education Specialist III position~~ and system maintenance necessary to implement the transportation requirements of this chapter and chapter 215. ~~A transfer of All Other funds from the General Purpose Aid for Local Schools account to Personal Services and All Other line categories in the Support Systems General Fund account sufficient to support the Personal Services and All Other costs of one Education Specialist III position may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.~~

Sec. C-13. 20-A MRSA §15689-A, sub-§18, as reallocated by RR 2007, c. 2, §6, is amended to read:

18. Coordination of services for juvenile offenders. The commissioner may pay certain costs attributed to staff support consisting of 2 Education Specialist II positions and 2 Office Associate II positions and associated operating costs for providing coordination of education, treatment and other services for juvenile offenders at youth development centers in Charleston and South Portland. ~~A transfer of All Other funds from the General Purpose Aid for Local Schools account to the Personal Services and All Other line categories category in the Learning Systems Special Services Team program General Fund account within the Department of Education sufficient to support 2 Education Specialist II positions and 2 Office Associate II positions- the All Other costs in this subsection may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.~~

Sec. C-14. 20-A MRSA §15689-A, sub-§19 is enacted to read:

19. Miscellaneous costs limitations. The amounts of the miscellaneous costs pursuant to this section are limited to the amounts appropriated by the Legislature for these costs.

Sec. C-15. 20-A MRSA §15689-B, sub-§6, as enacted by PL 2005, c. 2, Pt. D, §61 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

6. Balance of allocations. Notwithstanding any other law, general operating fund balances at the end of a school administrative unit's fiscal year must be carried forward to meet the unit's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of 3% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy. School boards may carry

forward unallocated balances in excess of 3% of the previous year's school budget and disburse these funds in the next year or over a period not to exceed 3 years. For fiscal years 2008-09, 2009-10 and 2010-11 only, school administrative units may not be limited to 3% of the previous fiscal year's school budget.

Sec. C-16. 20-A MRSA §15690, sub-§1, as amended by PL 2007, c. 240, Pt. XXXX, §31 and amended by, c. 539, Pt. C, §15, is further amended to read:

1. School administrative unit contribution to total cost of funding public education from kindergarten to grade 12. The legislative body of each school administrative unit may vote to raise and appropriate an amount up to its required contribution to the total cost of education as described in section 15688, except that funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to a school administrative unit's fiscal years 2008-09, 2009-10 and 2010-11 share of general purpose aid as determined under this chapter must be used to lower the school administrative unit's required contribution to the total cost of education.

A. For a municipal school unit, an article in substantially the following form must be used when a single municipal school administrative unit is considering the appropriation of an amount up to its required contribution to the total cost of education as described in section 15688.

(1) "Article.....: To see what sum the municipality will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (Recommend \$.....) and to see what sum the municipality will raise as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688. (Recommend \$.....)"

(2) The following statement must accompany the article in subparagraph (1). "Explanation: The school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars."

B. For a school administrative district, a community school district or a regional school unit, an ar-

title in substantially the following form must be used when the school administrative district, community school district or regional school unit is considering the appropriation of an amount up to its required contribution to the total cost of education as described in section 15688.

(1) "Article: To see what sum the district will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and to see what sum the district will raise and assess as each municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 (Recommend amount set forth below):

Total Appropriated (by municipality):	Total raised (dis- trict assessments by municipality):
Town A (\$amount)	Town A (\$amount)
Town B (\$amount)	Town B (\$amount)
Town C (\$amount)	Town C (\$amount)
School District	School District
Total Appropriated	Total Raised
(\$sum of above)	(\$sum of above)"

(2) The following statement must accompany the article in subparagraph (1). "Explanation: The school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the district must raise and assess in order to receive the full amount of state dollars."

C. The state share of the total cost of funding public education from kindergarten to grade 12 as described in section 15688, excluding state-funded debt service for each school administrative unit, is limited to the same proportion as the local school administrative unit raises of its required contribution to the total cost of education as described in section 15688, excluding state-funded debt service costs. For school administrative units that annually demonstrate savings by purchasing supplies using an electronic bidding forum, the commissioner may suspend all or a portion of any adjustment to the unit's state contribution pursuant to this paragraph.

Sec. C-17. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2009-10 is 6.73

and must be lowered to 6.37 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2009-10.

Sec. C-18. 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 2009-10 is as follows:

	2009-10 TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage	\$1,355,336,908
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage	\$1,314,676,801
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$393,441,473
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Total Operating Allocation	\$1,708,118,274
Total Debt Service Allocation	
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$99,167,267
Total Adjustments and Miscellaneous Costs	
Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, section 15689 and 15689-A	\$74,860,695
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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 2009-10 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B \$1,882,146,236

Sec. C-19. 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, 2009 and ending June 30, 2010 is calculated as follows:

	2009-10	2009-10
	LOCAL	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	\$923,174,744	\$958,971,492
Portion to be paid from Federal IDEA balance		(\$11,600,000)
Adjusted state contribution		\$947,371,492

Sec. C-20. Limit of State's obligation. If the State's continued obligation for any individual component contained in sections 18 and 19 of this Part 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-21. Authorization of payments. Sections 18 and 19 of this Part 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, 2009 and ending June 30, 2010.

Sec. C-22. Carrying balance; Management Information Systems program, General Fund account. Notwithstanding any other provision of law, any balance remaining from the \$3,500,000 appropriation in fiscal year 2007-08 to the Department of Education's Management Information Systems program, General Fund account in Public Law 2007, chapter 240, Part A, section 22 to provide statewide support for certain operational efficiencies, such as

GIS routing software and consolidated payroll and accounting systems, associated with school consolidation that carried forward to fiscal year 2008-09 pursuant to Public Law 2007, chapter 539, Part NN, section 1 does not lapse but must carry forward to June 30, 2011 to be used for the same purpose.

PART D

Sec. D-1. 20-A MRSA §253, sub-§6, as amended by PL 1985, c. 785, Pt. A, §78, is further amended to read:

6. Agricultural education consultant. The commissioner shall appoint, subject to the Civil Service Law, an Education Specialist ~~H~~ **III or higher** or agricultural education consultant to be responsible for supervision of agricultural technical education, including agribusiness and agriculture's relation to the environment.

Sec. D-2. Rename Preschool Handicapped program. Notwithstanding any other provision of law, the Preschool Handicapped program within the Department of Education is renamed the Child Development Services program.

PART E

Sec. E-1. 36 MRSA §4062, sub-§1-A, ¶A, as repealed and replaced by PL 2005, c. 12, Pt. N, §1 and affected by §4, is 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 federal taxable estate is to be determined using the applicable Code as of the date of the decedent's death, except that: 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; and~~

~~(1) The state death tax deduction contained in the Code, Section 2058 is to be disregarded;~~

~~(2) The unified credit is to be determined under the Code, Section 2010 as of December 31, 2000;~~

~~(3) For the estates of decedents dying after December 31, 2004, the federal taxable estate must be decreased by an amount equal to the value of Maine qualified terminable interest property in the estate of the decedent; and~~

~~(4) For the estates of decedents dying after December 31, 2004, the federal taxable estate must be increased by an amount equal to the value of Maine elective property in respect of the decedent; and~~

Sec. E-2. 36 MRSA §4062, sub-§1-B is enacted to read:

1-B. Federal taxable estate. "Federal taxable estate" means the taxable estate as determined using the applicable Code as of the date of the decedent's death except as provided in subsection 1-A, subsection 2 and:

A. The state death tax deduction contained in the Code, Section 2058 must be disregarded;

B. For estates of decedents dying after December 31, 2004, the federal taxable estate must be decreased by an amount equal to the value of Maine qualified terminable interest property in the estate of the decedent; and

C. For estates of decedents dying after December 31, 2004, the federal taxable estate must be increased by an amount equal to the value of Maine elective property in respect of the decedent.

Sec. E-3. 36 MRSA §4062, sub-§2, as amended by PL 2007, c. 693, §24, is further amended to read:

2. Federal gross estate. "Federal gross estate" means the gross estate of a decedent as determined by the assessor in accordance with the Code, except that, notwithstanding the Code, Section 2035, the value of the gross estate includes the value of all taxable gifts as defined under the Code, Section 2503(a) made by the decedent during the 1-year period ending on the date of the decedent's death, but does not include the value of taxable gifts made prior to January 1, 2008.

Sec. E-4. 36 MRSA §4062, sub-§2-A, as amended by PL 2005, c. 622, §15, is further amended to read:

2-A. Maine elective property. "Maine elective property" means all property in which the 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 on the estate of a predeceased spouse of the decedent, the federal taxable estate of that predeceased spouse was decreased pursuant to subsection 1-A 1-B, paragraph A, subparagraph (3) 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.

Sec. E-5. 36 MRSA §4071, sub-§1-A, as enacted by PL 2007, c. 693, §29, is amended to read:

1-A. State determination of certain estates. For deaths occurring on or after July 1, 2008 but before ~~January 1, 2010~~ July 1, 2009, the State Tax Assessor is not bound by a final federal determination under subsection 1 if the assessor determines the issue for purposes of tax under this chapter within 2 years of the date the return was filed or the date the return is due, whichever is later.

For deaths occurring on or after July 1, 2009, the State Tax Assessor is not bound by a final federal determination under subsection 1 if the assessor determines the issue for purposes of tax under this chapter within one year of the date the return was filed or the date the return is due, whichever is later.

Sec. E-6. Application. Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 4062, subsections 1-A, 2 and 2-A and that enact Title 36, section 4062, subsection 1-B apply to deaths occurring on or after January 1, 2009. That section of this Part that amends Title 36, section 4071, subsection 1-A applies to estates of decedents dying on or after July 1, 2009.

PART F

Sec. F-1. PL 2007, c. 539, Pt. L, §1 is amended to read:

Sec. L-1. Transfers to Maine Clean Election Fund. In addition to the transfers authorized pursuant to the Maine Revised Statutes, Title 21-A, section 1124, the State Controller shall transfer ~~\$2,425,000~~ \$2,000,000 from General Fund undedicated revenue to the Maine Clean Election Fund on or before June 1, 2010 ~~and shall transfer an additional \$2,000,000 from General Fund undedicated revenue to the Maine Clean Election Fund on or before August 1, 2010.~~

Sec. F-2. 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 made on or before January 1, 2011, from the General Fund to the Maine Clean Election Fund on or before September 1, 2010 in order to ensure that adequate funds will be available to the Commission on Governmental Ethics and Election Practices.

PART G

Sec. G-1. 12 MRSA §6304, sub-§2, as amended by PL 2003, c. 20, Pt. WW, §1, is further amended to read:

2. Duplication. Licenses that have been lost or destroyed must be reissued at a cost of ~~\$5~~ \$6.

Sec. G-2. 12 MRSA §6421, sub-§7-A, as amended by PL 2007, c. 615, §9, is further amended to read:

7-A. Fee. Except as provided in subsection 8, the fee for the license is:

A. ~~Fifty-six~~ Sixty-five dollars for a resident Class I license for applicants under 18 years of age;

A-1. ~~Three hundred and thirty-six~~ eighty-seven dollars for a nonresident Class I license for applicants under 18 years of age;

B. ~~One hundred and thirteen~~ thirty-five dollars and seventy-five cents for a resident Class I license for applicants 18 years of age or older;

B-1. ~~Six hundred and eighty-two~~ Seven hundred ninety dollars and seventy-five cents for a nonresident Class I license for applicants 18 years of age or older;

C. ~~Two hundred twenty-eight~~ seventy-two dollars and fifty cents for a resident Class II license;

C-1. ~~Thirteen hundred seventy-one~~ Fifteen hundred eighty-seven dollars and fifty cents for a nonresident Class II license;

D. ~~Three hundred forty-one~~ Four hundred seven dollars and twenty-five cents for a resident Class III license;

D-1. ~~Two thousand forty-seven~~ three hundred sixty-nine dollars and twenty-five cents for a nonresident Class III license;

E. ~~Fifty-six~~ Sixty-five dollars for a resident apprentice lobster and crab fishing license for applicants under 18 years of age;

E-1. ~~Three hundred thirty-six~~ eighty-seven dollars for a nonresident apprentice lobster and crab fishing license for applicants under 18 years of age;

F. ~~One hundred and fourteen~~ thirty-two dollars for a resident apprentice lobster and crab fishing license for applicants 18 years of age or older;

F-1. ~~Six hundred and eighty-two~~ Seven hundred eighty-five dollars and ~~seventy-five cents~~ for a nonresident apprentice lobster and crab fishing license for applicants 18 years of age or older;

G. ~~Fifty-six~~ Sixty-five dollars for a student lobster and crab fishing license;

H. ~~Fifty-six~~ Sixty-five dollars for a noncommercial lobster and crab fishing license; and

I. Five hundred ninety dollars and twenty-five cents for a nonresident lobster and crab landing permit.

Sec. G-3. 12 MRSA §6421, sub-§8, as repealed and replaced by PL 2007, c. 138, §1, is amended to read:

8. Exception. The fee for a license for an applicant 70 years of age or older is:

A. For a Class I or an apprentice lobster and crab fishing license, ~~\$57~~ \$66;

B. For a Class II lobster and crab fishing license, ~~\$144~~ \$136; and

C. For a Class III lobster and crab fishing license, ~~\$170~~ \$203.

Sec. G-4. 12 MRSA §6451, sub-§1, as amended by PL 2007, c. 615, §12, is further amended to read:

1. Allocation of license fees. Ten dollars of each ~~\$113.75~~ \$135.75 fee, \$10 of each ~~\$114~~ \$132 fee, \$20 of each ~~\$170~~ \$203 fee, \$20 of each ~~\$228.50~~ \$272.50 fee, \$30 of each ~~\$341.25~~ \$407.25 fee, \$30 of each ~~\$336~~ \$387 fee, \$60 of each ~~\$682.75~~ \$785 fee, \$60 of each ~~\$790.75~~ \$790.75 fee, \$120 of each ~~\$1,371.50~~ \$1,587.50 fee, \$180 of each ~~\$2,047.25~~ \$2,369.25 fee, \$5 of each ~~\$56~~ \$65 fee and \$5 of each ~~\$57~~ \$66 fee for each lobster and crab fishing license must be allocated to the Lobster Fund, which must be used for the purposes of lobster biology research, of propagation of lobsters by liberating seed lobsters and female lobsters in Maine coastal waters and of establishing and supporting lobster hatcheries.

Sec. G-5. 12 MRSA §6501, sub-§5, as amended by PL 2003, c. 20, Pt. WW, §6, is further amended to read:

5. Fees. Fees for commercial fishing licenses are:

A. ~~Forty-one~~ Forty-eight dollars for resident operator;

B. One hundred ~~eleven~~ twenty-eight dollars for resident operator and all crew members; and

C. Four hundred ~~eighteen~~ eighty-one dollars for nonresident operator and all crew members.

Sec. G-6. 12 MRSA §6505-A, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §7, is further amended to read:

4. Fees. Fees for elver fishing licenses are:

A. For a person who is a resident, ~~\$91~~ \$105; and

B. For a person who is a nonresident, ~~\$384~~ \$442.

Fifty dollars of each license fee collected under this subsection ~~accrue~~ accrues to the Eel and Elver Management Fund established in section 6505-D.

Sec. G-7. 12 MRSA §6505-B, sub-§1, ¶A, as amended by PL 2001, c. 421, Pt. B, §30 and affected by Pt. C, §1, is further amended to read:

A. ~~Fifty~~ Fifty-eight dollars per net or trap for the use of an elver fyke net or Sheldon eel trap, except that the fee under this paragraph does not apply to an elver fyke net or Sheldon eel trap a person utilizes pursuant to section 6505-A, subsection 5.

Sec. G-8. 12 MRSA §6505-B, sub-§3, as amended by PL 2001, c. 421, Pt. B, §30 and affected by Pt. C, §1, is further amended to read:

3. Dip net fee. A person may not utilize a dip net to fish for or take elvers without paying a fee of ~~\$50~~ \$58 per dip net annually.

This subsection does not apply to a dip net a person utilizes pursuant to section 6505-A, subsection 5.

Sec. G-9. 12 MRSA §6505-B, sub-§5, as enacted by PL 1995, c. 536, Pt. A, §8, is amended to read:

5. Disposition of fees. All fees ~~Fees~~ collected under this section accrue to the Eel and Elver Management Fund established in section 6505-D: as follows:

A. Fifty dollars per net or trap for the use of an elver fyke net or Sheldon eel trap; and

B. Fifty dollars per dip net.

Sec. G-10. 12 MRSA §6505-C, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §8, is further amended to read:

4. Fees. The fee for an eel harvesting license is ~~\$108~~ \$125.

Sec. G-11. 12 MRSA §6535, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §9, is further amended to read:

4. Fee. Fees for licenses issued under this section are:

A. For a sea urchin and scallop diving tender license, ~~\$111~~ \$133; and

B. For a 30-day temporary sea urchin and scallop diving tender license, ~~\$31~~ \$36.

Sec. G-12. 12 MRSA §6536, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §10, is further amended to read:

4. Fee. The fee for a scallop diving tender license is ~~\$111~~ \$136.

Sec. G-13. 12 MRSA §6601, sub-§5, as repealed and replaced by PL 2007, c. 466, Pt. A, §34, is amended to read:

5. Fee. Except as provided in subsection 5-A, the fee for a commercial shellfish license is ~~\$115~~ \$133.

Sec. G-14. 12 MRSA §6601, sub-§5-A, as amended by PL 2007, c. 466, Pt. A, §35, is further amended to read:

5-A. Exception. The fee for a commercial shellfish license for applicants 70 years of age or older is ~~\$57.50~~ \$67.

Sec. G-15. 12 MRSA §6602, sub-§5, as enacted by PL 2007, c. 54, §2, is amended to read:

5. Fee. The fee for a surf clam boat license is ~~\$230~~ \$265.

Sec. G-16. 12 MRSA §6651, sub-§1, as amended by PL 2007, c. 692, §3, is further amended to read:

1. Fees to be paid into fund. ~~Sixty-five percent of all fees~~ Fees from shellfish licenses, mussel hand-raking and boat licenses, shellfish transportation licenses and wholesale seafood licenses must be paid into the Shellfish Fund. ~~The Shellfish Fund may receive any other money, including any other gift, grant or other source of revenue.~~ as follows:

A. Seventy-four dollars and seventy-five cents from a commercial shellfish license;

B. One hundred forty-nine dollars and fifty cents from a mussel boat license;

C. Seventy-four dollars and seventy-five cents from a mussel hand-raking license;

D. Two hundred ninety-nine dollars from a shellfish transportation license;

E. Ninety-seven dollars and fifty cents from a shellfish transportation supplemental license;

F. Two hundred fifty dollars and twenty-five cents from a wholesale seafood license; and

G. Forty-eight dollars and seventy-five cents from a wholesale seafood supplemental license.

The Shellfish Fund may receive any other money, including any other gift, grant or other source of revenue.

Sec. G-17. 12 MRSA §6701, sub-§5, as amended by PL 2003, c. 20, Pt. WW, §13, is further amended to read:

5. Fee. The fee for a scallop license is ~~\$111~~ \$143.

Sec. G-18. 12 MRSA §6702, sub-§5, as amended by PL 2007, c. 607, Pt. A, §2, is further amended to read:

5. Fee. The fee for a scallop dragging license is ~~\$144~~ \$143.

Sec. G-19. 12 MRSA §6703, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §15, is further amended to read:

4. Fee. The fee for a noncommercial scallop license is ~~\$10~~ \$18.

Sec. G-20. 12 MRSA §6731, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §16, is further amended to read:

4. Fee. The fee for a mahogany quahog license is ~~\$144~~ \$128. Fees collected pursuant to this section must be deposited in the General Fund.

Sec. G-21. 12 MRSA §6745, sub-§5, as amended by PL 2003, c. 20, Pt. WW, §17, is further amended to read:

5. Fee. The fee for a hand-raking mussel license is ~~\$145~~ \$133.

Sec. G-22. 12 MRSA §6746, sub-§5, as amended by PL 2003, c. 20, Pt. WW, §18, is further amended to read:

5. Fee. The fee for a mussel boat license is ~~\$230~~ \$265.

Sec. G-23. 12 MRSA §6748, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §19, is further amended to read:

4. Fee. The fee for a handfishing sea urchin license is ~~\$144~~ \$152.

Sec. G-24. 12 MRSA §6748-A, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §20, is further amended to read:

4. Fee. The fee for a sea urchin dragging license is ~~\$144~~ \$152.

Sec. G-25. 12 MRSA §6748-D, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §21, is further amended to read:

4. Fee. The fee for a sea urchin hand-raking and trapping license is ~~\$144~~ \$152.

Sec. G-26. 12 MRSA §6751, sub-§4, as amended by PL 1991, c. 528, Pt. T, §12 and affected by Pt. RRR and amended by c. 591, Pt. T, §12, is further amended to read:

4. Fee. The fee for a marine worm digger's license is ~~\$43~~ \$50.

Sec. G-27. 12 MRSA §6791, sub-§1, as enacted by PL 1977, c. 661, §5, is amended to read:

1. Deposit of license revenues. ~~All revenues~~ Revenues from marine worm licenses ~~shall~~ must be paid into the Marine Worm Fund. ~~The fund shall be maintained by the commissioner.~~ as follows:

A. Forty-three dollars from a marine worm digger's license;

B. Fifty-five dollars from a marine worm dealer's license; and

C. Twenty-two dollars from a supplemental marine worm dealer's license.

The fund must be maintained by the commissioner.

Sec. G-28. 12 MRSA §6801-A, sub-§5, as enacted by PL 2005, c. 27, §1, is amended to read:

5. Fee. The fee for a sea cucumber drag license is ~~\$144~~ \$128.

Sec. G-29. 12 MRSA §6803, sub-§3, as amended by PL 1999, c. 501, §2, is further amended to read:

3. Fees. The fee schedule for seaweed permits is as follows:

A. Fifty ~~Fifty-eight~~ dollars for a resident seaweed permit;

B. Two hundred ~~thirty~~ dollars for a nonresident seaweed permit;

C. ~~Twenty-five~~ ~~Twenty-nine~~ dollars for a resident supplemental seaweed permit; and

D. ~~Fifty~~ ~~Fifty-eight~~ dollars for a nonresident supplemental seaweed permit.

Sec. G-30. 12 MRSA §6803, sub-§4, as corrected by RR 1999, c. 1, §17, is amended to read:

4. Disposition of fees. ~~All fees~~ Fees collected under this section accrue to the Seaweed Management Fund established in section 6806: as follows:

A. Fifty dollars for a resident seaweed permit;

B. Two hundred dollars for a nonresident seaweed permit;

C. Twenty-five dollars for a resident supplemental seaweed permit; and

D. Fifty dollars for a nonresident supplemental seaweed permit.

Sec. G-31. 12 MRSA §6804, sub-§7, as amended by PL 2003, c. 248, §10, is further amended to read:

7. Fees. Fees for the commercial northern shrimp license are as follows:

A. ~~Thirty-three~~ ~~Thirty-eight~~ dollars for a resident license that authorizes the license holder to engage in the licensed activities under subsection 2;

B. ~~Eighty-nine~~ ~~One hundred three~~ dollars for a resident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2; and

C. ~~Three hundred and thirty-four~~ eighty-five dollars for a nonresident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2.

Sec. G-32. 12 MRSA §6804, sub-§8, as amended by PL 2003, c. 248, §10, is further amended to read:

8. Disposition of fees. ~~All fees~~ Fees for commercial northern shrimp licenses must be deposited in the Shrimp Management Fund established in section 6805: as follows:

A. Thirty-three dollars for a resident license that authorizes the license holder to engage in the licensed activities under subsection 2;

B. Eighty-nine dollars for a resident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2; and

C. Three hundred thirty-four dollars for a nonresident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2.

Sec. G-33. 12 MRSA §6808, sub-§6, as enacted by PL 2001, c. 186, §1, is amended to read:

6. Fees. The fee for a commercial green crab only license is ~~\$33~~ \$38 for a resident license and ~~\$66~~ \$76 for a nonresident license, which authorizes the license holder to engage in the licensed activities under subsection 2.

Sec. G-34. 12 MRSA §6808, sub-§7, as enacted by PL 2001, c. 186, §1, is amended to read:

7. Disposition of fees. ~~All fees~~ Fees for commercial green crab only licenses must be deposited in the Green Crab Management Fund established in section 6809: as follows:

A. Thirty-three dollars for a resident commercial green crab only license; and

B. Sixty-six dollars for a nonresident commercial green crab only license.

Sec. G-35. 12 MRSA §6810-A, sub-§8, as enacted by PL 2003, c. 169, §1 and affected by §3, is amended to read:

8. Fee. The fee for a marine harvesting demonstration license is ~~\$25~~ \$26.

Sec. G-36. 12 MRSA §6851, sub-§6, as amended by PL 2003, c. 20, Pt. WW, §22, is further amended to read:

6. Fees. The fees are as follows:

A. ~~Three hundred eighty-five~~ Four hundred forty-three dollars for a wholesale seafood license or a wholesale seafood license with a lobster per-

mit, sea urchin buyer's permit, shrimp permit or sea urchin processor's permit; and

B. ~~Seventy-five~~ Eighty-seven dollars for each supplemental license.

Sec. G-37. 12 MRSA §6851-A, sub-§4, as enacted by PL 2005, c. 508, §1, is amended to read:

4. Fee. The fee for a limited wholesale shellfish harvester's license is ~~\$100~~ \$115.

Sec. G-38. 12 MRSA §6852, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §23, is further amended to read:

4. Fee. The fee for a retail seafood license is ~~\$406~~ \$122.

Sec. G-39. 12 MRSA §6853, sub-§6, as amended by PL 1991, c. 528, Pt. T, §16 and affected by Pt. RRR and amended by c. 591, Pt. T, §16, is further amended to read:

6. Fee. The fee for a marine worm dealer's license is ~~\$55~~ \$64 and the fee for a supplemental license is ~~\$22~~ \$26.

Sec. G-40. 12 MRSA §6854, sub-§6, as amended by PL 2003, c. 20, Pt. WW, §24, is further amended to read:

6. Fees. The fee for a lobster transportation license is ~~\$271~~ \$312 and the fee for a supplemental license is ~~\$54~~ \$63.

Sec. G-41. 12 MRSA §6855, sub-§6, as amended by PL 2003, c. 20, Pt. WW, §25, is further amended to read:

6. Fees. The fee for a shellfish transportation license is ~~\$460~~ \$529 and the fee for a supplemental license is ~~\$150~~ \$173.

Sec. G-42. 12 MRSA §6857, sub-§5, as amended by PL 2003, c. 20, Pt. WW, §26, is further amended to read:

5. Fee. The fee for a lobster meat permit is ~~\$138~~ \$159.

Sec. G-43. 12 MRSA §6863, sub-§3, as enacted by PL 1991, c. 876, §2, is amended to read:

3. Fee. The annual fee for a cultchless American oyster growers license is ~~\$10~~ \$12.

Sec. G-44. 12 MRSA §6864, sub-§4, as amended by PL 2003, c. 20, Pt. WW, §27, is further amended to read:

4. Fee. The fee for an elver dealer's license is ~~\$1,054~~ \$1,213 and the fee for each supplemental license is ~~\$54~~ \$63.

Sec. G-45. 12 MRSA §6864, sub-§5, as enacted by PL 1995, c. 536, Pt. A, §10 and affected by §13, is amended to read:

5. Disposition of fees. All fees collected under this section accrue to the Eel and Elver Management Fund established in section 6505-D, except that ~~\$217~~ \$376 accrues to the General Fund for each elver dealer's license sold under this section and ~~\$43~~ \$52 accrues to the General Fund for each supplemental license sold under this section.

PART H

Sec. H-1. 36 MRSA §4403, sub-§1, as amended by PL 2005, c. 627, §8, is repealed and the following enacted in its place:

1. Smokeless tobacco. A tax is imposed on smokeless tobacco, including chewing tobacco and snuff, at the rate of:

A. On amounts of smokeless tobacco packaged for sale to the consumer in a package that contains one ounce or more of smokeless tobacco, \$2.02 per ounce and prorated; and

B. On smokeless tobacco packaged for sale to the consumer in a package that contains less than one ounce of smokeless tobacco, \$2.02 per package.

Sec. H-2. 36 MRSA §4404, first ¶, as amended by PL 2007, c. 438, §101, is further amended to read:

Every distributor subject to the licensing requirement of section 4402 shall file, on or before the last day of each month, a return on a form prescribed and furnished by the State Tax Assessor together with payment of the tax due under this chapter. The return ~~must state the quantity and the wholesale sales price of~~ report all tobacco products held, purchased, manufactured, brought in or caused to be brought in from outside the State or shipped or transported to retailers within the State during the preceding calendar month. Every distributor shall keep a complete and accurate record at its principal place of business to substantiate all receipts and sales of tobacco products.

Sec. H-3. Application. That section of this Part that amends the Maine Revised Statutes, Title 36, section 4403, subsection 1 applies to purchases made on or after July 1, 2009.

PART I

Sec. I-1. 12 MRSA §10202, sub-§9, as amended by PL 2007, c. 240, Pt. O, §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 ~~2010-2011~~ 2012-2013 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 J

Sec. J-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, Office of Information Technology may enter into lease-purchase agreements in fiscal years 2009-10 and 2010-11 for the acquisition of personal computers, servers, printers and other hardware and software to support end-user and infrastructure services and for new system development provided to departments and agencies by the Office of Information Technology. The financing arrangements entered into in each fiscal year may not exceed \$10,000,000 in principal costs, and a financing arrangement may not exceed 5 years in duration. The interest rate may not exceed 8%, and total interest costs with respect to the financing arrangements entered into in each fiscal year may not exceed \$2,523,000. Payment for debt service costs must be made from the available All Other allocation in the Office of Information Technology Internal Service Fund.

PART K

Sec. K-1. Rename Division of Administrative Services program. Notwithstanding any other provision of law, the Division of Administrative Services program in the Department of Marine Resources is renamed the Office of the Commissioner program.

PART L

Sec. L-1. 12 MRSA §5012, first ¶, as amended by PL 1997, c. 24, Pt. QQ, §1, is further amended to read:

The commissioner is the chief executive officer of the Department of Conservation. The commissioner shall coordinate and supervise the activities and programs of the bureaus and agencies that are part of the department; undertake comprehensive planning and analysis with respect to the functions and responsibilities of the department; and develop and implement, whenever necessary, procedures and practices to promote economy, efficiency and coordination in and between the various agencies and bureaus of the department. The commissioner shall reorganize or combine the bureaus of the department or the planning, operations and other functions among the bureaus of the department as the commissioner considers necessary to improve the efficiency of department services. From time to time the commissioner shall recommend to the Governor and Legislature such changes in the laws relating to the organization, functions, services or procedures of the agencies and bureaus of the department as the commissioner considers desirable. The commissioner shall prepare a budget for the depart-

ment; and shall organize and maintain within the department a general services division to which the commissioner may assign personnel from the agencies and bureaus of the department the office of the commissioner.

Sec. L-2. 12 MRSA §5012, 2nd ¶, as amended by PL 1997, c. 24, Pt. QQ, §2, is further amended to read:

The commissioner has the power to appoint a ~~director of general services~~, a deputy commissioner and bureau heads and other staff of the department, subject to the Civil Service Law, and prescribe their duties as necessary for the proper performance of the duties of the department.

Sec. L-3. 12 MRSA §5012, 3rd ¶, as amended by PL 1997, c. 24, Pt. QQ, §2, is further amended to read:

The ~~director of general services~~, the deputy commissioner and bureau heads shall serve at the pleasure of the commissioner, except that dismissal of the Executive Director of the Maine Land Use Regulation Commission requires the consent of a majority of the members of that commission.

Sec. L-4. 12 MRSA §5013, last ¶, as amended by PL 1997, c. 24, Pt. QQ, §3, is further amended to read:

Every person appointed as a bureau director; ~~or a director of general services or of planning and program services~~, or in another supervisory capacity in the department, must have experience and skill in the field of the functions of such position. So far as is practicable in the judgment of the commissioner, appointments to such positions must be made by promoting employees of the State serving in positions that are classified and in every instance when a person is promoted from a classified position upon termination of that person's service in such classified supervisory position, the employee shall, if the employee so requests, must be restored to the classified position from which the employee was promoted or to a position equivalent thereto in salary grade in the same state agency, without impairment of the employee's personnel status or the loss of seniority, retirement or other rights to which uninterrupted service in the classified position would have entitled the employee, provided that if the employee's service in such unclassified supervisory position has been terminated for cause, the employee's right to be so restored must be determined by the State Civil Service Appeals Board.

Sec. L-5. Rename Administrative Services - Conservation program. Notwithstanding any other provision of law, the Administrative Services - Conservation program in the Department of Conservation is renamed the Office of the Commissioner program.

PART M

Sec. M-1. 5 MRSA §3305, sub-§1, ¶M, as repealed and replaced by PL 1995, c. 625, Pt. A, §9, is amended to read:

M. Administer a program of training and ~~financial assistance~~ certification for municipal code enforcement officers;

Sec. M-2. 7 MRSA §3909, sub-§2, as amended by PL 1997, c. 683, Pt. B, §1, is further amended to read:

2. Designated employees of the department.

For purposes of prosecution under this section, the commissioner may authorize humane agents and a state veterinarian to serve civil process pursuant to the Maine Rules of Civil Procedure, Rule 80H and any other applicable rules of court. The commissioner may authorize humane agents or a state veterinarian to represent the department in District Court in the prosecution of civil violations of these laws. ~~Certification of the humane agents and a state veterinarian for this purpose is as provided under Title 30-A, section 4453, subsection 5.~~ Once certified, prosecution by the humane agent or a state veterinarian may seek civil penalties as provided by law as well as a permanent or temporary injunction, restraining order or other equitable relief as the court finds appropriate.

Sec. M-3. 25 MRSA §2374, as enacted by PL 2007, c. 699, §11, is amended to read:

§2374. Uniform Building Codes and Standards Fund

The Uniform Building Codes and Standards Fund, referred to in this section as "the fund," is established within the Department of Public Safety to fund the activities of the bureau under this chapter and the activities of the board under Title 10, chapter 1103 and the Executive Department, State Planning Office under Title 30-A, section 4451, subsection 3-A. Revenue for this fund is provided by the surcharge established by section 2450-A. The Department of Public Safety and the Executive Department, State Planning Office shall together determine an amount to be transferred annually from the fund for training and certification under Title 30-A, section 4451, subsection 3-A to the Maine Code Enforcement Training and Certification Fund established in Title 30-A, section 4451, subsection 3-B. Any balance of the fund may not lapse, but must be carried forward as a continuing account to be expended for the same purpose in the following fiscal year.

Sec. M-4. 30-A MRSA §4215, sub-§4, as amended by PL 1999, c. 228, §6, is further amended to read:

4. **Fees.** The plumbing inspector shall issue any permit under this section upon receipt and approval of a completed application form as prescribed by the

commissioner and payment by the applicant of the fee established by the municipality. The fee must be at least the minimum amount determined by rule of the department. One-quarter of the amount of the minimum fee must be paid through the department to the Treasurer of State to be maintained as a permanent fund and used by the department to implement its sub-surface wastewater disposal rules, to administer the receipt and collation of completed permits and to issue plumbing permit labels to the municipality and by the State Planning Office for training and certification of local plumbing inspectors. The department and the State Planning Office shall together determine an amount to be transferred annually by the Treasurer of State for training and certification of local plumbing inspectors to the Maine Code Enforcement Training and Certification Fund established in section 4451, subsection 3-B. The remainder of the fee must be paid to the treasurer of the municipality.

Sec. M-5. 30-A MRSA §4451, sub-§1, as amended by PL 1997, c. 296, §§5 and 6 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

1. Certification required; exceptions. ~~Beginning January 1, 1993, a~~ A municipality may not employ any individual to perform the duties of a code enforcement officer who is not certified by the office, except that:

A. An individual other than an individual appointed as a plumbing inspector has 12 months after beginning employment to be trained and certified as provided in this section;

B. Whether or not any extension is available under paragraph A, the office may waive this requirement for up to one year if the certification requirements cannot be met without imposing a hardship on the municipality employing the individual; ~~and~~

C. An individual may be temporarily authorized in writing by the Department of Health and Human Services, Division of Health Engineering to be employed as a plumbing inspector for a period not to exceed 12 months; ~~and~~

D. An individual whose certification has expired or is about to expire may be temporarily authorized in writing by the office to extend that individual's certification for a period not to exceed 12 months in cases where the necessary training or examination is suspended under subsection 3-B, paragraph E.

~~A person employed by a municipality or municipalities as a code enforcement officer for at least 3 years prior to January 1, 1990 is deemed certified under this section and, 5 years after the effective date of this paragraph, is subject to the recertification requirements of subsection 6.~~

Sec. M-6. 30-A MRSA §4451, sub-§3, as amended by PL 2007, c. 699, §16, is further amended to read:

3. Training and certification of code enforcement officers. In cooperation with code enforcement officer professional associations, the Maine Community College System, the Department of Environmental Protection, the Department of Health and Human Services and the Department of Public Safety, except as otherwise provided in paragraph H, the office shall establish a continuing education program for individuals engaged in code enforcement. This program must provide basic ~~and advanced~~ training in the technical and legal aspects of code enforcement necessary for certification. The basic training program must include training to provide familiarity with the laws and ordinances related to the structure and practice of the municipal code enforcement office, municipal planning board and appeals board procedures, application review and permitting procedures, inspection procedures and enforcement techniques.

H. If funding is not available to support the training and certification program authorized under this subsection, the office shall discontinue training and certification activities related to laws and ordinances referenced in subsection 2-A, paragraphs A and B and shall adopt by routine technical rules under Title 5, chapter 375, subchapter 2-A a program to register code enforcement officers that meet training and education qualifications. The office shall publish the list of persons registered for code enforcement who have submitted evidence of required qualifications. Persons registered under this paragraph must meet the requirements for training and certification under this subchapter. The office shall consult with the Department of Health and Human Services for the purposes of carrying out training and certification activities related to laws and ordinances referenced in subsection 2-A, paragraphs C and D. Within one month of discontinuation of training and certification under this paragraph, the office shall 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 state and local government matters a recommendation for funding the training and certification program or for further changes in program requirements.

Sec. M-7. 30-A MRSA §4451, sub-§3-B is enacted to read:

3-B. Maine Code Enforcement Training and Certification Fund. The Maine Code Enforcement Training and Certification Fund, referred to in this section as "the fund," is established as a nonlapsing fund to support training and certification programs

administered by the office for code enforcement officers, local plumbing inspectors, municipal building officials and 3rd-party inspectors in accordance with this subchapter.

A. Beginning July 1, 2009, and each year thereafter on July 1st, the funds identified in section 4215, subsection 4 for training and certifying local plumbing inspectors must be transferred to the fund.

B. Beginning July 1, 2009, and each year thereafter on July 1st, the funds identified in Title 25, section 2374 for training and certifying municipal building officials, local code enforcement officers and 3rd-party inspectors must be transferred to the fund.

C. The office shall place in the fund any money it receives from grants to support the requirements of this subchapter.

D. Funds related to code enforcement training and certification may be expended only in accordance with allocations approved by the Legislature and solely for the administration of this subchapter. Any balance remaining in the fund at the end of any fiscal year may not lapse but must be carried forward to the next fiscal year.

E. If the fund does not contain sufficient money to support the costs of the training and certification provided for in this subchapter, the office may suspend all or reduce the level of training and certification activities.

Sec. M-8. 30-A MRSA §4451, sub-§5, as amended by PL 1991, c. 163, is further amended to read:

5. Certification standards. The office shall adopt routine technical rules under Title 5, chapter 375, subchapter 2-A to establish by rule the qualifications, conditions and licensing standards and procedures for the certification and recertification of individuals as code enforcement officers. A code enforcement officer need only be certified in the areas of actual job responsibilities. The rules established under this subsection must identify standards for each of the areas of training under subsection 2-A, in addition to general standards that apply to all code enforcement officers.

Sec. M-9. 30-A MRSA §4451, sub-§6, as amended by PL 1999, c. 547, Pt. B, §§50 and 78 and affected by §80, is further amended to read:

6. Certification; terms; revocation. The office shall certify individuals as to their competency to successfully enforce ordinances and other land use regulations and permits granted under those ordinances and regulations and shall issue certificates attesting to the competency of those individuals to act as code enforcement officers. Certificates are valid for ~~5~~ 6 years

unless revoked by the District Court. An examination is not required for recertification of code enforcement officers. The office shall recertify a code enforcement officer if the code enforcement officer successfully completes at least 12 hours of approved training in each area of job responsibility during the ~~5-year~~ 6-year certification period.

A. The District Court may revoke the certificate of a code enforcement officer, in accordance with Title 4, chapter 5, when it finds that:

(1) The code enforcement officer has practiced fraud or deception;

(2) Reasonable care, judgment or the application of a duly trained and knowledgeable code enforcement officer's ability was not used in the performance of the duties of the office; or

(3) The code enforcement officer is incompetent or unable to perform properly the duties of the office.

B. Code enforcement officers whose certificates are invalidated under this subsection may be issued new certificates provided that they are newly certified as provided in this section.

Sec. M-10. 30-A MRSA §4453, sub-§3, as amended by PL 1997, c. 683, Pt. B, §16, is further amended to read:

3. Department of Environmental Protection. Department of Environmental Protection employees as set forth in Title 38, section 342, subsection 7; and

Sec. M-11. 30-A MRSA §4453, sub-§4, as amended by PL 1997, c. 683, Pt. B, §16, is further amended to read:

4. Maine Land Use Regulation Commission. Maine Land Use Regulation Commission employees as set forth in Title 12, section 685-C, subsection 9; and

Sec. M-12. 30-A MRSA §4453, sub-§5, as enacted by PL 1997, c. 683, Pt. B, §17, is repealed.

PART N

Sec. N-1. 5 MRSA §286-B, sub-§2, as enacted by PL 2007, c. 240, Pt. RRR, §1, is amended to read:

2. Establishment. The Irrevocable Trust Fund for Other Post-employment Benefits is established to meet the State's unfunded liability obligations for retiree health benefits for eligible participants; as described in section 285, subsections 1-A and 11-A who are the beneficiaries of the irrevocable trust fund and 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 beneficiaries of the irrevocable trust fund. Funds appropriated for the ir-

revocable trust fund 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 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 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.

Sec. N-2. Work group. The Treasurer of State shall convene a work group to explore issues associated with compliance with Governmental Accounting Standards Board Statements Number 43 and Number 45 related to the unfunded liability obligations for retiree health benefits for individuals described in the Maine Revised Statutes, Title 20-A, section 13451, subsections 2, 2-A, 2-B and 2-C.

1. Participants. In convening the work group the Treasurer of State shall include representatives from the Office of the Treasurer of State, Maine Educational Association, Maine School Management Association and Maine Municipal Association and the Commissioner of Administrative and Financial Services or the commissioner's designee and the Executive Director of the Maine Public Employees Retirement System. Members of the work group may have professional advisors in attendance at the meetings of the group. The Treasurer of State shall serve as chair of the work group and may accept resources as approved and provided by work group participants.

2. Duties. The work group shall:

A. Review unfunded liabilities for post-employment health benefits with respect to individuals described in the Maine Revised Statutes, Title 20-A, section 13451, subsections 2, 2-A, 2-B and 2-C;

B. Review Governmental Accounting Standards Board Statements Number 43 and Number 45 with respect to determining responsibility for meeting the requirements of the standards in order to be in compliance with those standards;

C. Review the status of the unfunded liability obligation for other post-employment benefits for retiree health benefits with respect to individuals described in Title 20-A, section 13451, subsections 2, 2-A, 2-B and 2-C;

D. Review the responsibility for the unfunded liability obligations for retiree health benefits with respect to individuals described in Title 20-A, section 13451, subsections 2, 2-A, 2-B and 2-C based on the requirements of the Governmental Accounting Standards Board Statements Number 43 and Number 45; and

E. Recommend one or more methods and timelines for the funding of unfunded liability obligations required to be disclosed in order to be in compliance with Governmental Accounting Standards Board Statements Number 43 and Number 45 and possible trust and trustee options for other post-employment benefit contributions.

3. Report. The work group shall submit its report, including any recommended implementing legislation to the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 2010.

Following receipt and review of the report, the Joint Standing Committee on Appropriations and Financial Affairs may report out legislation to the Second Regular Session of the 124th Legislature.

PART O

Sec. O-1. 36 MRSA §578, sub-§1, as amended by PL 2007, c. 639, §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, 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.

PART P

Sec. P-1. 36 MRSA §457, sub-§2, as amended by PL 2009, c. 1, Pt. P, §1 and affected by §2, is further amended to read:

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; ~~and~~
- G. For assessments made in 2010 ~~and subsequent years, 20~~ 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.

Sec. P-2. Review and report. The Joint Standing Committee on Taxation shall review the telecommunications personal property tax and other forms of taxation of telecommunications providers in this State and in other states. The committee shall invite the participation of the Department of Administrative and Financial Services, Bureau of Revenue Services and telecommunications providers in the review. The committee shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 2010, summarizing the results of its review and recommending changes to the tax laws to ensure equitable tax treatment of telecommunications providers in a revenue-neutral manner. The Joint Standing Committee on Taxation may submit legislation related to the review to the Second Regular Session of the 124th Legislature.

Sec. P-3. Application. Section 1 of this Part applies to assessments made on or after April 1, 2010.

PART Q

Sec. Q-1. 5 MRSA c. 316, as amended, is repealed.

Sec. Q-2. 5 MRSA §12004-J, sub-§10, as enacted by PL 1991, c. 417, §2, is repealed.

PART R

Sec. R-1. Calculation and transfer; General Fund salary savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in the Statewide Salary Adjustment account in section 2 of this Part that applies against each General Fund account from not having granted a 4% salary increase effective January 1, 2009 to unclassified employees whose salaries are subject to the Governor's adjustment or approval. 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 2009-10 and 2010-11. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts not later than September 1, 2009.

Sec. R-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 reflect savings from not having granted a 4% salary increase effective January 1, 2009 to unclassified employees whose salaries are subject to the Governor's adjustment or approval.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$671,625)	(\$671,625)
GENERAL FUND TOTAL	(\$671,625)	(\$671,625)

PART S

Sec. S-1. 30-A MRSA §5681, sub-§2, ¶C, as amended by PL 2007, c. 662, §1, is repealed.

Sec. S-2. 30-A MRSA §5681, sub-§2, ¶D, as amended by PL 2007, c. 662, §1, is repealed.

Sec. S-3. 30-A MRSA §5681, sub-§3, as amended by PL 2005, c. 266, §1, is further amended to read:

3. Revenue-sharing funds. To strengthen the state-municipal fiscal relationship pursuant to the find-

ings and objectives of subsection 1, there is established the Local Government Fund. To provide additional support for municipalities experiencing a higher-than-average property tax burden, there is established the Disproportionate Tax Burden Fund. ~~To assist those municipalities that collaborate with other municipalities, counties or state agencies to obtain savings in the cost of delivering local and regional governmental services there is established the Fund for the Efficient Delivery of Local and Regional Services, which is administered pursuant to chapter 231.~~

Sec. S-4. 30-A MRSA §5681, sub-§5, as amended by PL 2007, c. 240, Pt. S, §§1 and 2, is further amended to read:

5. Transfers to funds. ~~On No later than the last 10th day of each month, the Treasurer of State Controller shall transfer to the Local Government Fund a percentage, as provided in this subsection, 5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, except that the postage, state cost allocation program and programming costs of administering state-municipal revenue sharing may be paid by the Local Government Fund. Any A percentage share of the amounts transferred to the Local Government Fund in excess of the annual growth ceiling must be transferred to the Disproportionate Tax Burden Fund. The percentage transferred to the Local Government Fund on the last day of each month is: each month must be transferred to the Disproportionate Tax Burden Fund and distributed pursuant to subsection 4-B as follows:~~

~~A. For months beginning before July 1, 2009, 5.1%; and~~

~~B. For months beginning on or after July 1, 2009, 5.2%.~~

C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;

D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;

E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;

F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;

G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and

H. For months beginning on or after July 1, 2014, 20%.

Sec. S-5. 30-A MRSA §5681, sub-§5-B, as amended by PL 2007, c. 240, Pt. NNN, §1, is repealed.

Sec. S-6. 30-A MRSA §5681, sub-§5-C is enacted to read:

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

Sec. S-7. 30-A MRSA §6201, sub-§6, as enacted by PL 2005, c. 266, §2, is amended to read:

6. Fund. "Fund" means the Fund for the Efficient Delivery of Local and Regional Services established by section ~~5681, subsection 3~~ 6202.

Sec. S-8. 30-A MRSA §6202, as enacted by PL 2005, c. 266, §2, is amended to read:

§6202. Fund source; nonlapsing; dedicated, special revenue account

There is established the Fund for the Efficient Delivery of Local and Regional Services to assist those municipalities that collaborate with other municipalities, counties or state agencies to obtain savings in the cost of delivering local and regional governmental services. The fund consists of revenues transferred from the ~~Local Government Fund pursuant to section 5681, subsection 5-B~~ General Fund and any funds received as contributions from private and public sources. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year. The fund is a dedicated, special revenue account.

Sec. S-9. 30-A MRSA §6204, first ¶, as enacted by PL 2005, c. 266, §2, is amended to read:

Except as otherwise provided by this section and ~~section 5681, subsection 3~~, the fund is available solely for grants for qualifying projects. The department may use the fund to cover its costs of administration, including contracting for services to administer the grants.

Sec. S-10. 36 MRSA §700-B, sub-§2, as enacted by PL 2005, c. 623, §1, is amended to read:

2. Transfer. The State Controller shall transfer amounts certified under subsection 1 to the Business Equipment Tax Reimbursement reserve account established, maintained and administered by the State Controller from the General Fund undedicated revenue ~~within the individual income tax category after the~~

~~reduction for the transfer to the Local Government Fund required by Title 30-A, section 5681, subsection 5.~~ The assessor and the Treasurer of State shall pay amounts required under section 694, subsection 5 and section 700-A.

Sec. S-11. 36 MRSA §2552, sub-§1, ¶J, as amended by PL 2007, c. 539, Pt. DDD, §7 and c. 627, §67, is repealed and the following enacted in its place:

J. Home support services; and

Sec. S-12. 36 MRSA §2552, sub-§1, ¶K, as repealed by PL 2007, c. 539, Pt. DDD, §8 and amended by c. 627, §68, is repealed.

Sec. S-13. 36 MRSA §2559, as amended by PL 2007, c. 539, Pt. DDD, §9, is further amended to read:

§2559. Application of revenues

Revenues derived by the tax imposed by this chapter must be credited to a General Fund suspense account. On or before the last day of each month, the State Controller shall transfer a percentage of the revenues received by the State Tax Assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs A to F ~~and L~~ to the Local Government Fund as provided by Title 30-A, section 5681, subsection 5. The balance remaining in the General Fund suspense account must be transferred to service provider tax General Fund revenue. On or before the 15th day of each month, the State Controller shall transfer all revenues received by the assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs G to J to the Medical Care Services Other Special Revenue Funds account, the Other Special Revenue Funds Mental Health Services - Community Medicaid program, the Medicaid Services - Mental Retardation program and the Office of Substance Abuse - Medicaid Seed program within the Department of Health and Human Services.

Sec. S-14. 36 MRSA §6203-A, as enacted by PL 2003, c. 673, Pt. BB, §2, is amended to read:

§6203-A. Procedure for reimbursement

At least monthly on or before the last day of the month, the State Tax Assessor shall determine the benefit for each claimant under this chapter and certify the amount to the State Controller to be transferred to the so-called circuit breaker reserve established, maintained and administered by the State Controller from General Fund undedicated revenue ~~within the individual income tax category.~~ At least monthly, the assessor shall pay the certified amounts to each approved applicant qualifying for the benefit under this chapter. Interest may not be allowed on any payment made to a claimant pursuant to this chapter.

Sec. S-15. 36 MRSA §6656, sub-§1, as enacted by PL 2005, c. 618, §20 and affected by §22, is amended to read:

1. Reimbursement claim. Notwithstanding any other provision of law, except as provided in section 6652 and section 6662, upon receipt of a timely and properly completed claim for reimbursement, the State Tax Assessor shall certify that the claimant is eligible for reimbursement under this chapter. The assessor shall determine the benefit for each claimant and shall certify to the State Controller the amounts to be transferred to the Business Equipment Tax Reimbursement reserve account established, maintained and administered by the State Controller from General Fund undedicated revenue ~~within the individual income tax category.~~

Sec. S-16. Effective date. This Part takes effect July 1, 2009 except that no transfers from undedicated revenue to the Local Government Fund pursuant to the Maine Revised Statutes, Title 30-A, section 5681, subsection 5 may be made in June 2009.

PART T

Sec. T-1. Transfer of funds; food, heating and utility expenses; Department of Corrections. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provisions of law, the Department of Corrections, 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 in fiscal years 2009-10 and 2010-11.

Sec. T-2. 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 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.

Sec. T-3. 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 position counts and available balances by financial order upon approval of the Governor in order to achieve the purposes of this section.

PART U

Sec. U-1. 36 MRSA §6652, sub-§1, as repealed and replaced by PL 2007, c. 438, §114, is amended to read:

1. Generally. A person against whom taxes have been assessed pursuant to Part 2, except for chapters

111 and 112, with respect to eligible property and who has paid those taxes is entitled to reimbursement of a portion of those taxes from the State as provided in this chapter. The reimbursement under this chapter is the percentage of the taxes assessed and paid with respect to eligible property specified in subsection 4, except that for claims filed for ~~the application period~~ periods that begins begin on August 1, 2006, August 1, 2009 and August 1, 2010 the reimbursement is limited to 90% of the taxes assessed and paid with respect to eligible property. For purposes of this chapter, a tax applied as a credit against a tax assessed pursuant to chapter 111 or 112 is a tax assessed pursuant to chapter 111 or 112. A taxpayer that included eligible property in its investment credit base under section 5219-E or 5219-M and claimed the credit provided in one or more of those sections on its income tax return may not be reimbursed under this chapter for taxes assessed on that same eligible property in a year in which one or more of those credits are taken. A successor in interest of a person against whom taxes have been assessed with respect to eligible property is entitled to reimbursement pursuant to this section, whether the tax was paid by the person assessed or by the successor, as long as a transfer of the property in question to the successor has occurred and the successor is the owner of the property as of August 1st of the year in which a claim for reimbursement may be filed pursuant to section 6654. For purposes of this subsection, "successor in interest" includes the initial successor and any subsequent successor. When an eligible successor in interest exists, the successor is the only person to whom reimbursement under this chapter may be made with respect to the transferred property. For an item of eligible property that is first subject to assessment under Part 2 on or after April 1, 2008, and for any item of eligible property for which reimbursement is paid under subsection 4, paragraph B, the reimbursement otherwise payable under this section with respect to that item of eligible property must be reduced by an amount equal to the amount, if any, by which the reimbursement otherwise payable under this section plus payments received by the taxpayer under a tax increment financing arrangement pursuant to Title 30-A, chapter 206, subchapter 1 with respect to that item of eligible property exceeds 100% of the property taxes assessed with respect to that item of eligible property.

PART V

Sec. V-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 \$11,654 in fiscal year 2009-10 from the Department of the Secretary of State, Archives Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2010, to provide funding for one-time retroactive costs associated with

personnel action at the Department of the Secretary of State, Maine State Archives.

PART W

Sec. W-1. 34-A MRSA §1217 is enacted to read:

§1217. Prisoner Boarding Fund

The Prisoner Boarding Fund is established in the department to provide funding for the boarding of prisoners at county jail facilities.

1. Commissioner's powers. The commissioner may receive and use, for the purpose of this section, money appropriated by the State.

2. Prisoner Boarding Fund. All funds appropriated for the purpose of this section must be credited to the Prisoner Boarding Fund. State funds appropriated to the Prisoner Boarding Fund that are unexpended at the end of the fiscal year for which the funds are appropriated do not lapse, but must carry forward into subsequent fiscal years to be expended for the purpose of this section.

PART X

Sec. X-1. 28-A MRSA §82, sub-§8, as enacted by PL 1997, c. 373, §28, is amended to read:

~~8. Publish laws and rules. Publish a compilation containing~~ Ensure that licensees have access to the provisions of this Title, and other laws concerning governing liquor and all rules adopted under this Title every 4 years in accordance with this section.

~~A. The bureau shall supply a copy of the compilation to every new licensee at no charge.~~

A-1. The bureau shall provide notification to licensees that the provisions of this Title are available on the Department of Public Safety's website as described in subsection 8-A and that the bureau will provide a paper copy of the Title to any licensee at no charge, upon request from that licensee.

B. The bureau shall notify all licensees of changes in the law and rules within 90 days of adjournment of each regular session of the Legislature.

(1) The bureau shall supply a copy of the new laws and rules at no charge when requested by licensees.

(2) The bureau shall supply a copy of the new laws and rules to persons other than licensees for a reasonable fee.

C. The bureau may charge a reasonable fee for the ~~compilation paper copies of this Title~~ to cover the cost of producing the ~~compilation paper copy~~ to persons other than licensees; ~~and~~

Sec. X-2. 28-A MRSA §82, sub-§8-A is enacted to read:

8-A. Post laws and rules. Post on the Department of Public Safety's publicly accessible website this Title, other laws concerning liquor and all rules adopted under this Title. The bureau shall notify all licensees of changes in the law and rules via a publicly accessible website posting within 90 days of adjournment of each regular session of the Legislature. The bureau shall update the posting on the Department of Public Safety's publicly accessible website to reflect new laws and rules; and

PART Y

Sec. Y-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 on or before July 1, 2009. Employees choosing to participate in this retirement incentive program must make application for participation in the manner specified by the commissioner between July 1, 2009 and August 15, 2009, with retirements effective August 31, 2009.

Sec. Y-2. Calculation and transfer of funds; General Fund; 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 this Part that applies against each General Fund 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, 2010. These transfers are considered adjustments to appropriations in fiscal years 2009-10 and 2010-11.

Sec. Y-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 from September 1, 2009 to June 30, 2011. 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 numbers of the employees, by program, taking advantage of the retirement incentive program by January 15, 2010.

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding from departments and agencies statewide from projected savings in Personal Services achieved through the retirement incentive program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$2,388,887)	(\$2,866,664)
GENERAL FUND TOTAL	(\$2,388,887)	(\$2,866,664)

PART Z

Sec. Z-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, 2011 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. Z-2. Continuation of health insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies prior to July 1, 2011 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. Z-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, 2011 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. Z-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, 2011.

Sec. Z-5. Lapsed balances. Notwithstanding any other provision of law, \$650,000 in fiscal year 2009-10 and \$650,000 in fiscal year 2010-11 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

PART AA

Sec. AA-1. Calculation and transfer; attrition savings. The attrition rate for the 2010-2011 biennium is increased from 1.6% to 5.0%. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings identified in the Statewide Attrition account within the Department of Administrative and Financial Services in section 3 that applies against each General Fund account for all executive branch departments and agencies statewide and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2009-10 and 2010-11. The State Budget Officer shall submit to the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts no later than September 1, 2009.

Sec. AA-2. Report; interdepartmental transfers. The State Budget Officer shall submit to the Joint Standing Committee on Appropriations and Financial Affairs reports of the interdepartmental transfers pursuant to the Maine Revised Statutes, Title 5, section 1582, subsection 4 that were necessary to offset unrealized savings from projected vacancies by a state department in fiscal years ending June 30, 2010 and June 30, 2011. The reports must be submitted no later than May 15th and June 15th in both 2010 and 2011.

Sec. AA-3. 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 to the State from an increase in the attrition rate from 1.6% to 5% for fiscal years 2009-10 and 2010-11.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$8,786,937)	(\$8,683,091)
GENERAL FUND TOTAL	(\$8,786,937)	(\$8,683,091)

PART BB

Sec. BB-1. 5 MRSA §1582, sub-§4, as enacted by PL 2005, c. 12, Pt. T, §1, is amended to read:

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

PART CC

Sec. CC-1. 22 MRSA §1714-B, as amended by PL 2005, c. 519, Pt. PP, §1, is further amended to read:

§1714-B. Critical access hospital reimbursement

For state fiscal years beginning on or after July 1, 2005 through June 30, 2009, the department shall reimburse licensed critical access hospitals that are licensed at 117% of MaineCare allowable costs for both inpatient and outpatient services provided to patients covered by the MaineCare program. For state fiscal years beginning on or after July 1, 2009, for each critical access hospital fiscal year up to but not including the hospital fiscal year beginning on or after April 1, 2011, the department shall reimburse licensed critical access hospitals at 109% of MaineCare allowable costs for both inpatient and outpatient services provided to patients covered by the MaineCare program. Of the total allocated from hospital tax revenues under Title 36, chapter 375, \$1,000,000 in state and federal funds must be distributed annually among critical access hospitals for staff enhancement payments. This section is repealed April 1, 2012.

Sec. CC-2. 22 MRSA §1714-C is enacted to read:

§1714-C. Critical access hospital staff enhancement reimbursement

Beginning April 1, 2011, the department shall reimburse critical access hospitals from the total allocated from hospital tax revenues under Title 36, chapter 375 at least \$1,000,000 in state and federal funds to be distributed annually among critical access hospitals for staff enhancement payments.

Sec. CC-3. 22 MRSA §3174-LL is enacted to read:

§3174-LL. Inpatient services reimbursement based on diagnosis-related groups

Beginning April 1, 2010, the Department of Health and Human Services shall begin to phase in a system to reimburse noncritical access hospitals for inpatient services under the MaineCare program an amount per discharge that is based on diagnosis-related groups modeled on the system used by the federal Medicare program. The new diagnosis-related groups payment system must be budget neutral, based on MaineCare hospital payments for the year prior to the year of implementation. The new payment system must be implemented for each noncritical access hospital at the beginning of the hospital's first fiscal year that commences on or after April 1, 2010. The Department of Health and Human Services shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. CC-4. 22 MRSA §3174-MM is enacted to read:

§3174-MM. Outpatient services reimbursement under the MaineCare program based on ambulatory payment classifications

Beginning April 1, 2010, the Department of Health and Human Services shall begin to phase in a system to reimburse noncritical access hospitals for outpatient services under the MaineCare program an amount per patient service based on ambulatory payment classifications modeled on the system used by the federal Medicare program. The new ambulatory payment classifications must be budget neutral based on MaineCare payments for the same services in the year prior to the year of implementation. The new payment system must be implemented for each hospital at the beginning of the hospital's first fiscal year that commences on or after April 1, 2010. The Department of Health and Human Services shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. CC-5. 22 MRSA §3174-NN is enacted to read:

§3174-NN. Inpatient services reimbursement for critical access hospitals based on diagnosis-related groups

Beginning April 1, 2011, the Department of Health and Human Services shall begin to phase in a system to reimburse critical access hospitals for inpatient services under the MaineCare program an amount per discharge that is based on diagnosis-related groups modeled on the system used by the federal Medicare program. The new diagnosis-related groups payment system must be budget neutral, based on MaineCare hospital payments for the year prior to the year of implementation. The new payment system must be implemented for each critical access hospital at the beginning of the hospital's first fiscal year that commences on or after April 1, 2011. The Department of Health and Human Services shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. CC-6. 22 MRSA §3174-OO is enacted to read:

§3174-OO. Outpatient services reimbursement for critical access hospitals under the MaineCare program based on ambulatory payment classifications

Beginning April 1, 2011, the Department of Health and Human Services shall begin to phase in a system to reimburse critical access hospitals for outpatient services under the MaineCare program an amount per patient service based on ambulatory payment classifications modeled on the system used by the federal Medicare program. The new ambulatory payment classifications must be budget neutral based on MaineCare payments for the same services in the year prior to the year of implementation. The new payment system must be implemented for each critical access hospital at the beginning of the hospital's first fiscal year that commences on or after April 1, 2011. The Department of Health and Human Services shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. CC-7. PL 2009, c. 1, Pt. V is repealed.

Sec. CC-8. Report on progress regarding inpatient services reimbursement under MaineCare. By January 15, 2011, the Department of Health and Human Services shall present a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the progress in moving to reweighting the payments to acute care hospitals based on diagnosis-related groups and ambulatory payment classifications to provide incentives for the use of primary care.

Sec. CC-9. Report on progress regarding reducing the use of emergency departments in

hospitals and reducing preventable admissions to the hospital from emergency departments.

By January 15, 2010, the Governor's Office of Health Policy and Finance shall, after seeking input from interested parties, report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs regarding progress in reducing the use of emergency departments in hospitals and reducing preventable admissions to the hospitals. The Joint Standing Committee on Health and Human Services is authorized to report out legislation to the Second Regular Session of the 124th Legislature regarding reducing the use of hospital emergency departments and reducing preventable admissions to the hospitals from emergency departments.

Sec. CC-10. Report on the impact of increased physician MaineCare reimbursement.

By October 1, 2010, the Department of Health and Human Services shall present a report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs on the impact of increased MaineCare physician reimbursement rates on access to and use of preventive and primary care services by MaineCare members.

Sec. CC-11. Rulemaking regarding MaineCare reimbursement.

The Department of Health and Human Services shall adopt rules regarding reimbursement under the MaineCare program as provided in this section. Rules adopted pursuant to this section are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

1. Rules for hospital-based providers of inpatient services. By July 1, 2009 the department shall adopt rules for reimbursement of hospital-based providers for inpatient services that establish the reimbursement rate at 93.3% of MaineCare allowable costs.

2. Rules for hospital-based providers of outpatient services. By July 1, 2009 the department shall adopt rules for reimbursement of hospital-based providers for outpatient services that establish the reimbursement rate at 83.8% of MaineCare allowable costs.

3. Rules for hospital emergency department providers of outpatient services. By July 1, 2009 the department shall adopt rules for reimbursement of hospital emergency department providers for outpatient services that establish the reimbursement rate at 93.4% of MaineCare allowable costs.

4. Rules for nonhospital-based physicians, nurse practitioners, physician assistants and nurse anesthetists. By February 1, 2010 the department shall adopt rules for reimbursement for services pro-

vided by nonhospital-based physicians, nurse practitioners, physician assistants and nurse anesthetists who are reimbursed at less than 70% of Medicare rates that establish the rates at 70% of Medicare rates.

5. Rules for hospital reimbursement. By July 1, 2009 the department shall adopt rules for hospital reimbursement as follows.

A. The rates must decrease reimbursement to noncritical access hospitals per discharge for inpatient hospital services by 6.7% and must provide a one-time increase in prospective interim payments to critical access and to noncritical access hospitals by 3%.

B. The rates must decrease reimbursement to critical access hospitals for inpatient and outpatient services from 117% of MaineCare allowable costs to 109% of MaineCare allowable costs.

C. The rates must decrease reimbursement to hospitals reclassified to a wage area outside of the State by the Medicare Geographic Classification Review Board from 117% of MaineCare allowable costs to 109% of MaineCare allowable costs.

Sec. CC-12. Report on feasibility and advisability of reimbursing critical access hospitals on a diagnosis-related group system for inpatient services and on an ambulatory payment classification for outpatient services under the MaineCare program. By January 15, 2010 the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the feasibility and advisability of reimbursing critical access hospitals on a diagnosis-related group system for inpatient MaineCare services and on ambulatory payment classifications for outpatient MaineCare services.

PART DD

Sec. DD-1. PL 2007, c. 629, Pt. G, §3 is repealed.

Sec. DD-2. Transfer from unappropriated surplus at close of fiscal year 2008-09 to the Department of Health and Human Services, Medical Care - Payments to Providers program, General Fund account. Notwithstanding any other provision of law, at the close of fiscal year 2008-09, the State Controller shall transfer up to \$15,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Medical Care - Payments to Providers program, General Fund account 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 and 1511 and

before the transfer required pursuant to Title 5, section 1536.

Sec. DD-3. Transfer from unappropriated surplus at close of fiscal year 2009-10 to the Department of Health and Human Services, Medical Care - Payments to Providers program, General Fund account. Notwithstanding any other provision of law, at the close of fiscal year 2009-10, the State Controller shall transfer up to \$15,000,000 reduced by amounts transferred pursuant to section 2 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Medical Care - Payments to Providers program, General Fund account 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 and 1511 and before the transfer required pursuant to Title 5, section 1536.

Sec. DD-4. Use of transfers. Of the transfers made in accordance with sections 2 and 3 up to \$10,000,000 must first be used to meet the remaining obligations of the MaineCare program, including offsetting the impact of the payment of prior years' costs related to interim payments, and secondly up to \$5,000,000 must be used to pay hospital settlements.

Sec. DD-5. Transfers considered adjustment 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 years 2009-10 and 2010-11. These funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

PART EE

Sec. EE-1. PL 2007, c. 240, Pt. GG, §3, as enacted by PL 2007, c. 539, Pt. UU, §3, is repealed.

Sec. EE-2. Retroactivity. This Part applies retroactively to December 15, 2008.

PART FF

Sec. FF-1. PL 2009, c. 1, Pt. E, §2 is amended to read:

Sec. E-2. Economic Recovery Fund account established. The ~~Federal Relief Funds Reserve~~ Economic Recovery Fund account, referred to in this section as "the ~~reserve~~ account," is established as a nonlapsing General Fund account to be used to reserve the General Fund savings from the ~~anticipated~~ temporary increase in the State's federal medical assistance percentage to be used for expenditures related to health care, including as first priority the payment of MaineCare settlements for hospital fiscal years 2005

and 2006. The State Budget Officer may transfer funds from the ~~reserve~~ account to the Medical Care - Payments to Providers program within the Department of Health and Human Services by financial order upon approval of the Governor for this purpose. Funds in the ~~reserve~~ account may not be expended, transferred or otherwise obligated for other purposes unless specifically authorized by the Legislature. The transfers pursuant to this section are considered adjustments to appropriations and allocations in fiscal year years 2008-09, 2009-10 and 2010-11.

Sec. FF-2. PL 2009, c. 1, Pt. E, §3 is amended to read:

Sec. E-3. Calculation and transfer; increased federal medical assistance percentage in fiscal years 2008-09, 2009-10 and 2010-11.

Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of projected savings in fiscal year years 2008-09, 2009-10 and 2010-11 that applies against each appropriate MaineCare General Fund seed account within the Department of Health and Human Services from the ~~anticipated~~ temporary increase in the State's federal medical assistance percentage and shall transfer the calculated amounts by financial order upon approval of the Governor to the ~~Federal Relief Funds Reserve Economic Recovery Fund~~ account established in section 2. These transfers are considered adjustments to appropriations and allocations in fiscal year years 2008-09, 2009-10 and 2010-11.

Sec. FF-3. PL 2009, c. 1, Pt. E, §4 is amended to read:

Sec. E-4. Report. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs and the State Controller ~~a report~~ with reports of the transferred amounts and adjustments to appropriations and allocations made pursuant to sections 2 and 3 by May 15, 2009, May 15, 2010 and May 15, 2011.

PART GG

Sec. GG-1. 5 MRSA §285, sub-§7, as amended by PL 2001, c. 439, Pt. XX, §5 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is repealed and the following enacted in its place:

7. Payment by State. Except as otherwise provided in this subsection, the State, through the commission, shall pay health plan premiums in accordance with this subsection.

A. Until October 1, 2009, for employees, the State shall pay 100% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

B. Beginning October 1, 2009 and until July 1, 2010, the State shall pay a share of the individual

premium for the standard plan identified and offered by the commission as follows.

(1) For an employee whose base annual rate of pay is projected to be less than or equal to \$30,000 on July 1, 2009, the State shall pay 100% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(2) For an employee whose base annual rate of pay is projected to be greater than \$30,000 and less than \$80,000 on July 1, 2009, the State shall pay 95% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(3) For an employee whose base annual rate of pay is projected to be \$80,000 or greater on July 1, 2009, the State shall pay 90% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

C. Beginning July 1, 2010, except as provided in subsection 7-A, the State, through the commission, shall pay a share of the individual premium for the standard plan identified and offered by the commission as follows.

(1) For an employee whose base annual rate of pay is projected to be less than or equal to \$30,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 95% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(2) For an employee whose base annual rate of pay is projected to be greater than \$30,000 and less than \$80,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 90% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(3) For an employee whose base annual rate of pay is projected to be \$80,000 or greater on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 85% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

D. For Legislators, the State shall pay 50% of the health plan premium for dependent coverage.

E. For a person appointed to a position after November 1, 1981 who is employed less than full time, the State shall pay a share of the employee's share of the individual premium reduced pro rata to reflect the reduced number of work hours.

F. The State may not pay any portion of the health plan premium for a blind person eligible for the group health plan under subsection 1, paragraph H or for a licensed foster parent eligible for the group health plan under subsection 1, paragraph I.

G. For persons who were first employed before July 1, 1991, the State shall pay 100% 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.

H. For persons who were first employed by the State after July 1, 1991, the State shall pay a pro rata share 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 10 or more years of participation, the state portion is 100% of the group health plan premium.

(2) For an employee with at least 9 but less than 10 years of participation, the state portion is 90% of the group health plan premium.

(3) For an employee with at least 8 but less than 9 years of participation, the state portion is 80% of the group health plan premium.

(4) For an employee with at least 7 but less than 8 years of participation, the state portion is 70% of the group health plan premium.

(5) For an employee with at least 6 but less than 7 years of participation, the state portion is 60% of the group health plan premium.

(6) For an employee with at least 5 but less than 6 years of participation, the state portion is 50% of the group health plan premium.

(7) For an employee with less than 5 years of participation, there is no contribution by the State.

Pursuant to Title 20-A, section 12722, subsection 5, this subsection applies to participants in the defined contribution plan offered by the Maine Community College System Board of Trustees under Title 20-A, section 12722.

Sec. GG-2. 5 MRSA §285, sub-§7-A is enacted to read:

7-A. Health credit premium program. Notwithstanding subsection 7, paragraph C, the State may pay a greater proportion of the total cost of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission. The commission shall develop a health credit premium program whereby employees are provided incentives to engage in healthy behaviors in an effort to improve the health status of the state employee population and to help reduce costs to the state employee health insurance program. The commission shall define benchmarks for healthy behaviors that, if met by an individual employee, result in the State's paying a greater share of the individual premium. Adjustments to the state share of the individual premium must be applied once each year in advance of the beginning of the plan year.

The benchmarks developed by the commission must provide 3 discrete levels for the state share of the individual premium as follows.

A. For employees whose base annual rate of pay is projected to be less than or equal to \$30,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 100%, 97.5% or 95%. The state share is determined by the specific benchmarks met by the employee.

B. For employees whose base annual rate of pay is projected to be greater than \$30,000 and less than \$80,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 95%, 92.5% or 90%. The state share is determined by the specific benchmarks met by the employee.

C. For employees whose base annual rate of pay is projected to be \$80,000 or greater on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual em-

ployee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 92.5%, 89% or 85%. The state share is determined by the specific benchmarks met by the employee.

Sec. GG-3. 5 MRSA §285, sub-§7-B is enacted to read:

7-B. Provision for alternative cost-savings initiatives. If the commission fails to develop and implement the health credit premium program as specified in subsection 7-A, or if the health credit premium program fails to generate the savings required to maintain the fiscal balance in the state employee health insurance program, the commission shall develop and implement changes to the benefit structure of the standard plan in order to satisfy the need for fiscal stability.

Sec. GG-4. Health credit premium benchmarks; development. No later than April 1, 2010, the State Employee Health Commission shall define benchmarks for healthy behavior for purposes of the health credit premium program developed pursuant to the Maine Revised Statutes, Title 5, section 285, subsection 7-A.

Sec. GG-5. Quarterly reports on health credit premium program. Beginning January 1, 2010, the Commissioner of Administrative and Financial Services shall report on a quarterly basis 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 state and local government matters on the implementation and operations of the health credit premium program established under the Maine Revised Statutes, Title 5, section 285, subsection 7-A.

Sec. GG-6. Calculation and transfer; General Fund; health insurance savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 7 of this Part that applies against each General Fund account for departments and agencies statewide from savings in health insurance in accordance with this Part. 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 2009-10 and 2010-11. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amount not later than September 1, 2009.

Sec. GG-7. 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 the State for the cost of health insurance through a change in the portion of the employee health insurance premium that is paid by the State.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$1,373,869)	(\$2,405,076)
GENERAL FUND TOTAL	(\$1,373,869)	(\$2,405,076)

PART HH

Sec. HH-1. PL 2007, c. 539, Pt. PPPP, §7 is amended to read:

Sec. PPPP-7. Report. No later than November 5, 2008 2009, the commission shall submit a report that includes its findings and recommendations, including any suggested legislation, for presentation to the Joint Standing Committee on Appropriations and Financial Affairs.

Sec. HH-2. Retroactivity. This Part applies retroactively to November 5, 2008.

PART II

Sec. II-1. Transfer from General Fund undedicated revenue for fiscal years 2009-10 and 2010-11; payroll and position management system. Notwithstanding any other provision of law, the State Controller may transfer from excess General Fund revenue up to \$750,000 each year of undedicated revenue above the budgeted state cost allocation program revenue estimate for fiscal year 2009-10 and fiscal year 2010-11 to the Office of Information Technology Internal Service Fund, on or before June 30th of each of those fiscal years, as partial funding toward the development and implementation of a payroll and position management system that is compliant with current federal Internal Revenue Service reporting requirements and accounting standards.

PART JJ

Sec. JJ-1. Transfer of overpayments accumulated in the Retiree Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$2,200,000 representing the General Fund share of overpayments for retiree health insurance made by the Maine Community College System over a period of several years that have been assessed by the retiree health insurance program to the unappropriated surplus of the General Fund by June 30, 2010. The State Controller shall determine the balance due to the Maine Community College System and reimburse those funds to the system no later than June 30, 2010.

PART KK

Sec. KK-1. Transfer from Other Special Revenue Funds to Dirigo Health Enterprise Fund. Notwithstanding any other provision of law, the State Controller may transfer up to \$20,000,000 in fiscal year 2008-09 from Other Special Revenue Funds to the Dirigo Health Enterprise Fund established in the Maine Revised Statutes, Title 24-A, section 6915 no later than June 30, 2009. On July 1, 2009, the State Controller shall transfer an amount equal to the amount transferred from Other Special Revenue Funds to the Dirigo Health Enterprise Fund from the Dirigo Health Enterprise Fund along with interest to Other Special Revenue Funds as repayment. This transfer is considered an interfund advance to be repaid with interest compounded annually at the earnings rate within the Treasurer of State's cash pool on the date of the advance.

Sec. KK-2. Working capital advance to Dirigo Health Enterprise Fund. For fiscal year 2009-10, the State Controller is authorized to advance up to \$25,000,000 from the General Fund to the Dirigo Health Enterprise Fund established in the Maine Revised Statutes, Title 24-A, section 6915 to provide funds for health insurance premium costs paid for by the Dirigo Health Enterprise Fund.

Funds advanced from the General Fund to the Dirigo Health Enterprise Fund for fiscal year 2009-10 must be returned to the General Fund along with interest on a periodic basis commencing not later than April 1, 2010 with final repayment due on or before June 30, 2010. Interest is compounded annually at the Treasurer of State's rate of short-term borrowing.

Interest is compounded annually at the Treasurer of State's rate of short-term borrowing for funds advanced from the General Fund to the Dirigo Health Enterprise Fund for fiscal year 2008-09.

The State Controller shall report monthly to the Joint Standing Committee on Appropriations and Financial Affairs on the status and activity in the Dirigo Health Enterprise Fund.

Except as set forth in this section, the State Controller may not advance any funds from the General Fund to the Dirigo Health Enterprise Fund without express legislative authorization.

PART LL

Sec. LL-1. 3 MRSA §2, first ¶, as amended by PL 2003, c. 20, Pt. F, §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. 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 ~~121st Legislature or the First Regular Session of the~~ ~~122nd~~ 124th Legislature. 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. LL-2. 5 MRSA §18056, sub-§1, as amended by PL 1991, c. 480, §3, is further amended to read:

1. Basic insurance. Life insurance and accidental death and dismemberment insurance, ~~referred to be known~~ as "basic insurance," ~~shall~~ must be available to all eligible participants.

A. ~~The~~ Except as provided in paragraph A-1, the amount of life insurance to be paid upon death is equal to the participant's annual base compensation rounded up to the next \$1,000.

(1) A participant insured under a basic insurance policy is automatically covered for any change in the maximum due to a change in annual base compensation.

(2) The date of change in coverage under subparagraph (1) is the first day of the month of April following the effective date of the change in annual base compensation.

A-1. For a Legislator, the amount of life insurance to be paid upon death is equal to the participant's average annual legislative salary over the 2-year term of office rounded up to the next \$1,000. For the purposes of this section, "Legisla-

tor" includes the representatives of the Penobscot Nation and the Passamaquoddy Tribe at the Legislature.

B. The accidental death and dismemberment insurance shall must provide payments as follows.

(1) Losses and amounts payable shall be are determined according to the following table.

LOSS	AMOUNT PAYABLE
Loss of life by Accident	An additional amount equal to that provided under <u>this</u> subsection + , paragraph A
Loss of one hand or foot or sight of one eye	One-half the amount provided under <u>this</u> subsection + , paragraph A
Loss of 2 or more limbs or loss of both eyes or loss of one limb and loss of sight of one eye	The amount provided under <u>this</u> subsection + , paragraph A

(2) For any one accident the aggregate amount of group accidental death and dismemberment insurance that may be paid may not exceed the amount provided under this subsection ~~+~~, ~~paragraph A~~.

Sec. LL-3. Lapsed Personal Services balances; Legislature. Notwithstanding any other provision of law, \$356,947 of unencumbered balance forward in the Personal Services line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2009-10. In addition, \$367,549 of unencumbered balance forward in the Personal Services line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2010-11.

Sec. LL-4. Lapsed Personal Services balances; Law and Legislative Reference Library. Notwithstanding any other provision of law, \$27,353 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 2009-10. In addition, \$27,876 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 2010-11.

Sec. LL-5. Lapsed Personal Services balances; Office of Program Evaluation and Government Accountability. Notwithstanding any

other provision of law, \$17,933 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 2009-10. In addition, \$18,551 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 2010-11.

Sec. LL-6. Lapsed balances; Legislature; reduction in length of legislative session, suspension of cost-of-living adjustment and other cost-saving measures. Notwithstanding any other provision of law, \$35,766 of unencumbered balance forward in the Personal Services line category and \$65,800 in the All Other line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2009-10. These balances will be available as a result of reducing the length of the Second Regular Session of the 124th Legislature by one week. Additionally, \$37,521 of unencumbered balance forward in the Personal Services line category and \$65,800 in the All Other line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2010-11. These balances will be available as a result of reducing the length of the First Regular Session of the 125th Legislature by one week.

Notwithstanding any other provision of law, \$45,856 of unencumbered balance forward in the Personal Services line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2009-10. This balance will be available as a result of suspending the annual cost-of-living adjustment for Legislators for the Second Regular Session of the 124th Legislature.

Notwithstanding any other provision of law, \$65,750 in the All Other line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2009-10. This balance will be available as a result of implementing various cost-saving measures to achieve the identified savings.

Sec. LL-7. Lapsed balances; Reserve Fund for State House Preservation and Maintenance. Notwithstanding any other provision of law, \$300,000 of unencumbered balance forward in the All Other line category in the Reserve Fund for State House Preservation and Maintenance General Fund account in the Legislature lapses to the General Fund in fiscal year 2009-10.

Sec. LL-8. Lapsed Personal Services balances; Legislature; Personal Services cost-saving measures. Notwithstanding any other provision of law, \$695,619 of unencumbered balance forward in the Personal Services line category in the Legislative General Fund account in the Legislature lapses

to the General Fund in fiscal year 2009-10. In addition, \$999,068 of unencumbered balance forward in the Personal Services line category in the Legislative General Fund account in the Legislature lapses to the General Fund in fiscal year 2010-11. These balances will be available as a result of implementing Personal Services cost-saving measures determined by the Legislative Council.

Sec. LL-9. Lapsed Personal Services balances; Law and Legislative Reference Library; Personal Services cost-saving measures. Notwithstanding any other provision of law, \$65,929 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 2009-10. In addition, \$87,849 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 2010-11. These balances will be available as a result of implementing Personal Services cost-saving measures determined by the Legislative Council.

Sec. LL-10. Lapsed Personal Services balances; Office of Program Evaluation and Government Accountability; Personal Services cost-saving measures. Notwithstanding any other provision of law, \$56,208 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 2009-10. In addition, \$81,045 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 2010-11. These balances will be available as a result of implementing Personal Services cost-saving measures determined by the Legislative Council.

PART MM

Sec. MM-1. Commissioner of Conservation; park fees. The Commissioner of Conservation shall undertake a review of fees charged by the Department of Conservation, Bureau of Parks and Lands and, pursuant to the Maine Revised Statutes, Title 12, section 1819, shall implement, in a manner determined most appropriate by the commissioner, increases in such fees to generate additional undedicated revenue to the General Fund of \$475,500 in fiscal year 2009-10 and \$475,500 in fiscal year 2010-11.

PART NN

Sec. NN-1. 36 MRSA §5211, sub-§14, as enacted by P&SL 1969, c. 154, §F, is amended to read:

14. Sales factor formula. The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in this State during the tax period, and the denominator of which is the total sales of the taxpayer everywhere during the tax period. The formula must exclude from both the numerator and the denominator sales of tangible personal property delivered or shipped, regardless of F.O.B. point or other conditions of the sale, to a purchaser within a state in which the taxpayer is not taxable within the meaning of subsection 2.

Sec. NN-2. 36 MRSA §5211, sub-§15, ¶B, as enacted by P&SL 1969, c. 154, §F, is amended to read:

B. The property is shipped from an office, store, warehouse, factory or other place of storage in this State and the purchaser is the United States Government ~~or the taxpayer is not taxable in the state of the purchaser.~~

Sec. NN-3. 36 MRSA §5211, sub-§16-A, ¶A, as enacted by PL 2007, c. 240, Pt. V, §9 and affected by §15, is amended to read:

A. Except as otherwise provided by this subsection, receipts from the performance of services must be attributed to the state where the services are received. If the state where the services are received is not readily determinable, the services are deemed to be received at the home of the customer or, in the case of a business, the office of the customer from which the services were ordered in the regular course of the customer's trade or business. If the ordering location cannot be determined, the services are deemed to be received at the home or office of the customer to which the services are billed. In instances in which the purchaser of the service is the Federal Government ~~or the receipts are otherwise attributable to a state in which the taxpayer is not taxable,~~ the receipts are attributable to this State if a greater proportion of the income-producing activity is performed in this State than in any other state based on costs of performance.

Sec. NN-4. 36 MRSA §5211, sub-§16-A, ¶B, as enacted by PL 2007, c. 240, Pt. V, §9 and affected by §15, is amended to read:

B. Gross receipts from the license, sale or other disposition of patents, copyrights, trademarks or similar items of intangible personal property must be attributed to this State if the intangible property is used in this State by the licensee ~~or if the taxpayer's commercial domicile is in this State and the taxpayer is not taxable in the state in which the property is used by the licensee.~~ If the intangible personal property is used by the licensee in more than one state, the income must be apportioned to this State according to the portion of use

in this State. In instances in which the purchaser or licensee of the intangible personal property is the Federal Government or the receipts are otherwise attributable to a state in which the taxpayer is not taxable, the receipts are attributable to this State if a greater proportion of the income-producing activity is performed in this State than in any other state based on costs of performance.

Sec. NN-5. Application. This Part applies to tax years beginning on or after January 1, 2009.

PART OO

Sec. OO-1. 12 MRSA §10206, sub-§3, ¶C, as amended by PL 2007, c. 44, §1, is further amended to read:

C. All revenues collected under the provisions of this Part relating to watercraft, including chapter 935, including fines, fees and other available money deposited with the Treasurer of State, must be distributed as undedicated revenue to the General Fund and the Department of Marine Resources according to an allocation rate that directly relates to the administrative costs of the Division of Licensing and Registration. ~~Three~~ Eight dollars of each motorized watercraft registration is dedicated to the Department of Inland Fisheries and Wildlife and is not subject to the split with another agency as required under this paragraph. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this subsection. Those costs must be verified by the Department of Marine Resources and the Department of Administrative and Financial Services. The allocation rate must also allow for any necessary year-end reconciliation and accounting distribution. The allocation rate must be jointly agreed to by the department and the Department of Marine Resources and approved by the Department of Administrative and Financial Services, Bureau of the Budget.

The fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$10 fee for invasive species prevention and control. This fee is disposed of as follows:

- (1) Sixty percent of the fee must be credited to the Invasive Aquatic Plant and Nuisance Species Fund established within the Department of Environmental Protection under Title 38, section 1863; and
- (2) Forty percent of the fee must be credited to the Lake and River Protection Fund established within the department under section 10257.

Sec. OO-2. 12 MRSA §11109, sub-§3, as amended by PL 2007, c. 168, §§2 and 3 and affected by §8 and amended by c. 203, §§7 to 9, is further amended to read:

3. Hunting licenses; combination licenses; fees. Hunting licenses, combination licenses and fees are as follows.

- A. A resident junior hunting license, for a person 10 years of age or older and under 16 years of age, is \$7. Notwithstanding the permit fees established in subchapter 3, a resident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost.
- B. A resident hunting license, for a person 16 years of age or older, is ~~\$24~~ \$25.
- C. A resident small game hunting license, for a person 16 years of age or older, which permits hunting for all legal species except deer, bear, turkey, moose, raccoon and bobcat, is \$14.
- D. A resident combination hunting and fishing license is ~~\$38~~ \$42.
- E. A resident combination archery hunting and fishing license is ~~\$38~~ \$42.
- E-1. A resident apprenticeship hunter license, which includes a bear hunting permit and a wild turkey hunting permit under sections 11151 and 11155 respectively, is ~~\$24~~ \$25.
- F. A nonresident junior hunting license, for a person 10 years of age or older and under 16 years of age, is ~~\$27~~ \$34.
- G. A nonresident small game hunting license, which permits hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$67~~ \$74.
- H. A nonresident 3-day small game hunting license, valid for 3 consecutive hunting days, which permits hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat for the 72-hour period specified on the license, is ~~\$42~~ \$49.
- I. A nonresident big game hunting license, which permits hunting of all legal species subject to the permit requirements in chapter 915, subchapter 3, is ~~\$102~~ \$114.
- J. A nonresident combination hunting and fishing license is ~~\$137~~ \$149.
- K. An alien small game hunting license, which permits hunting of all species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$72~~ \$79.
- L. An alien big game hunting license, which permits hunting of all legal species subject to the

permit requirements in chapter 915, subchapter 3, is ~~\$127~~ \$139.

M. An alien combination hunting and fishing license is ~~\$178~~ \$190.

N. A license to use leashed dogs to track wounded animals, which permits a person to use one or more leashed dogs to track a lawfully wounded deer, moose or bear, is \$27.

O. A nonresident small game apprenticeship hunter license, which permits the hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$67~~ \$74.

P. A nonresident big game apprenticeship hunter license, which permits the hunting of all legal species and includes a bear hunting permit and a wild turkey hunting permit under sections 11151 and 11155 respectively, is ~~\$102~~ \$114.

Sec. OO-3. 12 MRSA §11109, sub-§5, as amended by PL 2005, c. 397, Pt. E, §7, is further amended to read:

5. Muzzle-loading permits and fees. Muzzle-loading hunting permits and fees are as follows:

A. A resident muzzle-loading hunting permit is \$13;

B. A nonresident muzzle-loading hunting permit is ~~\$62~~ \$69; and

C. An alien muzzle-loading hunting permit is ~~\$72~~ \$79.

Sec. OO-4. 12 MRSA §11109, sub-§7, as amended by PL 2005, c. 12, Pt. III, §5, is further amended to read:

7. Archery hunting licenses; combination licenses; fees. Archery hunting licenses, combination licenses and fees are as follows:

A. A resident archery license is ~~\$21~~ \$25;

B. A resident combination archery hunting and fishing license is ~~\$38~~ \$42;

C. A nonresident archery license is ~~\$62~~ \$74; and

D. An alien archery license is ~~\$72~~ \$84.

Sec. OO-5. 12 MRSA §11109, sub-§9, as enacted by PL 2005, c. 419, §5 and affected by §12, is amended to read:

9. Crossbow licenses and fees. Crossbow hunting licenses and fees are as follows:

A. A resident crossbow hunting license is \$25;

B. A nonresident crossbow hunting license is ~~\$48~~ \$55; and

C. An alien crossbow hunting license is ~~\$72~~ \$79.

Sec. OO-6. 12 MRSA §11151, sub-§3, as amended by PL 2005, c. 12, Pt. III, §7, is further amended to read:

3. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a bear hunting permit to an eligible person. The annual fee for each permit issued is \$27 for residents and ~~\$67~~ \$74 for nonresidents.

Sec. OO-7. 12 MRSA §11154, sub-§3, as amended by PL 2005, c. 12, Pt. III, §9, is further amended to read:

3. Moose hunting permit fee. The fee for a moose hunting permit is \$52 for a resident and ~~\$477~~ \$484 for a nonresident or alien.

Sec. OO-8. 12 MRSA §11155, sub-§1-B, as enacted by PL 2005, c. 12, Pt. III, §11, is repealed and the following enacted in its place:

1-B. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a combined fall and spring wild turkey hunting permit that allows an eligible person to take one male wild turkey in the spring and one wild turkey in the fall. The fee for a combined fall and spring wild turkey hunting permit is \$20 for residents and \$54 for nonresidents and aliens. The holder of a combined fall and spring wild turkey hunting permit is eligible to purchase a 2nd spring wild turkey permit that allows the taking of one additional male wild turkey at a cost of \$20 for residents, nonresidents and aliens.

Sec. OO-9. 12 MRSA §12201, sub-§6, ¶C, as amended by PL 2005, c. 12, Pt. III, §23, is further amended to read:

C. A nonresident trapping license is ~~\$340~~ \$317.

Sec. OO-10. 12 MRSA §12301-A, sub-§3, ¶C, as enacted by PL 2003, c. 655, Pt. B, §226 and affected by §422, is amended to read:

C. Collect \$5 and retain \$1 for each seal from the person registering a bear, deer, moose or wild turkey. The remaining \$4 must be returned to the department by the agent pursuant to section 10801, subsection 3.

Sec. OO-11. 12 MRSA §12501, sub-§6, as amended by PL 2005, c. 12, Pt. III, §24, is further amended to read:

6. Schedule of fees. The fees for fishing licenses are as follows.

A. A resident fishing license is ~~\$24~~ \$25.

B. A resident combination hunting and fishing license is ~~\$38~~ \$42.

C. A resident combination archery hunting and fishing license is ~~\$38~~ \$42.

D. A nonresident junior fishing license, for persons 12 years of age or older and under 16 years of age, is ~~\$9~~ \$16.

E. A 3-day fishing license for a resident or nonresident, valid for the 72-hour period specified on the license, is \$23.

F. A nonresident 7-day fishing license, valid for 7 days from date indicated on license, is ~~\$36~~ \$43.

G. A nonresident 15-day fishing license, valid for 15 days from date indicated on license, is ~~\$40~~ \$47.

H. A nonresident season fishing license for persons 16 years of age or older is ~~\$52~~ \$64.

I. An alien season fishing license for persons 16 years of age or older is ~~\$72~~ \$84.

J. A one-day fishing license for a resident or nonresident, valid for the 24-hour period indicated on license, is \$11.

Sec. OO-12. 12 MRSA §12912, sub-§1, ¶A, as enacted by PL 2003, c. 655, Pt. B, §336 and affected by §422, is amended to read:

A. Each outfitter shall:

(1) Pay a user fee of ~~\$4~~ \$2 per passenger, excluding guides, carried by the outfitter on any whitewater trip; and

(2) Pay this fee by the 30th day of the month following the month in which the passengers were carried.

Sec. OO-13. 12 MRSA §13056, sub-§1-A, ¶B, as enacted by PL 2003, c. 655, Pt. B, §361 and affected by §422, is amended to read:

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than ~~\$100~~ \$200 nor more than \$500 may be adjudged.

(2) 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. OO-14. 12 MRSA §13056, sub-§8, ¶A, as amended by PL 2007, c. 44, §2, is further amended to read:

A. For a watercraft requiring or whose owner requests a certificate of number and that is equipped with a motor having a manufacturer's horsepower rating of:

(1) Ten horsepower or less, the fee is ~~\$20~~ \$25 for operating on inland waters of the

State and ~~\$10~~ \$15 for operating only on tidal waters of the State;

(2) Greater than 10, but not more than 50 horsepower, the fee is ~~\$25~~ \$30 for operating on inland waters of the State and ~~\$15~~ \$20 for operating only on tidal waters of the State; and

(3) Greater than 50 horsepower but not more than 115 horsepower, the fee is ~~\$34~~ \$36 for operating on inland waters of the State and ~~\$24~~ \$26 for operating only on tidal waters of the State.

Sec. OO-15. 12 MRSA §13056, sub-§8, ¶B, as amended by PL 2007, c. 44, §3, is further amended to read:

B. For a personal watercraft requiring or whose owner requests a certificate of number and watercraft equipped with a motor having a manufacturer's horsepower rating of 115 horsepower or greater, the fee is ~~\$39~~ \$44 for operating on inland waters of the State and ~~\$29~~ \$34 for operating only on tidal waters of the State.

Sec. OO-16. 12 MRSA §13058, sub-§1, as amended by PL 2007, c. 44, §4, is repealed and the following enacted in its place:

1. Prohibition. A person exempt from the certificate of number requirement pursuant to section 13056, subsection 2, paragraph B may not place or operate a motorboat, personal watercraft or seaplane on the inland waters of the State unless a valid lake and river protection sticker issued annually under subsection 3 is permanently affixed to:

A. Each side of the bow of a motorboat or personal watercraft above the water line and approximately 3 inches behind the validation sticker required under section 13056; and

B. Each outside edge of a seaplane's pontoons so that the entire sticker is visible above the water line when the seaplane is resting on the water.

This sticker is nontransferable.

Sec. OO-17. 12 MRSA §13058, sub-§3, as amended by PL 2007, c. 44, §5, is further amended to read:

3. Nonresident motorboat and personal watercraft lake and river protection sticker and resident and nonresident seaplane lake and river protection sticker; fee. No later than January 1st of each year, the commissioner shall provide each agent authorized to register watercraft or issue licenses with a sufficient quantity of lake and river protection stickers for motorboats and personal watercraft not registered in the State and for all seaplanes, whether or not registered in the State, for that boating season. The sticker must be in 2 parts so that one part of the sticker can be affixed

to each side of the bow of a motorboat or personal watercraft ~~not registered in the State or to each outside edge of a seaplane's pontoons.~~ The fee for a sticker issued under this subsection is \$20 ~~for a motorboat or personal watercraft not registered in the State.~~ Each agent shall retain \$1 for each sticker sold by that agent for which a fee is required. A motorboat ~~or a~~ personal watercraft ~~or seaplane~~ owned by the Federal Government, a state government or a municipality is exempt from the fee established in this subsection.

Sec. OO-18. 12 MRSA §13104, sub-§1, ¶F, as enacted by PL 2003, c. 655, Pt. B, §386 and affected by §422, is amended to read:

F. The following penalties apply to violations of this subsection.

- (1) A person who violates this subsection commits a civil violation for which a fine of not less than ~~\$100~~ \$200 nor more than \$500 may be adjudged.
- (2) 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. OO-19. 12 MRSA §13104, sub-§3, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

3. Form of registration. The snowmobile registration must be in such form as the commissioner may determine except that the commissioner shall develop a single form of registration that can be used for either the 3-day or seasonal nonresident registrations.

Sec. OO-20. 12 MRSA §13104, sub-§4, ¶B, as amended by PL 2007, c. 556, §3, is further amended to read:

B. For nonresidents:

- (1) Forty-three dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season; and
- (2) ~~Fifty-eight dollars for a 10 consecutive-day registration. A person may purchase more than one 10-day registration in any season; and~~
- (3) Eighty-eight dollars for a seasonal registration.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Sec. OO-21. 12 MRSA §13155, sub-§1-A, ¶B, as enacted by PL 2003, c. 655, Pt. B, §406 and affected by §422, is amended to read:

B. The following penalties apply to violations of this subsection.

- (1) A person who violates this subsection commits a civil violation for which a fine of not less than ~~\$100~~ \$200 nor more than \$500 may be adjudged.
- (2) 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.

PART PP

Sec. PP-1. Reporting on the Katie Beckett option. The Department of Health and Human Services and the Department of Education shall work together to determine whether to adopt criteria for enrollment of children under the Katie Beckett option for MaineCare eligibility to establish 2 standards for enrollment: one standard being for children who would, if not for enrollment under the Katie Beckett option, be hospitalized in psychiatric hospitals and one standard being for children who would, if not for enrollment under the Katie Beckett option, be residents in children's private nonmedical institutions. By January 1, 2010, the departments shall report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Education and Cultural Affairs regarding their progress in determining whether to adopt criteria for enrollment under the Katie Beckett option for MaineCare eligibility.

PART QQ

Sec. QQ-1. 4 MRSA §1, as amended by PL 1975, c. 623, §3-A, is further amended to read:

§1. Constitution of the court; administrative responsibilities of the court and the Chief Justice

The Supreme Judicial Court, as heretofore established, ~~shall consist~~ consists of a Chief Justice and 6 associate justices and such Active Retired Justices as may be appointed and serving on said court, learned in the law and of sobriety of manners.

The Chief Justice ~~shall be~~ is the head of the ~~Judicial Department~~ judicial branch of the State. In the event of ~~his~~ the Chief Justice's disability for any cause, the senior associate, not under disability, shall perform any and all of ~~his~~ the duties of the Chief Justice.

The Supreme Judicial Court ~~shall have~~ has general administrative and supervisory authority over the ~~Judicial Department~~ judicial branch and shall make and promulgate rules, regulations and orders governing the administration of the ~~Judicial Department~~ judicial branch.

The Chief Justice, as head of the judicial branch, shall prepare the budget for the judicial branch. The

Chief Justice may approve financial orders for transfers within the judicial branch. The Chief Justice shall provide a copy of each approved financial order to the Department of Administrative and Financial Services, Bureau of the Budget and the Office of Fiscal and Program Review.

The Chief Justice, as the head of the ~~Judicial Department~~ judicial branch, shall, in accordance with the rules, regulations and orders of the Supreme Judicial Court, be responsible for the efficient operation of the ~~Judicial Department~~ judicial branch and for the expeditious dispatch of litigation therein and for the proper conduct of business in all courts. The Chief Justice may require reports from all courts in the State and may issue orders and regulations necessary for the efficient operation of the ~~Judicial Department~~ judicial branch and the prompt and proper administration of justice.

Sec. QQ-2. 4 MRSA §28 is enacted to read:

§28. Additional fee revenue dedicated

The judicial branch may credit up to \$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.

Sec. QQ-3. 5 MRSA §1591, sub-§3 is enacted to read:

3. Judicial branch. The judicial branch must apply:

A. Any balance remaining in the debt service program of the judicial branch at the end of any fiscal year to be carried forward for use by the judicial branch in the next fiscal year.

Sec. QQ-4. General Fund savings; judicial branch. Notwithstanding any other provision of law, the State Court Administrator shall adjust the Personal Services and All Other line categories to achieve the amount of projected savings in Part A in the judicial branch related to maintaining costs within available resources and shall transfer the amounts by financial order upon approval of the Chief Justice of the Supreme Judicial Court.

Sec. QQ-5. Transfer authorized; judicial branch. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the fiscal years ending June 30, 2010 and June 30, 2011, the State Court Administrator is authorized to transfer, by financial order upon the approval of the Chief Justice of the Supreme Judicial Court, identified Personal Services savings to the All Other line category in the Courts - Supreme, Superior and District, General Fund account. The State Court Administrator must ensure when making any transfer under this section that all financial commitments have been met in

Personal Services after assuming all costs for that program including collective bargaining costs.

Sec. QQ-6. Judicial branch fees. The judicial branch shall increase court fees by at least \$300,000 annually above the revenue forecast for the judicial branch of the Revenue Forecasting Committee as of May 1, 2009.

PART RR

Sec. RR-1. Issuance of securities; Maine Governmental Facilities Authority. Pursuant to the Maine Revised Statutes, Title 4, section 1610-A, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$1,000,000 for the purpose of paying the cost of multiple repair projects at correctional facilities.

PART SS

Sec. SS-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 July 15, 2009 from General Fund unappropriated surplus to the Callahan Mine Site Restoration Other Special Revenue Funds program within the Department of Transportation.

PART TT

Sec. TT-1. Consolidation of statewide information technology functions, systems and funding to improve efficiency and cost-effectiveness. The Chief Information Officer shall review the current organizational structure, systems and operations of information technology units to improve organizational efficiency and cost-effectiveness. The Chief Information Officer is authorized to manage and operate all information technology systems in the executive branch and to approve all information technology expenditures from a consolidated account to fulfill strategic and operational objectives as expressed in a memorandum of agreement with each agency. An annual reconciliation of actual services rendered against budgeted amounts will be performed. Notwithstanding any other provision of law, the State Budget Officer shall transfer position counts and available balances where allowable by financial order upon approval of the Governor to the Department of Administrative and Financial Services, Office of Information Technology for the provision of those services. These transfers are considered adjustments to authorized position count, appropriations and allocations in fiscal years 2009-10 and 2010-11. The State Budget Officer shall report to the Joint Standing Committee on Appropriations and Financial Affairs the transferred amounts no later than January 15, 2010.

Notwithstanding any other provision of law, the Chief Information Officer or the Chief Information Officer's designee shall provide direct oversight and management over statewide technology services and oversight over the technology personnel assigned to information technology services. The Chief Information Officer is authorized to identify savings and position eliminations to the General Fund and other funds from efficiencies to achieve the savings identified in this Part.

Sec. TT-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 resulting from efficiencies gained by the consolidation of funding, resource management of information technology and services and lease purchase of new application development.

GENERAL FUND	2009-10	2010-11
Unallocated	(\$3,689,350)	(\$3,689,350)
GENERAL FUND TOTAL	(\$3,689,350)	(\$3,689,350)

PART UU

Sec. UU-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 in the Statewide Central Services account, Department of Administrative and Financial Services 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 2009-10 and 2010-11. 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, 2010.

Sec. UU-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 for the purchase of supplies as a result of improvements in contracting with vendors and the use of procurement cards.

GENERAL FUND	2009-10	2010-11
All Other	(\$237,843)	(\$247,260)
GENERAL FUND TOTAL	(\$237,843)	(\$247,260)

PART VV

Sec. VV-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 January 9, 2009.

PART WW

Sec. WW-1. 5 MRSA §1677, as enacted by PL 2003, c. 712, §1, is repealed.

PART XX

Sec. XX-1. 20-A MRSA §3253-A, sub-§3-A, as amended by PL 2005, c. 635, §2, is repealed.

PART YY

Sec. YY-1. 20-A MRSA §6910, as enacted by PL 1993, c. 348, §1, is amended to read:

§6910. Annual report

The corporation shall provide an annual report of its activities to the Governor; to the joint standing committees of the Legislature having jurisdiction over education and labor and skills training matters; to the commissioner; and to the schools participating in the program. ~~The corporation is subject to any audit and review determined necessary by the Governor or the Legislative Council shall provide an annual financial audit conducted by an independent auditor to the Governor; to the joint standing committees of the Legislature having jurisdiction over education and labor and skills training matters; and to the commissioner at the expense of the State.~~

PART ZZ

Sec. ZZ-1. 20-A MRSA §7407, sub-§19, as amended by PL 1999, c. 775, §11, is further amended to read:

19. Report. The school board shall report annually to the Governor ~~and~~ the joint standing committee of the Legislature having jurisdiction over education matters and the commissioner on the general status of the finances and operations of the school, including the center school programs and any satellite school programs, the status of the professional qualifications of the school board members and the results of the assessments required by subsection 16 and the general

status of the school and shall provide an annual financial audit conducted by an independent auditor.

PART AAA

Sec. AAA-1. 20-A MRSA §9703, sub-§5, as amended by PL 2005, c. 683, Pt. A, §27, is further amended to read:

5. Line-item budget. A line-item budget submitted no later than 90 days prior to the fiscal year in which the program will operate. The proposed budget request may not exceed the number of students in the approved program plan, on a per student basis, based on the state average tuition rate for a total of 12 students as provided in sections 5804, 5805 and 15689.

Sec. AAA-2. 20-A MRSA §15689, sub-§5, ¶A, as enacted by PL 2005, c. 2, Pt. D, §60 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

A. Reimbursements must be limited to a ~~maximum of 12~~ the state average tuition rates a year for each rate for the number of students in the approved program plan.

PART BBB

Sec. BBB-1. 5 MRSA §11, as amended by PL 1991, c. 824, Pt. A, §3 and corrected by RR 2001, c. 2, Pt. A, §3, is further amended to read:

§11. Certification of payrolls

~~No~~ A fiscal officer of the State may not draw, sign or issue, or authorize the drawing, signing or issuing, of any warrant or check upon the Treasurer of State or other disbursing officer of the State for the payment of a salary or other compensation for personal services, nor may the Treasurer of State or other disbursing officer of the State pay any salary or other compensation for personal services in the Executive or Legislative Departments, unless a payroll or account for such salary or other compensation, containing the names of all persons to be paid and the amounts to be paid them, has been certified by the ~~Director of Human Resources~~ State Controller or a person designated by ~~him~~ the State Controller. In the case of all unclassified employees, certification ~~shall~~ must be by their appointing authority.

Any payment made in violation of the compensation plan or the rules pertaining thereto or made to a person appointed or established in a position in a manner contrary to chapters ~~56~~ 56-A, 65, 67, 71 and 372 may be recovered from the appointing authority, or the Director of Human Resources or any officer or person making such payment State Controller, whoever is culpable, or from the sureties on the official bond of such officer or person. Action for recovery may be maintained by the State Civil Service Appeals Board or any member thereof, any officer or employee of the state service or any citizen of the State. All money

recovered under this section must be paid into the State Treasury and credited to the General Fund.

PART CCC

Sec. CCC-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 \$16,000,000 in fiscal year 2009-10 from Other Special Revenue Funds to the unappropriated surplus of the General Fund no later than June 30, 2010. On July 1, 2010, the State Controller shall transfer \$16,000,000 from the General Fund unappropriated surplus along with interest to Other Special Revenue Funds as repayment. This transfer is considered an interfund advance to be repaid with interest compounded annually at the earnings rate within the Treasurer of State's cash pool on the date of the advance.

PART DDD

Sec. DDD-1. Rename Food Stamps Administration program. Notwithstanding any other provision of law, the Food Stamps Administration program in the Department of Health and Human Services is renamed the Food Supplement Administration program.

Sec. DDD-2. Rename Multicultural Services, Rate Setting and Quality Improvement program. Notwithstanding any other provision of law, the Multicultural Services, Rate Setting and Quality Improvement program in the Department of Health and Human Services is renamed the Multicultural Services program.

PART EEE

Sec. EEE-1. Interim process for reorganized school administrative units. For school year 2009-2010, for the purposes of applied technology education at vocational centers and career and technical education regions specified in the Maine Revised Statutes, Title 20-A, chapter 313, the following must be implemented.

1. For those school administrative units that have reorganized pursuant to Public Law 2007, chapter 240, Part XXXX as amended by Public Law 2007, chapter 668, all vocational and technical students shall attend the vocational center or career and technical education region that they would have attended as a resident student of the original school administrative unit.

2. For those school administrative units that have reorganized pursuant to Public Law 2007, chapter 240, Part XXXX as amended by Public Law 2007, chapter 668, the successor unit acts in place of the school administrative unit identified in Title 20-A, chapter 313 for the purposes of the duties and obligations specified in Title 20-A, chapter 313, subchapters 3 and 4.

PART FFF

Sec. FFF-1. Payment of employer charges for teachers. Notwithstanding the Maine Revised Statutes, Title 5, section 17154, subsection 6, paragraph B, funds for teacher salaries that are provided under the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009, Public Law 111-5, Title XIV, Sections 14001 to 14013 as part of the amount restored to a school administrative unit's fiscal years 2008-09, 2009-10 and 2010-11 share of general purpose aid for local schools as determined under Title 20-A, chapter 606-B are considered state funds for purposes of Title 5, section 17154.

PART GGG

Sec. GGG-1. 4 MRSA §1057, sub-§3-A, as enacted by PL 2007, c. 653, Pt. A, §2, is amended to read:

3-A. Reimbursement to counties. Monthly, the Treasurer of State shall transfer funds from the Government Operations Surcharge Fund to the State Board of Corrections Investment Fund program in an amount equal to 2% of the total fines, forfeitures and penalties, including the surcharge imposed pursuant to subsection 2-A, received by the Treasurer of State for deposit in the Government Operations Surcharge Fund. The balance remaining in the Government Operations Surcharge Fund at the end of each month must accrue to the General Fund. Funds collected and deposited each month to the Government Operations Surcharge Fund must be transferred on the last day of the month in which the collections are made to the State Board of Corrections Investment Fund program under Title 34-A, section 1805.

At the close of each month, the State Controller shall calculate the amount to be transferred to the State Board of Corrections Investment Fund program based on the collections made during the month. The State Controller shall transfer by journal entry the amount due to the State Board of Corrections Investment Fund program. This subsection takes effect July 1, 2009.

Sec. GGG-2. 34-A MRSA §1801, first ¶, as enacted by PL 2007, c. 653, Pt. A, §30, is amended to read:

The State Board of Corrections, referred to in this subchapter as "the board," is established by Title 5, section 12004-G, subsection 6-C. The State Board of Corrections is an autonomous body.

Sec. GGG-3. 34-A MRSA §1803, sub-§5, ¶D, as enacted by PL 2007, c. 653, Pt. A, §30, is amended to read:

D. Administer the County Jail Prisoner Support and Community Corrections Fund established in section 1806 and the State Board of Corrections Investment Fund program established in section 1805. The board may allocate available funds

from the State Board of Corrections Investment Fund program to meet any emergency expenses or for maintenance in emergency conditions of any correctional facility or county jail. The board may make allocations for these purposes only upon written request of the commissioner or a county;

Sec. GGG-4. 34-A MRSA §1803, sub-§5, ¶E, as enacted by PL 2007, c. 653, Pt. A, §30, is amended to read:

E. Prepare and submit to the Governor a budget for the State Board of Corrections Investment Fund program established in section 1805 biennially that clearly identifies the financial contribution required by the State to support the actual costs of corrections in addition to the capped property tax contribution under Title 30-A, section 701, subsection 2-A. The board shall also propose in its budget an appropriation to the State Board of Corrections Investment Fund program of an amount equal to the difference between the 2007-08 fiscal year's county jail debt and the amount of that year's debt payment; and

Sec. GGG-5. 34-A MRSA §1805, as enacted by PL 2007, c. 653, Pt. A, §30, is amended to read:

§1805. State Board of Corrections Investment Fund program

1. Program established. The State Board of Corrections Investment Fund program, referred to in this section as "the fund program," ~~is an enterprise fund established within the Department of Administrative and Financial Services~~ includes General Fund accounts and Other Special Revenue Funds accounts for the purposes specified in this section.

2. Expenditures of program. Except as otherwise provided in this section, ~~amounts in funding of the fund program~~ may be expended only to compensate county governments and the department for costs approved by the board and the Legislature.

3. Sources of funding. The State Controller shall credit to the ~~fund~~ Other Special Revenue Funds accounts of the program:

A. Any net county assessment revenue pursuant to Title 30-A, section 701, subsection 2-A in excess of county jail appropriations in counties where jails or correctional services have been closed or downsized;

B. Any net county assessment revenue in excess of county jail expenditures in counties where changes in jail operations pursuant to board directives under section 1803 have reduced jail expenses;

~~C. Funds appropriated by the Legislature including funds appropriated pursuant to section 1803, subsection 5, paragraph E;~~

D. Money from any other source, whether public or private, designated into or credited to the ~~fund~~ Other Special Revenue Funds accounts of the program; and

E. Interest earned or other investment income on balances in the ~~fund~~ Other Special Revenue Funds accounts of the program.

4. Unencumbered balances. Any unencumbered balance in General Fund accounts or Other Special Revenue Funds accounts remaining at the end of any fiscal year does not lapse but is carried forward to be expended for the purposes specified in this section and may not be made available for any other purpose.

5. Report by chair of the State Board of Corrections. The ~~commissioner~~ chair of the board shall report at least annually on or before the 2nd Friday in December 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 criminal justice and public safety matters. The report must summarize the activity in any funds or accounts directly related to this section.

~~**6. Restricted accounts.** The State Controller is authorized to establish separate accounts within the fund in order to segregate money received by the fund from any source, whether public or private, that requires as a condition of the contribution to the fund that the use of the money contributed be restricted to the purposes specified. Money credited to a restricted account established under this subsection may be applied only to the purposes to which the account is restricted.~~

Sec. GGG-6. 34-A MRSA §1806, sub-§7, as enacted by PL 2007, c. 653, Pt. A, §30, is amended to read:

7. Surcharge imposed. In addition to the 14% surcharge collected pursuant to Title 4, section 1057, an additional 1% surcharge must be added to every fine, forfeiture or penalty imposed by any court in this State, which for the purposes of collection and collection procedures is considered a part of the fine, forfeiture or penalty. All funds collected pursuant to this subsection are nonlapsing and must be deposited monthly in the ~~County Jail Prisoner Support and Community Corrections Fund~~ State Board of Corrections Investment Fund program that is administered by the board. All funds collected pursuant to this subsection must be distributed to counties that have experienced at least a 10% increase in their total annual jail operating budget or to counties that have issued bonds for the construction of a new jail or renovation of an existing jail and that meet all other requirements under subsection 5. Funds distributed to counties pursuant to this subsection must be used for the sole purpose of funding costs of the support of prisoners detained or

sentenced to county jails and for establishing and maintaining community corrections.

Sec. GGG-7. Effective date. This Part takes effect July 1, 2009.

PART HHH

Sec. HHH-1. 5 MRSA §1591, sub-§3 is enacted to read:

3. State Board of Corrections. The State Board of Corrections must apply:

A. Any General Fund balance remaining in the State Board of Corrections Investment Fund program at the end of any fiscal year to be carried forward for the next fiscal year.

Sec. HHH-2. Carrying balance; Department of Corrections, State Board of Corrections Investment Fund, General Fund account. Notwithstanding any other provision of law, any balance in the Department of Corrections, State Board of Corrections Investment Fund, General Fund account remaining on June 30, 2009 may not lapse but must be carried forward to June 30, 2010. Any General Fund balance in the Department of Corrections, State Board of Corrections Investment Fund, General Fund account must be transferred to the State Board of Corrections Investment Fund program within the State Board of Corrections by June 30, 2010.

Sec. HHH-3. Effective date. This Part takes effect June 30, 2009.

PART III

Sec. III-1. Transfer from Employment Rehabilitation Fund. Notwithstanding the Maine Revised Statutes, Title 39-A, section 355, subsection 1, the Workers' Compensation Board shall transfer \$1,188,207 from the Employment Rehabilitation Fund to the Workers' Compensation Board Administrative Fund on July 1, 2009 and shall reduce the fiscal year 2009-10 assessment by the same amount.

Sec. III-2. Transfer from Employment Rehabilitation Fund. Notwithstanding the Maine Revised Statutes, Title 39-A, section 355, subsection 1, the Workers' Compensation Board shall transfer \$1,188,207 from the Employment Rehabilitation Fund to the Workers' Compensation Board Administrative Fund on July 1, 2010 and shall reduce the fiscal year 2010-11 assessment by the same amount.

PART JJJ

Sec. JJJ-1. 26 MRSA §2031, sub-§8, as amended by PL 2007, c. 539, Pt. RRR, §1, is further amended to read:

8. Eligibility for funding. Applicants eligible to receive funding from the program include, but are not limited to, employers, regional and local economic development agencies or partnerships, community-

based organizations, job training service providers, registered apprenticeship service providers, local adult education providers and postsecondary education institutions.

An applicant that is not a business shall demonstrate, in partnership with a business or a consortium of businesses, the ability to link training services with actual job creation, expansion, upgrade or retention. Training provided under this section is considered approved training under the unemployment insurance laws and the laws regarding dislocated workers administered by the Department of Labor.

Training funds authorized under this section must be paid to the employer on a reimbursement basis. ~~Reimbursement may not exceed \$800 for each newly hired employee or \$350 for each incumbent employee who is trained.~~

Sec. JJJ-2. Report. The Department of Labor shall issue a report to the Joint Standing Committee on Labor, the Joint Standing Committee on Business, Research and Economic Development and the Joint Standing Committee on Appropriations and Financial Affairs by January 11, 2010 with recommendations regarding possible targeting of limited funds to employers based upon the number of employees and by industry sectors pursuant to the Maine Revised Statutes, Title 26, section 2031, subsection 8.

PART KKK

Sec. KKK-1. 10 MRSA §1020, sub-§1, ¶F, as enacted by PL 2007, c. 618, §7, is amended to read:

F. "Motor vehicle oil" means any lubricating oil that is reclaimable and classified for use in the ~~engine~~ crankcase of an internal combustion engine or the transmission, gear box, hydraulic reservoir or differential for a motor vehicle, including but not limited to natural, synthetic and re-refined motor oils, whether or not in retail containers.

Sec. KKK-2. 10 MRSA §1020, sub-§6-A, as enacted by PL 2007, c. 618, §11, is amended to read:

6-A. Premium. In addition to any other tax or charge imposed under state or federal law, ~~effective August 1, 2008~~ a premium is imposed on bulk motor vehicle oil and prepackaged motor vehicle oil sold or distributed in the State as provided in this subsection. A motor vehicle oil dealer that makes the first sale or distribution of bulk motor vehicle oil or prepackaged motor vehicle oil in the State shall pay the premium. Gasoline engine bulk motor vehicle oils are subject to a premium of \$1.10 per gallon. Diesel engine bulk motor vehicle oils are subject to a premium of 35¢ per gallon. Prepackaged motor vehicle oils are subject to a premium of 35¢ per gallon. All premiums must be paid to the State Tax Assessor and are subject to the administrative provisions of Title 36, Parts 1 and 3, as

though they were a sales tax liability. By the 20th day of each month, the State Tax Assessor shall notify the State Controller and the Treasurer of State of the amount of revenue attributable to the premium collected under this subsection in the previous month. When notified by the State Tax Assessor, the State Controller shall transfer that amount to the fund. The premium imposed on prepackaged motor vehicle oil takes effect October 1, 2009.

Sec. KKK-3. 10 MRSA §1020-B is enacted to read:

§1020-B. Status reports

The following reports related to the waste motor oil disposal site remediation program under section 1020-A must be submitted to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

1. Program report. By January 15, 2010 and every 2 years thereafter, the authority and the Department of Environmental Protection shall report on the status of the waste motor oil disposal site remediation program under section 1020-A.

2. Funding report. By February 15, 2010 and every year thereafter, the authority and the State Tax Assessor shall report the revenue collected pursuant to section 1020, subsection 6-A for the preceding calendar year. The report may be incorporated into the biennial report required under subsection 1. The joint standing committee of the Legislature having jurisdiction over natural resources matters may submit legislation related to the report required under this subsection.

Sec. KKK-4. PL 2007, c. 464, §10 is repealed.

PART LLL

Sec. LLL-1. Calculation and transfer of savings from elimination of positions in the Department of Corrections. Notwithstanding any provision of law, the State Budget Officer is authorized to calculate the General Fund savings generated through the elimination of 5 positions within the Department of Corrections in section 2 of this Part that apply against each General Fund account and shall transfer the amounts by financial order upon approval of the Governor. These transfers are considered adjustments to appropriations and position counts in fiscal year 2010-11. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Criminal Justice and Public Safety a report of the transferred amounts no later than January 15, 2011.

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

**CORRECTIONS, DEPARTMENT OF
Departmentwide - Corrections N068**

Initiative: Deappropriates funds from the elimination of 5 positions.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(5.000)
Personal Services	\$0	(\$262,460)
<hr/>		
GENERAL FUND TOTAL	\$0	(\$262,460)

PART MMM

Sec. MMM-1. Transfer; Maine Budget Stabilization Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$51,455,943 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 2008-09 and shall transfer \$24,000,000 by the close of fiscal year 2009-10 to offset a General Fund revenue shortfall.

PART NNN

Sec. NNN-1. Transfer; Operating Capital. Notwithstanding any other provision of law, the State Controller shall transfer \$40,615,146 from the Reserve for General Fund Operating Capital, Department of Administrative and Financial Services to General Fund unappropriated surplus by the close of fiscal year 2008-09 to offset a General Fund revenue shortfall.

PART OOO

Sec. OOO-1. 5 MRSA §1507, first ¶, as amended by PL 1993, c. 410, Pt. QQQ, §1, is further amended to read:

The Governor may allocate from the State Contingent Account amounts not to exceed in total the sum of ~~\$2,350,000~~ \$4,350,000. The Governor may allocate from such account amounts not to exceed in total the sum of \$300,000 in any fiscal year in accordance with the purposes specified in subsections 1, 2, 3, 4 and 4-A, an amount not to exceed \$1,000,000 in accordance with the purposes specified in subsection 5-A ~~and~~, an amount not to exceed \$1,000,000 in accordance with the purposes specified in subsection 5-B ~~and~~ an amount not to exceed \$2,000,000 in accordance with the purposes specified in subsection 5-C.

Sec. OOO-2. 5 MRSA §1507, sub-§5-C is enacted to read:

5-C. Early childhood investments. The Governor may allocate funds from the account in amounts not to exceed in total the sum of \$2,000,000 to provide funds to assist with the development of an early care and education infrastructure. Allocations for this pur-

pose may be made from this fund by the Governor upon written request of the Commissioner of Education and the Commissioner of Health and Human Services and after consultation with the State Budget Officer.

Sec. OOO-3. 5 MRSA §1507, 3rd ¶, as enacted by PL 1995, c. 464, §2 and affected by §18, is amended to read:

After the close of each fiscal year, the Governor may request a General Fund appropriation from the next session of the Legislature in an amount as may be available to bring the total available in the State Contingent Account to a maximum of ~~\$2,350,000~~ \$4,350,000 for the current fiscal year.

Sec. OOO-4. Transfer from General Fund unappropriated surplus; State Contingent Account. Notwithstanding any other provision of law, the State Controller shall transfer \$2,000,000 by June 30, 2009 from General Fund unappropriated surplus to the State Contingent Account. Transfers made in accordance with this section will not preclude additional transfers to be made to the State Contingent Account in accordance with the Maine Revised Statutes, Title 5, section 1507 at the close of fiscal year 2008-09.

PART PPP

Sec. PPP-1. 36 MRSA c. 914-B is enacted to read:

CHAPTER 914-B

2009 TAX RECEIVABLES REDUCTION INITIATIVE

§6591. 2009 Tax Receivables Reduction Initiative established

There is established the 2009 Tax Receivables Reduction Initiative, referred to in this chapter as "the initiative." The initiative is intended to encourage delinquent taxpayers to pay existing tax obligations. The goal of the initiative is to raise revenue during fiscal year 2009-10 and to reduce the increasing tax receivables.

§6592. Administration

The State Tax Assessor shall administer the initiative. The initiative applies to tax liabilities that are assessed as of September 1, 2009. A taxpayer may participate in the initiative without regard to whether the amount due is subject to a pending administrative or judicial proceeding. Participation in the initiative is conditioned upon the taxpayer's agreement to forgo or to withdraw a protest or an administrative or judicial proceeding with regard to liabilities paid under the tax initiative and not to claim a refund of money paid under the initiative. This initiative is available to a taxpayer if the taxpayer:

1. Application. Properly completes and files a 2009 tax initiative application as described in section 6595 and as required by the assessor;

2. Tax, interest and penalty paid. Pays all tax, interest and penalty as described in section 6595 by the end of the initiative period under section 6594;

3. No criminal action pending. Is not currently charged with, and has not been accepted by the Attorney General for criminal prosecution arising from, a violation of the state tax law as provided in this Title or Title 17-A, or is not applying for relief on a debt that is the result of a criminal conviction; and

4. No collection by warrant or civil action. Is not applying for relief with respect to a tax liability for which the State has secured a warrant or civil judgment in its favor in Superior Court.

§6593. Undisclosed liabilities

This chapter may not be construed to prohibit the assessor from instituting civil or criminal proceedings against any taxpayer with respect to any amount of tax that is not paid with the 2009 tax initiative application described in section 6595 or on any other return filed with the assessor.

§6594. Initiative period

The time period during which a 2009 tax initiative application described in section 6595 may be filed is September 1, 2009 to November 30, 2009.

§6595. Initiative application

The assessor shall prepare and make available the 2009 tax initiative application. The application and associated guidelines prepared by the assessor, which govern participation in the initiative, are exempt from the Maine Administrative Procedure Act. The application requires the approval of the assessor and must include the amount of tax, interest and penalty to be paid and the periods to which the liability applies. The assessor may deny any applications not consistent with the initiative. Participation in the initiative qualifies the taxpayer to a waiver by the assessor of 90% of the penalties otherwise due.

PART QQQ

Sec. QQQ-1. Initiative continued. The Joint Standing Committee on Appropriations and Financial Affairs, referred to in this Part as "the committee," shall continue the effort to streamline State Government enacted by Public Law 2007, chapter 240, Part QQQ, referred to in this Part as "the initiative."

Sec. QQQ-2. Duties. The committee, as part of the initiative, shall conduct its research and prepare recommendations on streamlining state government programs and service delivery by reviewing, at a minimum, the following:

1. Current organizational structures and alignment of functions to ensure streamlined and integrated administration and services;

2. Boards, commissions, councils, advisory councils and any other entities established by state law to determine the continuing need for their existence or current configuration as measured against their operating costs;

3. Provision of financial management and human resource services, benefits and related functions to recommend improvements in organizational efficiency and cost-effectiveness;

4. The past 2 decades of studies and proposals that evaluated or sought to alter programs and service delivery of the executive, judicial and legislative branches and of other entities established by state law to prioritize and improve government services;

5. The portion, if any, of the employer's share of teacher retirement costs, including the normal cost component and the unfunded actuarial liability that is currently funded by the State, to be included as part of the total state and local cost of essential programs and services and the portion to be funded through the Teacher Retirement program within the Department of Education; and

6. The underlying causes of structural differences between available budgeted resources and state expenditures.

The initiative must achieve a targeted spending reduction of a minimum of \$30,000,000 in the 2010-2011 biennium that will have ongoing structural savings in future biennia. The committee may establish subcommittees and draw on experts inside and outside of State Government.

Sec. QQQ-3. Staff assistance. The Office of Fiscal and Program Review shall staff the committee. The committee may request additional staff assistance from the Legislative Council. The committee may request that the Legislative Council contract for additional staff to direct the initiative and hire expert staff as it determines necessary within its budgeted resources. The Department of Administrative and Financial Services; the Executive Department, State Planning Office; and the Office of Program Evaluation and Government Accountability may also provide assistance to the committee.

Sec. QQQ-4. Compensation. Members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the committee.

Sec. QQQ-5. Report. The committee shall submit a report of its findings and recommendations to

the Legislative Council no later than January 6, 2010. The committee is authorized to submit legislation to the Second Regular Session of the 124th Legislature.

Sec. QQQ-6. Commissioner actions. If the committee fails to identify at least \$30,000,000 in savings through legislation submitted to and enacted by the Second Regular Session of the 124th Legislature, the Commissioner of Administrative and Financial Services shall distribute the undistributed savings through the process of curtailing allotments established in the Maine Revised Statutes, Title 5, section 1667. The State Budget Officer shall determine amounts in section 8 to be distributed by financial order upon approval of the Governor.

Sec. QQQ-7. Committee budget. The chairs of the committee, with assistance from the committee staff and the Executive Director of the Legislative Council, shall administer the committee's budget, which must be approved by the Legislative Council. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council shall promptly provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.

Sec. QQQ-8. 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 the continuation of the initiative to streamline State Government of the Joint Standing Committee on Appropriations and Financial Affairs.

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

PART RRR

Sec. RRR-1. Transfer from Other Special Revenue Funds accounts. The State Controller shall transfer to General Fund unappropriated surplus the following amounts from the departments and accounts listed based on available Personal Services line category allocations as a result of the savings initiatives in this Act:

1. From the Department of Agriculture, Food and Rural Resources, Maine Milk Commission, Other Special Revenue Funds account, \$11,753 no later than

June 30, 2010 and \$12,220 no later than June 30, 2011;

2. From the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, Other Special Revenue Funds account, \$54,183 no later than June 30, 2010 and \$55,575 no later than June 30, 2011;

3. From the Department of Audit, Statewide Single Audit - Set Aside, Other Special Revenue Funds account, \$77,723 no later than June 30, 2010 and \$79,928 no later than June 30, 2011;

4. From the Department of Conservation, ATV Recreational Management Fund, Other Special Revenue Funds account, \$10,866 no later than June 30, 2010 and \$11,013 no later than June 30, 2011;

5. From the Department of Conservation, Boating Facilities Fund, Other Special Revenue Funds account, \$42,115 no later than June 30, 2010 and \$42,991 no later than June 30, 2011;

6. From the Department of Conservation, Maine State Parks and Recreational Facilities Development Fund, Other Special Revenue Funds account, \$22,763 no later than June 30, 2010 and \$23,548 no later than June 30, 2011;

7. From the Department of Conservation, Snowmobile Trail Fund, Other Special Revenue Funds account, \$19,124 no later than June 30, 2010 and \$19,493 no later than June 30, 2011;

8. From the Department of Economic and Community Development, Tourism Marketing Promotion Fund, Other Special Revenue Funds account, \$34,525 no later than June 30, 2010 and \$35,293 no later than June 30, 2011;

9. From the Department of Environmental Protection, Maine Coastal and Inland Surface Oil Cleanup Fund, Other Special Revenue Funds account, \$133,234 no later than June 30, 2010 and \$136,408 no later than June 30, 2011;

10. From the Commission on Governmental Ethics and Election Practices, Maine Clean Election Fund, Other Special Revenue Funds account, \$18,942 no later than June 30, 2010 and \$21,933 no later than June 30, 2011;

11. From the Public Utilities Commission, Office of the Public Advocate, Public Advocate Regulatory Fund, Other Special Revenue Funds account, \$56,924 no later than June 30, 2010 and \$57,780 no later than June 30, 2011;

12. From the Executive Department, State Planning Office, State Planning Office Solid Waste Management Fund, Other Special Revenue Funds account, \$22,532 no later than June 30, 2010 and \$23,161 no later than June 30, 2011;

13. From the Maine Health Data Organization, Maine Health Data Organization, Other Special Revenue Funds account, \$26,403 no later than June 30, 2010 and \$26,824 no later than June 30, 2011;

14. From the Department of Marine Resources, Division of Community Resource Development program Shellfish Fund, Other Special Revenue Funds account, \$12,553 no later than June 30, 2010 and \$13,109 no later than June 30, 2011;

15. From the Department of Marine Resources, Lobster Management - Administration, Other Special Revenue Funds account, \$15,235 no later than June 30, 2010 and \$15,795 no later than June 30, 2011;

16. From the Department of Marine Resources, Lobster Management Fund, Other Special Revenue Funds account, \$20,145 no later than June 30, 2010 and \$20,721 no later than June 30, 2011;

17. From the Department of Marine Resources, Marine Fisheries Research and Development Fund, Other Special Revenue Funds account, \$34,592 no later than June 30, 2010 and \$35,835 no later than June 30, 2011;

18. From the Department of Marine Resources, Watercraft Fund, Other Special Revenue Funds account, \$18,261 no later than June 30, 2010 and \$19,054 no later than June 30, 2011;

19. From the Department of Professional and Financial Regulation, Administrative Services Division, Other Special Revenue Funds account, \$23,548 no later than June 30, 2010 and \$24,559 no later than June 30, 2011;

20. From the Department of Professional and Financial Regulation, Licensing and Enforcement Division, Other Special Revenue Funds account, \$216,276 no later than June 30, 2010 and \$222,289 no later than June 30, 2011;

21. From the Department of Professional and Financial Regulation, Board of Licensure in Medicine, Other Special Revenue Funds account, \$43,991 no later than June 30, 2010 and \$45,205 no later than June 30, 2011;

22. From the Department of Professional and Financial Regulation, Office of Securities, Other Special Revenue Funds account, \$47,748 no later than June 30, 2010 and \$49,416 no later than June 30, 2011;

23. From the Department of Professional and Financial Regulation, State Board of Nursing, Other Special Revenue Funds account, \$31,934 no later than June 30, 2010 and \$32,902 no later than June 30, 2011;

24. From the Department of Public Safety, Licensing and Enforcement - Public Safety program, Other Special Revenue Funds account, \$33,359 no

later than June 30, 2010 and \$34,241 no later than June 30, 2011;

25. From the Department of Public Safety, Maine Criminal Justice Academy, Other Special Revenue Funds account, \$40,144 no later than June 30, 2010 and \$41,063 no later than June 30, 2011;

26. From the Public Utilities Commission, Conservation Administration Fund, Other Special Revenue Funds account, \$43,802 no later than June 30, 2010 and \$46,073 no later than June 30, 2011;

27. From the Public Utilities Commission, Emergency Services Communication Bureau, Other Special Revenue Funds account, \$23,348 no later than June 30, 2010 and \$23,836 no later than June 30, 2011;

28. From the Public Utilities Commission, Public Utilities Commission Regulatory Fund, Other Special Revenue Funds account, \$297,759 no later than June 30, 2010 and \$311,195 no later than June 30, 2011; and

29. From the Workers' Compensation Board, Workers' Compensation Board Administrative Fund, Other Special Revenue Funds account, \$428,740 no later than June 30, 2011.

PART SSS

Sec. SSS-1. 5 MRSA §17001, sub-§4, ¶A, as amended by PL 2003, c. 486, §3, is further amended to read:

A. The average annual rate of earnable compensation of a member during the 3 years of creditable service as an employee in Maine, not necessarily consecutive, in which the member's annual rate of earnable compensation is highest. However, if a member is subject to a temporary layoff or other time off without pay as a result of a Governor's Executive Order, time off without pay or loss of pay pursuant to the agreements of February 15, 1991, October 23, 1991 and June 11, 1993 between the Executive Department and the American Federation of State, County and Municipal Employees, Council 93, time off without pay pursuant to the agreement of June 11, 1993 between the Executive Department and the Maine State Employees Association, days off without pay as authorized by legislative action or days off without pay resulting from any executive order declaring or continuing a state of emergency relating to the lack of an enacted budget document for fiscal years ending June 30, 1992 and June 30, 1993, or, if a member elects to make the payments as set forth in section 17704-B, as a result of days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay as authorized by legislative action, by the State Court Administrator or from executive order for the fiscal year be-

gining July 1, 2002, July 1, 2009 or July 1, 2010, or a combination thereof, or, if a member is subject to days off without pay, not to exceed 10 days in each fiscal year ending June 30, 1992 and June 30, 1993, as a result of actions taken by local school administrative units to offset school subsidy reductions or, notwithstanding section 18202, as a result of actions of a participating local district to offset reductions in municipal revenue sharing or a combination thereof, for the fiscal years ending June 30, 1992 and June 30, 1993, the 3-year average final compensation must be determined as if the member had not been temporarily laid off, reduced in pay or provided days off without pay; or

Sec. SSS-2. 5 MRSA §17704-B, as enacted by PL 2003, c. 486, §4, is amended to read:

§17704-B. Back contributions for certain days off without pay

1. Election. If the retirement system determines at the time a member retires that the member's benefit would be increased as a result of the inclusion of compensation that would have been paid for days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay in fiscal year 2002-03 ~~days off without pay~~, 2009-10 or 2010-11, or a combination thereof, as provided in section 17001, subsection 4, paragraph A, the retirement system shall advise the member of that result and shall allow the member to elect to have that compensation included in the calculation of the member's benefit and to make payments set forth in subsection 2.

2. Payment. The amount that a member who makes the election permitted in subsection 1 must pay is the amount equal to the employee contribution that member would have made on wages compensation that would have been paid to that member on the days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay during ~~the 2002-03~~ fiscal year 2002-03, 2009-10 or 2010-11, or a combination thereof, as provided in section 17001, subsection 4, paragraph A, plus interest at the same rate as that required for payment of back contributions pursuant to section 17704, subsection 3. If the member elects to make the payment, the retirement system shall withhold the required amount from the member's first retirement benefit check.

3. Benefit calculation. If the member fails to make the election within 31 days of the notification provided under subsection 1, the retirement system shall calculate the member's retirement benefit without inclusion of the days off without pay and without inclusion of the compensation that otherwise would have been paid if the freezing of merit pay and longevity pay had not occurred during ~~the 2002-03~~ fiscal year

2002-03, 2009-10 or 2010-11, or a combination thereof, as provided in section 17001, subsection 4, paragraph A.

Sec. SSS-3. State Government closure. Notwithstanding any other provision of law and excepting those operations determined to be exempt by the nature of the services provided as established by the Commissioner of Administrative and Financial Services, all executive branch state departments, agencies and offices must be closed for 10 days in fiscal year 2009-10 and 10 days in fiscal year 2010-11 as determined by the Governor and referred to as "State Government closure days." There may be no more than one day of closure per month and no more than one day of closure falling within any single employee payroll cycle.

Any employee who is not required to work on State Government closure days must take the days off without pay. Employee leave with pay or unpaid leave pursuant to a voluntary employee incentive program is not allowed for those days designated as State Government closure days. The provisions of this section do not apply to an employee who is required to work because an operation is determined to be exempt pursuant to this section.

Sec. SSS-4. Merit increases and longevity payments. Notwithstanding the Maine Revised Statutes, Title 26, section 979-D or section 1285 or any other provision of law, any merit increase or longevity payment, regardless of funding source, scheduled to be awarded or paid between July 1, 2009 and June 30, 2011 to any person employed by the departments and agencies within the executive and judicial branches, including the constitutional officers and the Department of Audit, 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. SSS-5. Personal Services adjustments for the 2010-2011 biennium; legislative branch. Notwithstanding the State Employees Labor Relations Act or any other provision of law, the Personal Services expenditures for the legislative branch must be adjusted to achieve Personal Services savings in a manner determined by the Legislative Council including implementation of office closures and suspension of merit or step increases and longevity stipends for the 2010-2011 biennium.

Sec. SSS-6. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings identified in the Statewide - Shut Down account within the Department of Administrative and Financial Services in section 8 of this Part that applies against each General Fund account for all executive branch departments and agencies statewide and shall transfer the

amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2009-10 and fiscal year 2010-11.

Sec. SSS-7. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 8 of 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 2009-10 and fiscal year 2010-11. 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, 2009.

Sec. SSS-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: Deappropriates funds from savings related to 10 state shutdown days in fiscal year 2009-10 and again in fiscal year 2010-11.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$6,410,000)	(\$6,410,000)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$6,410,000)	(\$6,410,000)

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Deappropriates funds from eliminating merit pay increases during the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$3,151,944)	(\$6,303,888)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$3,151,944)	(\$6,303,888)

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Deappropriates funds from eliminating longevity payments during the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$1,685,067)	(\$1,738,792)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,685,067)	(\$1,738,792)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
	<hr/>	<hr/>
GENERAL FUND	(\$11,247,011)	(\$14,452,680)
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	(\$11,247,011)	(\$14,452,680)

PART TTT

Sec. TTT-1. Cap on transfers for the dairy stabilization program and the Maine milk income loss contract in fiscal year 2008-09. Notwithstanding the Maine Revised Statutes, Title 7, section 3153-D, in fiscal year 2008-09, the administrator of the Maine Milk Pool may not certify any amount to be transferred from the General Fund for distributions under Title 7, sections 3153-B and 3153-C that would bring the total amount transferred in fiscal year 2008-09 above \$11,811,000.

Notwithstanding Title 7, sections 3153-B and 3153-C, in fiscal year 2008-09, the administrator of the Maine Milk Pool may not distribute payments for dairy stabilization support and payments under the Maine milk income loss contract that in the aggregate exceed \$11,811,000.

Sec. TTT-2. Cap on transfers for the dairy stabilization program in fiscal years 2009-10 and 2010-11. Notwithstanding the Maine Revised Statutes, Title 7, section 3153-D, in fiscal years 2009-10 and 2010-11, the administrator of the Maine Milk Pool may not certify any amount to be transferred from the General Fund for distributions under Title 7, section 3153-B that would bring the total amount transferred in fiscal years 2009-10 and 2010-11 above \$13,349,600.

Notwithstanding Title 7, section 3153-B, in fiscal years 2009-10 and 2010-11, the administrator of the Maine Milk Pool may not distribute payments for dairy stabilization support that in the aggregate exceed \$13,349,600.

Sec. TTT-3. Cap on transfers for the dairy stabilization program for milk produced in the first 5 months of fiscal year 2010. Notwithstanding the Maine Revised Statutes, Title 7, section 3153-D, the administrator of the Maine Milk Pool may not certify any amount in excess of \$9,000,000 to be transferred from the General Fund for distributions under Title 7, section 3153-B on milk produced from July 1, 2009 to November 30, 2009.

Notwithstanding Title 7, section 3153-B, the administrator of the Maine Milk Pool may not distribute payments for dairy stabilization support that in the

aggregate exceed \$9,000,000 for milk produced from July 1, 2009 to November 30, 2009.

Sec. TTT-4. Conditional loss of payment under the dairy stabilization program for milk produced in December 2009. If the \$9,000,000 cap established in section 3 is reached, notwithstanding the Maine Revised Statutes, Title 7, section 3153-D, the administrator of the Maine Milk Pool may not certify any amount to be transferred from the General Fund for distributions under Title 7, section 3153-B on milk produced in December 2009.

Notwithstanding Title 7, section 3153-B, the administrator of the Maine Milk Pool may not distribute payments for dairy stabilization support on milk produced in December 2009.

Sec. TTT-5. Administrator authorized to make monthly adjustments. During the period from January 1, 2010 to June 30, 2010, the administrator of the Maine Milk Pool shall monitor milk price projections and each month calculate the amounts to be paid out under the dairy stabilization program for the remaining months of the fiscal year based on these projections. The administrator may adjust the amount requested and the amount distributed in any month during this period based on the most recent projections and calculations. The administrator may reduce payments only if projections indicate that the total distributions under the stabilization program will exceed \$13,349,600 in fiscal year 2009-10. The administrator may increase payments to compensate producers for payment reductions in previous months if projections indicate that the total distributions under the stabilization program will be less than \$13,349,600 in fiscal year 2009-10. For any month in which an adjustment is made, the adjustments must be made by multiplying the target price for each tier by the same percent.

Sec. TTT-6. Suspension of payments under the Maine milk income loss contract. Notwithstanding the Maine Revised Statutes, Title 7, section 3153-D, in fiscal years 2009-10 and 2010-11, the administrator of the Maine Milk Pool may not certify any amount to be transferred from the General Fund for distributions under Title 7, section 3153-C.

Notwithstanding Title 7, section 3153-C, in fiscal years 2009-10 and 2010-11, the administrator of the Maine Milk Pool may not make any distributions under the Maine milk income loss contract.

Sec. TTT-7. Maine Milk Commission authorized to establish 4 tiers of production. Notwithstanding the Maine Revised Statutes, Title 7, section 3153-B, subsection 3 and Public Law 2007, chapter 240, Part OOO, the Maine Milk Commission may establish 4 tiers of production, each representing a range of annual production, and a target price for each tier.

Sec. TTT-8. Task Force on the Sustainability of the Dairy Industry in Maine established. The Task Force on the Sustainability of the Dairy Industry in Maine, referred to in this section as "the task force," is established to examine the current problems confronting the dairy industry and develop recommendations on how best to reduce the vulnerability of the dairy industry to economic forces within and outside the State.

1. Duties. As a starting point, the task force shall review the Final Report of the Recommendations of the Governor's Task Force on the Sustainability of the Dairy Industry in Maine dated November 18, 2003 and the report of the ad hoc committee of dairy industry representatives assembled by Commissioner Bradstreet dated January 2007. The task force shall discuss the recommendations in the 2003 report, determine which recommendations have been implemented, evaluate the success of the recommendations implemented in meeting the goals stated in the 2003 report and decide if recommendations not implemented warrant further attention. The task force shall closely examine:

A. The impact and cost of the tiered dairy stabilization program in the Maine Revised Statutes, Title 7, section 3153-B, enacted by the 121st Legislature with an effective date of April 16, 2004;

B. Factors affecting the price of milk as it moves from the farm to the dairy processor to the retail seller; and

C. Other focus areas as determined by the task force at its early meetings.

2. Membership. The task force has 19 members appointed as follows. The President of the Senate shall appoint 2 members of the Senate, one of whom is a member of the minority party. The Speaker of the House shall appoint 2 members of the House, one of whom is a member of the minority party. These members serve at the pleasure of their respective appointers. The Governor shall appoint the following members, who serve at the pleasure of the Governor:

A. One milk producer from each of the 3 production tiers in the dairy stabilization program under the Maine Revised Statutes, Title 7, section 1353-B;

B. One dairy farmer designated by the Maine Organic Farmers and Gardeners Association who produces milk for the organic market;

C. One person designated by Maine Dairy Industry Association;

D. Two representatives designated by the Agricultural Council of Maine who are not dairy farmers;

- E. One representative from the University of Maine Cooperative Extension;
- F. One representative from Farm Credit of Maine;
- G. One person knowledgeable about farmland issues;
- H. One person with experience helping farmers respond to changing circumstances;
- I. One agricultural economist;
- J. One milk processor;
- K. One milk retailer; and
- L. One feed dealer or supplier.

3. Chair. The Governor and the Commissioner of Agriculture, Food and Rural Resources shall designate the chair of the task force.

4. Meetings; termination. The task force shall meet as necessary to complete the assigned duties. All meetings are open to the public and held at locations determined by the task force. The task force shall disband upon completion of its duties or on November 27, 2009, whichever comes sooner.

5. Staffing and funding. The Department of Agriculture, Food and Rural Resources shall provide staff support to the task force from existing resources. The Commissioner of Agriculture, Food and Rural Resources may use contributions of money, services and supplies accepted under existing authority to support the work of the task force.

6. Compensation. Members do not receive compensation for their time, travel or other expenses unless funding is available to the Commissioner of Agriculture, Food and Rural Resources for reimbursing such expenses. Legislators do not receive legislative per diem.

7. Report. The task force shall submit its report to the Governor and the Joint Standing Committee on Agriculture, Conservation and Forestry no later than November 27, 2009. The report must include recommendations for long-term stability within the dairy industry and recommendations for immediate implementation as needed to preserve the State's farms and local milk supply.

Sec. TTT-9. Authority to submit legislation. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation pertaining to the State's dairy industry to the Second Regular Session of the 124th Legislature.

PART UUU

Sec. UUU-1. Carrying provision; Office of Treasurer of State, Debt Service, General Fund account. Notwithstanding any other provision of law, the State Controller shall carry forward any

unexpended debt service funds in the Office of Treasurer of State, Debt Service, General Fund account on June 30, 2009 and June 30, 2010 to be used for their intended purpose by June 30, 2011. The unexpended fund balance that is expected to carry forward on June 30, 2009 to fiscal year 2009-10 is \$6,393,322.

PART VVV

Sec. VVV-1. Legislative allocation of funds; federal American Recovery and Reinvestment Act of 2009. Notwithstanding the Maine Revised Statutes, Title 5, section 1582 or any other provision of law, a state department, an independent agency, a higher education system or any other agency that is subject to appropriation or allocation of any funds by the Legislature may establish by financial order a new program or expand an existing program beyond the scope of the program already established by law solely for the purpose of expending funds authorized in the federal American Recovery and Reinvestment Act of 2009. Allocations by financial order of 2009 funds are not authorized if the federal funds require the commitment of nonfederal state funding sources beyond appropriations and allocations authorized by law. These new programs and expansion of existing programs and allocations made to fund them may not continue beyond the period authorized in the federal American Recovery and Reinvestment Act of 2009 unless the program and the method of financing are submitted to the Governor and the Department of Administrative and Financial Services, Bureau of the Budget for evaluation and recommendation to the Legislature and approved by law. The allotment of funds by financial order as authorized in this section is subject to review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and may not take effect until 7 days after the approval of the financial order by the Governor.

Sec. VVV-2. Transfer of funds; federal American Recovery and Reinvestment Act of 2009. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall identify the amount of funds in section 3 of this Part to be transferred to departments and agencies. The State Budget Officer shall transfer the funds by financial order upon approval of the Governor. These transfers are considered adjustments to allocations or allotment of unencumbered balance forward in fiscal years 2008-09, 2009-10 and 2010-11.

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Provides funding for administrative costs from State Fiscal Stabilization Funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
Unallocated	\$125,000	\$125,000
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$125,000	\$125,000

PART WWW

Sec. WWW-1. 36 MRSA §5403, as repealed and replaced by PL 1999, c. 731, Pt. T, §10 and affected by §11, is 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, 2-B and 3-B. 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 is ~~1.000 or less, no adjustment may be made for that taxable year in the dollar bracket amounts of the tax rate tables 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. WWW-2. Application. This Part applies to tax years beginning on or after January 1, 2009.

PART XXX

Sec. XXX-1. 36 MRSA §6207, sub-§1, ¶A-1, as amended by PL 2005, c. 2, Pt. E, §4 and affected by §§7 and 8, is further amended to read:

A-1. Fifty percent of that portion of the benefit base that exceeds 4% but does not exceed 8% of income plus 100% of that portion of the benefit

base that exceeds 8% of income to a maximum payment of \$2,000-; and

Sec. XXX-2. 36 MRSA §6207, sub-§1, ¶B is enacted to read:

B. For application periods beginning on August 1, 2009 and on August 1, 2010, the benefit is limited to 80% of the amount determined under paragraph A-1.

PART YYY

Sec. YYY-1. 36 MRSA §683, sub-§1, as repealed and replaced by PL 2005, c. 2, Pt. F, §1 and affected by §5, is amended to read:

1. Exemption amount. Except for assessments for special benefits, the just value of ~~\$13,000-~~ \$10,000 of the homestead of a permanent resident of this State who has owned a homestead in this State for the preceding 12 months is exempt from taxation. In determining the local assessed value of the exemption, the assessor shall multiply the amount of the exemption by the ratio of current just value upon which the assessment is based as furnished in the assessor's annual return pursuant to section 383. If the title to the homestead is held by the applicant jointly or in common with others, the exemption may not exceed ~~\$13,000~~ \$10,000 of the just value of the homestead, but may be apportioned among the owners who reside on the property to the extent of their respective interests. A municipality responsible for administering the homestead exemption has no obligation to create separate accounts for each partial interest in a homestead owned jointly or in common.

Sec. YYY-2. Application. That section of this Part that amends the Maine Revised Statutes, Title 36, section 683, subsection 1 applies to property tax years beginning April 1, 2010.

PART ZZZ

Sec. ZZZ-1. 36 MRSA §5122, sub-§1, ¶DD is enacted 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.

Sec. ZZZ-2. 36 MRSA §5122, sub-§2, ¶H, as amended by PL 2003, c. 588, §15, is further amended to read:

H. For each taxable year subsequent to the year of the loss, an amount equal to the absolute value of the net operating loss arising from tax years beginning on or after January 1, 1989, but before January 1, 1993, for which federal adjusted gross income was increased in accordance with subsection 1, paragraph H, and the absolute value of the amount of any net operating loss arising from tax years beginning on or after January 1, 2002, for

which federal adjusted gross income was increased in accordance with subsection 1, paragraph H and that pursuant to the Code, Section 172 was carried back for federal income tax purposes, less the absolute value of loss used in the taxable year of loss to offset any addition modification required by subsection 1, 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; ~~and~~
- (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. The amount not deducted as the result of the restriction with respect to tax years beginning in 2009, 2010 or 2011 may be deducted in any tax year beginning after December 31, 2011, but only to the extent that the requirements of subparagraphs (1) and (3) are met and 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 or 2011;

Sec. ZZZ-3. 36 MRSA §5122, sub-§2, ¶P, as enacted by PL 2001, c. 559, Pt. GG, §12 and affected by §26, is amended to read:

P. An amount equal to the absolute value of any net operating loss arising in a tax year beginning or ending in 2001 for which federal adjusted gross income was increased in accordance with subsection 1, paragraph M and that, pursuant to Section 102 of the federal Job Creation and Worker Assistance Act of 2002, Public Law 107-147, was carried back more than 2 years to the taxable year for federal income tax purposes, but only to the extent that:

- (1) Maine taxable income is not reduced below zero;
- (2) The taxable year is either within 2 years prior to the year in which the loss arose or within the allowable federal period for carry-over of net operating losses; ~~and~~
- (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. The amount not deducted as the result of the restriction with respect to tax years beginning in 2009, 2010 or 2011 may be deducted in any tax year beginning after December 31, 2011, but only to the extent that the requirements of subparagraphs (1) and (3) are met and 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 or 2011;

Sec. ZZZ-4. 36 MRSA §5122, sub-§2, ¶V, as repealed and replaced by PL 2007, c. 466, Pt. A, §65 and affected by §70, is amended to read:

V. The taxpayer's pro rata share of an amount that was previously added back to federal taxable income pursuant to section 5200-A, subsection 1, paragraph H by an S corporation of which the taxpayer is a shareholder and by which, absent the S corporation election, the corporation could have reduced its federal taxable income for the taxable year pursuant to section 5200-A, subsection 2, paragraph H, except that the modification under this paragraph may not be claimed for any tax year beginning in 2009, 2010 or 2011. The amount not deducted as the result of the restriction with respect to tax years beginning in 2009, 2010 or 2011 may be deducted in any tax year beginning after December 31, 2011, but only to the extent that the requirements of section 5200-A, subsection 2, paragraph H, subparagraphs (1) and (3) are met and 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 or 2011;

Sec. ZZZ-5. 36 MRSA §5122, sub-§2, ¶CC is enacted to read:

CC. An amount equal to the value of any prior year addition modification under subsection 1, paragraph DD, 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 or 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.

Sec. ZZZ-6. 36 MRSA §5200-A, sub-§1, ¶T, as amended by PL 2007, c. 700, Pt. B, §2, is further amended to read:

T. For taxable years beginning on or after January 1, 2008 but prior to January 1, 2010, an amount equal to the net increase in depreciation attributable to the 50% bonus depreciation deduction claimed by the taxpayer pursuant to Section 103 of the Economic Stimulus Act of 2008, Public Law 110-185 with respect to property placed in service during the taxable year; ~~and~~

Sec. ZZZ-7. 36 MRSA §5200-A, sub-§1, ¶U, as enacted by PL 2007, c. 700, Pt. B, §3, is amended to read:

U. For tax years beginning in 2008, 10% of the absolute value in excess of \$100,000 of any net operating loss that, pursuant to the Code, Section 172, is being carried over for federal income tax purposes to the taxable year by the taxpayer; ~~and~~

Sec. ZZZ-8. 36 MRSA §5200-A, sub-§1, ¶V is enacted to read:

V. 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.

Sec. ZZZ-9. 36 MRSA §5200-A, sub-§2, ¶H, as amended by PL 2007, c. 539, Pt. AAAA, §1, is further amended to read:

H. For each taxable year subsequent to the year of the loss, an amount equal to the absolute value of the net operating loss arising from tax years beginning on or after January 1, 1989 but before January 1, 1993 and the absolute value of the amount of any net operating loss arising from tax years beginning on or after January 1, 2002, for which federal adjusted gross income was increased under subsection 1, paragraph H and that, pursuant to the Code, Section 172, was carried back for federal income tax purposes, less the absolute value of loss used in the taxable year of loss to offset any addition modification required by subsection 1, 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;
- (3) The amount has not been previously used as a modification pursuant to this subsection; ~~and~~

(4) For taxable years beginning in 2008, the amount does not exceed \$100,000. In the case of an affiliated group of corporations engaged in a unitary business, the \$100,000 threshold applies with respect to the entire affiliated group of corporations; ~~and~~

(5) The modification under this paragraph is not claimed for any tax year beginning in 2009, 2010 or 2011. The amount not deducted as the result of the restriction with respect to tax years beginning in 2009, 2010 or 2011 may be deducted in any tax year beginning after December 31, 2011, but only to the extent that the requirements of subparagraphs (1) and (3) are met and 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 or 2011;

Sec. ZZZ-10. 36 MRSA §5200-A, sub-§2, ¶L, as amended by PL 2007, c. 539, Pt. AAAA, §2, is further amended to read:

L. An amount equal to the absolute value of any net operating loss arising from a tax year beginning or ending in 2001 for which federal taxable income was increased under subsection 1, paragraph M and that, pursuant to Section 102 of the federal Job Creation and Worker Assistance Act of 2002, Public Law 107-147, was carried back more than 2 years to the taxable year for federal income tax purposes, but only to the extent that:

- (1) Maine taxable income is not reduced below zero;
- (2) The taxable year is either within 2 years prior to the year in which the loss arose or within the allowable federal period for carry-over of net operating losses;
- (3) The amount has not been previously used as a modification pursuant to this subsection; ~~and~~

(4) For taxable years beginning in 2008, the amount does not exceed \$100,000. In the case of an affiliated group of corporations engaged in a unitary business, the \$100,000 threshold applies with respect to the entire affiliated group of corporations; ~~and~~

(5) The modification under this paragraph is not claimed for any tax year beginning in 2009, 2010 or 2011. The amount not deducted as the result of the restriction with respect to tax years beginning in 2009, 2010 or 2011 may be deducted in any tax year beginning after December 31, 2011, but only to the

extent that the requirements of subparagraphs (1) and (3) are met and 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 or 2011;

Sec. ZZZ-11. 36 MRSA §5200-A, sub-§2, ¶R, as amended by PL 2007, c. 700, Pt. B, §5, is further amended to read:

R. For taxable years beginning on or after January 1, 2009, an amount equal to the net decrease in the depreciation deductions allowable under sections 167 and 168 of the Code that would have been applicable to that property had the 50% bonus depreciation deduction under Section 103 of the Economic Stimulus Act of 2008, Public Law 110-185 not been claimed with respect to such property 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 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 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; and

Sec. ZZZ-12. 36 MRSA §5200-A, sub-§2, ¶S, as enacted by PL 2007, c. 700, Pt. B, §6, is 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. ZZZ-13. 36 MRSA §5200-A, sub-§2, ¶T is enacted 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.

PART AAAA

Sec. AAAA-1. 9-B MRSA §161, sub-§2, ¶H, as amended by PL 1989, c. 880, Pt. E, §1, is further amended to read:

H. The examination of the financial records authorized by Title 36, section 112 ~~or~~, section 176-A, subsection 4 ~~or~~ section 176-B;

Sec. AAAA-2. 9-B MRSA §162, sub-§4, as amended by PL 2007, c. 108, §2, is further amended to read:

4. Disclosure in response to a request by the Department of Labor. The financial records are disclosed in response to a notice of levy issued by the Department of Labor pursuant to Title 26, section 1233; ~~or~~

Sec. AAAA-3. 9-B MRSA §162, sub-§5, as enacted by PL 2007, c. 108, §3, is amended to read:

5. Disclosure to the Department of Health and Human Services upon suspicion of financial exploitation. The financial records are disclosed to the Department of Health and Human Services pursuant to Title 22, section 3479 because a financial institution authorized to do business in this State or its affiliate or a credit union authorized to do business in this State or its affiliate has reasonable cause to suspect that an incapacitated or dependent adult has been or is at substantial risk of abuse, neglect or exploitation; ~~or~~

Sec. AAAA-4. 9-B MRSA §162, sub-§6 is enacted to read:

6. Disclosure in response to a request by the Department of Administrative and Financial Services, Bureau of Revenue Services. The financial records are disclosed in response to a request for information by the Department of Administrative and Financial Services, Bureau of Revenue Services for purposes related to establishing, modifying or enforcing tax debts.

Sec. AAAA-5. 9-B MRSA §163, sub-§1, as amended by PL 2001, c. 262, Pt. B, §5 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

1. Service. A financial institution authorized to do business in this State or credit union authorized to do business in this State shall disclose financial records under section 162 pursuant to a subpoena, summons, warrant or court order that on its face appears to have been issued upon lawful authority only if the subpoena, summons, warrant or court order is served upon the customer prior to disclosure by the financial institution or credit union. The agency or person requesting the disclosure of financial records shall certify in writing to the financial institution or credit union the fact that the subpoena, summons, warrant or court order has been served upon the customer. The court for good cause shown may delay or dispense with service of the subpoena, summons, warrant or court order upon the customer. The court shall delay or dispense with service of the subpoena, summons, warrant or court order upon the customer upon notice by the Attorney General, the Attorney General's designee or the District Attorney that service upon the customer would not be in the public interest. A subpoena, summons or warrant issued in connection with a criminal proceeding or state or federal grand jury proceeding, a request for information by the Department of Health and Human Services for purposes related to establishing, modifying or enforcing a child support order, a request for information by the Department of Administrative and Financial Services, Bureau of Revenue Services for purposes related to establishing, modifying or enforcing tax liabilities or a trustee process lawfully issued need not be served upon the customer.

Sec. AAAA-6. 9-B MRSA §164, sub-§3, as enacted by PL 2007, c. 108, §4, is amended to read:

3. Immunity. A financial institution authorized to do business in the State or its affiliate or a credit union authorized to do business in the State or its affiliate that in good faith discloses financial records to the Department of Health and Human Services pursuant to section 162, subsection 5 or the Department of Administrative and Financial Services, Bureau of Revenue Services pursuant to section 162, subsection 6 is immune from civil or criminal liability that might otherwise arise from the disclosure. In a proceeding regarding immunity from liability, there is a rebuttable presumption of good faith.

Sec. AAAA-7. 36 MRSA §113, sub-§5 is enacted to read:

5. Financial institution computer data match costs. The State Tax Assessor may subtract from revenues received fees authorized under section 176-B for payment to financial institutions for the actual costs incurred in matching taxpayer information against account records, the cost of holding financial

institutions harmless for good faith actions under section 176-B and for costs related to the implementation and operation of the financial institution computer data match program provided in section 176-B.

Sec. AAAA-8. 36 MRSA §176-B is enacted to read:

§176-B. Access to financial records of individuals who owe Maine taxes

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Customer" means any person who has an account, including, but not limited to, a deposit, loan, mortgage or credit card account, with any financial institution and for which the financial institution is obligated to maintain records.

B. "Financial institution" means a trust company, savings bank, industrial bank, commercial bank, savings and loan association or credit union organized under the laws of this State or otherwise authorized to do business in this State.

C. "Match" means an automated comparison by name and social security number or federal employer identification number of a list of taxpayers provided to a financial institution by the bureau and a list of customers of any financial institution.

2. Computer data match. Upon written request from the State Tax Assessor to a financial institution in this State with the technological capacity to perform a match, the financial institution shall perform a match using the list of taxpayer social security numbers or federal employer identification numbers provided by the bureau. The bureau is responsible for making its computer data compatible with the data of the financial institution with which a match is sought. The bureau's data, at a minimum, must include the name and social security number or federal employer identification number of and, when known, the amount of taxes owed by each taxpayer. The bureau may not request a financial institution to perform a match under this section more often than once every calendar quarter.

3. Compilation of match list. After completing a match requested by the bureau under subsection 2, a financial institution shall compile for the bureau a list of those customers whose social security numbers or federal employer identification numbers match the list of social security numbers or federal employer identification numbers of taxpayers provided by the bureau. The list must contain the following information, if available to the financial institution through its matching procedure, for each account identified:

A. The taxpayer's name;

B. The taxpayer's social security number or federal employer identification number;

C. The financial institution account number; and

D. The account type, account balance and any known encumbrances.

4. Notice to bureau. A financial institution that has compiled a match list under subsection 3 shall send the list to the bureau at the address designated by the bureau.

5. Notice to customer. The financial institution may not provide notice in any form to a customer contained in a match list submitted to the bureau under subsection 4. Notwithstanding any other provision of law, failure to provide notice to a customer does not constitute a violation of the financial institution's duty of good faith to its customers.

6. Reasonable fee. To cover the costs of carrying out the requirements of this section, a financial institution may assess a reasonable fee to the bureau not to exceed the actual costs incurred by the financial institution.

7. Confidentiality. The list of taxpayers under subsection 3, with their social security numbers or federal employer identification numbers and the amount of the tax debt provided by the bureau to a financial institution, is confidential. The information may be used only for the purpose of carrying out the requirements of this section. Any person who willfully violates this subsection commits a Class E crime.

8. Immunity from liability; hold harmless. A financial institution is immune from any liability for its good faith actions to comply with this section. The bureau shall defend and hold harmless, including compensation for attorney's fees, a financial institution that acts in good faith to carry out the requirements of this section.

PART BBBB

Sec. BBBB-1. 36 MRSA §111, sub-§1-A, as amended by PL 2007, c. 539, Pt. CCC, §1 and affected by §19, is further amended to read:

1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of February 13, 2008 ~~17, 2009~~.

Sec. BBBB-2. 36 MRSA §5122, sub-§1, ¶Z, as enacted by PL 2007, c. 539, Pt. CCC, §4, is amended to read:

Z. For income tax years beginning on or after January 1, 2008, the amount of any qualified state and local tax benefit and any qualified payment excluded from gross income pursuant to the Code, Section 139(b); ~~and~~

Sec. BBBB-3. 36 MRSA §5122, sub-§1, ¶AA, as enacted by PL 2007, c. 539, Pt. CCC, §5, is amended to read:

AA. For taxable years beginning on or after January 1, 2008 ~~but prior to January 1, 2010~~, an amount equal to the net increase in depreciation attributable to the 50% ~~bonus~~ depreciation deduction claimed by the taxpayer pursuant to Section 103 of the Economic Stimulus Act of 2008, Public Law 110-185 with respect to property placed in service ~~during the taxable year~~ under the Code, Section 168(k) arising from amendments to the Code applicable to taxable years beginning on or after January 1, 2008;

Sec. BBBB-4. 36 MRSA §5122, sub-§1, ¶BB is enacted to read:

BB. The amount of unemployment compensation received to the extent excluded from federal gross income in accordance with the Code, Section 85(c);

Sec. BBBB-5. 36 MRSA §5122, sub-§1, ¶CC is enacted to read:

CC. 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. BBBB-6. 36 MRSA §5122, sub-§2, ¶AA, as corrected by RR 2007, c. 2, §23, is amended to read:

AA. For taxable years beginning on or after January 1, 2009, an amount equal to the net decrease in the depreciation deductions allowable under sections 167 and 168 of the Code that would have been applicable to that property had the 50% ~~bonus~~ depreciation deduction under Section 103 of the Economic Stimulus Act of 2008, Public Law 110-185 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; ~~and~~

Sec. BBBB-7. 36 MRSA §5122, sub-§2, ¶BB, as reallocated by RR 2007, c. 2, §24, is amended to read:

BB. The amount of pension benefits to the extent included in federal adjusted gross income under a military retirement plan as defined in paragraph M that exceed the amount of military retirement plan pension benefits deducted under paragraph M and that are received by a person who practices as a licensed dentist in this State for an average of at least 20 hours per week during the tax year and who accepts patients who receive benefits under the MaineCare program administered under Title 22, chapter 855; and

Sec. BBBB-8. 36 MRSA §5122, sub-§2, ¶CC is enacted to read:

CC. 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. BBBB-9. 36 MRSA §5124-A, first ¶, as amended by PL 2005, c. 12, Pt. P, §5, 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. BBBB-10. 36 MRSA §5200-A, sub-§1, ¶T, as amended by PL 2007, c. 700, Pt. B, §2, is further amended to read:

T. For taxable years beginning on or after January 1, 2008 but prior to January 1, 2010, an amount equal to the net increase in depreciation attributable to the 50% bonus depreciation deduction claimed by the taxpayer pursuant to Section 103 of the Economic Stimulus Act of 2008, Public Law 110-185 with respect to property placed in service during the taxable year under the Code, Section 168(k) arising from amendments to the Code applicable to taxable years beginning on or after January 1, 2008; and

Sec. BBBB-11. 36 MRSA §5200-A, sub-§1, ¶U, as enacted by PL 2007, c. 700, Pt. B, §3, is amended to read:

U. For tax years beginning in 2008, 10% of the absolute value in excess of \$100,000 of any net operating loss that, pursuant to the Code, Section 172, is being carried over for federal income tax purposes to the taxable year by the taxpayer; and

Sec. BBBB-12. 36 MRSA §5200-A, sub-§1, ¶V is enacted to read:

V. 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).

Sec. BBBB-13. 36 MRSA §5200-A, sub-§2, ¶R, as amended by PL 2007, c. 700, Pt. B, §5, is further amended to read:

R. For taxable years beginning on or after January 1, 2009, an amount equal to the net decrease in the depreciation deductions allowable under sections 167 and 168 of the Code that would have been applicable to that property had the 50% bonus depreciation deduction under ~~Section 103 of the Economic Stimulus Act of 2008, Public Law 110-185~~ 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 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 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; and

Sec. BBBB-14. 36 MRSA §5200-A, sub-§2, ¶S, as enacted by PL 2007, c. 700, Pt. B, §6, is 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. BBBB-15. 36 MRSA §5200-A, sub-§2, ¶T is enacted to read:

T. An amount equal to the gross income from discharge of indebtedness previously deferred under the Code, Section 108(i) and included in fed-

eral taxable income. The total subtraction for all years under this paragraph may not exceed the amount of the addition modification under subsection 1, paragraph V for the same indebtedness.

Sec. BBBB-16. 36 MRSA §5219-S, as repealed and replaced by PL 2007, c. 693, §31, is amended to read:

§5219-S. Earned income credit

1. Resident taxpayer. A resident individual is allowed a credit against the tax otherwise due under this Part in the amount of 5% of the federal earned income credit for the same taxable year, except that for tax years beginning in 2009 and 2010, the applicable percentage is 4%.

2. Nonresident taxpayer. A nonresident individual is allowed a credit against the tax otherwise due under this Part in the amount of 5% of the federal earned income credit for the same taxable year, except that for tax years beginning in 2009 and 2010, the applicable percentage is 4%, multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income, as modified by section 5122.

3. Part-year resident taxpayer. An individual who files a return as a part-year resident in accordance with section 5224-A is allowed a credit against the tax otherwise due under this Part in the amount of 5% of the federal earned income credit for the same taxable year, except that for tax years beginning in 2009 and 2010, the applicable percentage is 4%, multiplied by a ratio, the numerator of which is the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph A for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph B for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income, as modified by section 5122.

4. Limitation. The credit allowed by this section may not reduce the Maine income tax to less than zero.

Sec. BBBB-17. Application. That section of this Part that amends the Maine Revised Statutes, Title 36, section 111, subsection 1-A applies to tax years beginning on or after January 1, 2008 and to any prior years as specifically provided by the United States Internal Revenue Code. That section of this Part that amends the Maine Revised Statutes, Title 36, section 5124-A, first paragraph applies to tax years beginning on or after January 1, 2008. That section of this Part that enacts Title 36, section 5122, subsection 1, paragraph BB applies to tax years beginning on or after January 1, 2009. Those sections of this Part that enact

Title 36, section 5122, subsection 2, paragraph CC and Title 36, section 5200-A, subsection 2, paragraph T apply to tax years beginning on or after January 1, 2010.

PART CCCC

Sec. CCCC-1. Penalty Reserve.

1. Penalty Reserve. The Penalty Reserve is established as an account category within the adjustments and miscellaneous costs section of the General Purpose Aid for Local Schools program to set aside those funds identified as penalties assessed pursuant to the Maine Revised Statutes, Title 20-A, section 15696 on nonconforming school administrative units in fiscal year 2009-10. The amount established in that cost category may not be expended or distributed by the Department of Education until directed pursuant to subsection 2.

2. Report. The Commissioner of Education shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs by January 15, 2010 that includes the following:

A. Information regarding the balance of the Penalty Reserve under subsection 1; and

B. Recommendations on how to disburse the funds given the results of the referendum vote on Legislative Document 977, An Act to Repeal the School District Consolidation Laws.

Following receipt and review of the report, the Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 124th Legislature with its recommendations on distributing the funds in the Penalty Reserve.

3. Repeal. This Part is repealed June 30, 2011.

PART DDDD

Sec. DDDD-1. Review and report; gambling addiction services. The Department of Health and Human Services, Office of Substance Abuse shall collect data on and assess the need for gambling addiction treatment in the State. The department shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Legal and Veterans Affairs by March 15, 2010 summarizing the results of its data collection and assessments for the need for additional gambling addiction services.

PART EEEE

Sec. EEEE-1. Lease-purchase authorization; Maine Learning Technology Initiative. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services on behalf of the Department of Education may enter into financing arrangements in fiscal

year 2009-10 for the acquisition of portable computer systems for 7th grade, 8th grade and high school students and educators to support the operations of the Maine Learning Technology Initiative program. The financing agreements may not exceed 4 years in duration and \$69,696,000 in principal costs for the Maine Learning Technology Initiative program. The interest rate may not exceed 7.5% and the total interest costs may not exceed \$5,227,220. The annual principal and interest costs must be paid from the appropriate line category allocations in the Department of Education. The State is authorized to extend the provisions of the lease-purchase agreement on behalf of school administrative units as long as all costs of the extension are borne by the school administrative units.

Sec. EEEE-2. Effect on state and local share of school funding; findings. The Legislature recognizes that the expansion of the Maine Learning Technology Initiative program authorized pursuant to this Part requires the commitment of state and local funding in fiscal years 2009-10, 2010-11, 2011-12 and 2012-13 at a time when the amount of the General Fund appropriation for the General Purpose Aid for Local Schools program is declining and may continue to decline due to significant disruptions to the state and national economies. The Legislature also recognizes that those school administrative units that choose to participate in the expansion of the Maine Learning Technology Initiative program authorized pursuant to this Part may decide to commit a significant portion of the targeted technology resource funds allocated to the participating school administrative units pursuant to the Maine Revised Statutes, Title 20-A, section 15681, subsection 1, paragraph B to fund the cost of participating in the program.

Sec. EEEE-3. Construction; legislative intent; option to voluntarily participate. Nothing in this Part requires a school administrative unit to participate in the expansion of the Maine Learning Technology Initiative program authorized pursuant to this Part. It is the intent of the Legislature that neither the expansion of the Maine Learning Technology Initiative program under this Part nor the benefits provided under this program to participating school administrative units serve as justification to decrease other funds appropriated or allocated to school administrative units currently participating in the middle school program established for 7th and 8th grade students and educators and funded by General Fund appropriations allocated to the middle school laptop program pursuant to the Maine Revised Statutes, Title 20-A, section 15689-A, subsection 8.

PART FFFF

Sec. FFFF-1. 30-A MRSA §4211, sub-§5, ¶D, as amended by PL 1999, c. 228, §3, is further amended to read:

D. A nonengineered subsurface wastewater disposal system fee not to exceed \$100 may be charged, and a surcharge of \$15 must be charged. The surcharge must be paid by the municipality to the Treasurer of State, who shall credit the amount to the Water Quality Improvement Fund established under Title 38, section 424-B.

Sec. FFFF-2. 38 MRSA §353-B, sub-§2, ¶A, as amended by PL 2007, c. 558, §3, is further amended to read:

A. The base, annualized license renewal service and maximum fees that may be assessed to categories of discharge activities are as follows.

Discharge Group	Base fee not to exceed	Maximum fee for individual in group	Annualized license renewal service fee	Water quality improvement surcharge
Publicly owned treatment facilities, 10,000 gallons per day or less	annual fee \$67	none	\$150	
Publicly owned treatment facilities, more than 10,000 gallons per day to 0.1 million gallons per day	annual fee \$219	none	\$150	
Publicly owned treatment facilities, more than 0.1 million gallons per day to 1.0 million gallons per day	annual fee \$219	none	\$225	

Publicly owned treatment facilities, more than 1.0 million gallons per day to 5.0 million gallons per day	annual fee	\$219	none	\$450	Fish rearing facility 0.1 million gallons per day or less	annual fee	\$288	\$400	none
					Marine aquaculture facility	annual fee*	\$288	---	none
					Noncontact cooling water	annual fee	\$90	\$7,000	\$60
Publicly owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste	annual fee	\$770	none	\$650	Industrial or commercial sources, miscellaneous or incidental non-process wastewater	annual fee	\$115	\$2,100	\$150
Major industrial facility, process wastewater (based on EPA list of major source discharges)	annual fee	\$1,850	none	\$650	Municipal combined sewer overflow	annual fee	\$115	\$1,400	\$150
					Sanitary wastewater, excluding overboard discharge	annual fee	\$60	\$1,200	\$300
Other industrial facility, process wastewater	annual fee	\$630	none	\$300	Sanitary overboard discharge, commercial sources	annual fee	\$210	\$1,200	<u>\$75</u>
Food handling or packaging waste-water	annual fee	\$315	\$2,100	\$150	Sanitary overboard discharge, residential sources 600 gallons per day and less	annual fee	\$175	---	<u>\$75</u>
Fish rearing facility over 0.1 million gallons per day	annual fee	\$288	\$1,753	\$300					

Sanitary overboard discharge, residential sources more than 600 gallons per day	annual fee	\$200	\$600	<u>\$75</u>
Sanitary overboard discharge, public sources	annual fee	\$210	\$500	<u>\$75</u>
Aquatic pesticide application	annual fee*	\$200	---	\$370
Snow dumps	annual fee*	\$125	---	\$150
Salt and sand storage pile	annual fee*	\$150	---	\$225
Log storage permit	annual fee*	\$200	---	\$150
General permit coverage for industrial storm water discharges (except construction)	annual fee*	\$300	---	
General permit coverage for marine aquaculture facility	annual fee*	\$125	---	none
General permit coverage (other)	annual fee*	\$100	---	\$30

Experimental discharge license	license fee*	\$500	---	\$225
New or amended mixing zone, in addition to other applicable fees	flat fee*	\$4,000	---	
Formation of sanitary district	flat fee*	\$300	---	
Transfer of license for residential or commercial sanitary wastewater	flat fee*	\$100	---	

*Discharge or license quantity fees do not apply to these categories.

When a license authorizes multiple discharge points in different categories in the same license, the total maximum fee for the license may not exceed the maximum fee for the most significant category plus 1/2 of the maximum fee for each of the other applicable categories.

On an annual basis municipalities and publicly owned treatment works whose combined sewer overflows have the potential to impact shellfish harvesting areas as determined by the department by virtue of their locations within estuarine or marine waters of the State must be assessed a surcharge on their wastewater discharge licenses in a total amount of \$12,000. This amount must be allocated among the municipalities and publicly owned treatment works according to their prior 3-year average annual flows as reported to the department.

On an annual basis publicly owned treatment works whose outfalls licensed for the discharge of treated effluent cause adjacent shellfish growing areas to be closed for the purposes of harvesting shellfish must be assessed a license surcharge in a total amount of \$25,000. This amount must be allocated among the publicly owned treatment works according to the acreage that each licensed outfall closes. This acreage must be determined by the Department of Marine Resources in consultation with the department.

Sec. FFFF-3. 38 MRSA §353-B, sub-§7 is enacted to read:

7. Revenues derived from surcharge. Revenues derived from a water quality improvement surcharge must be paid to the Treasurer of State, who shall credit those revenues to the Water Quality Improvement Fund established under section 424-B.

Sec. FFFF-4. 38 MRSA §410-I, sub-§3 is enacted to read:

3. Annual coastal water quality monitoring and remediation planning. The department shall in coordination with the public health division of the Department of Marine Resources create an annual work plan outlining priorities for the monitoring and classification of shellfish growing areas and for hydrographic studies in shellfish growing areas. The work plan must also prioritize remediation projects that will improve water quality within shellfish growing areas. Staff from both agencies must be assigned in determining responsibilities of the work plan. The Department of Marine Resources shall solicit priorities from the Shellfish Advisory Council established under Title 12, section 6038 and from municipalities with approved municipal shellfish programs for work within shellfish growing areas in those communities. In order for municipal recommendations to be considered for inclusion in a work plan, the municipality must commit to assist in the identification and remediation of nonpoint source pollution, including failing subsurface wastewater disposal systems, in areas affecting the water quality of shellfish growing areas.

The agencies shall prepare a draft work plan by February 1st of each year and make it available for review at a regularly scheduled meeting of the Shellfish Advisory Council, set out under Title 12, section 6038.

The agencies shall begin implementing the work plan by March 1st annually.

Sec. FFFF-5. 38 MRSA §424-B is enacted to read:

§424-B. Water Quality Improvement Fund

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

A. "Fund" means the Water Quality Improvement Fund established in this section.

2. Fund established. The Water Quality Improvement Fund is established as a nonlapsing fund under the jurisdiction and control of the department. The fund is established in order to improve and protect water quality in coastal areas through support of the growing area classification program within the water quality and public health program at the Department of Marine Resources, improve the State's wastewater infrastructure, remove licensed overboard discharges,

abate pollution from failed subsurface wastewater disposal systems and improve the identification of pollution in shellfish harvesting areas.

3. Sources of the fund. The fund consists of:

A. Dedicated revenue derived from surcharges in accordance with section 353-B, subsection 2, paragraph A;

B. Dedicated revenue derived from surcharges in accordance with Title 30-A, section 4211, subsection 5, paragraph D;

C. Sums that are appropriated by the Legislature or transferred to the fund from time to time by the State Controller;

D. Capitalization grants and awards made to the State or an instrumentality of the State by the Federal Government for any of the purposes for which the fund has been established;

E. Interest earned from the investment of fund balances;

F. Private gifts or bequests, directed or advised, and donations made to the State for any of the purposes for which the fund has been established; and

G. Other funds from any public or private source received for use for any of the purposes for which the fund has been established.

4. Distribution. After administrative costs, revenue credited to the fund must be distributed as follows.

A. Those funds necessary to support 3 positions in the growing area classification program, including All Other costs and \$20,000 each year for overtime, within the water quality and public health program at the Department of Marine Resources or 50% of the fund, whichever is greater, must be transferred to the Department of Marine Resources. Any funds transferred in excess of those necessary to support the 3 positions is to be used to support flood sampling and processing overtime work by staff in the growing area classification program. At the end of each fiscal year, any remaining funds must be transferred to the fund and used for the purposes described in paragraph B.

B. The remaining balance of the fund must be used to support the removal of licensed overboard discharges; investment in the improvement of the State's wastewater infrastructure; abate or remove sources of pollution from failing subsurface wastewater disposal systems; and support municipal or other qualified applicants in identifying pollution in shellfish harvesting areas.

The department is authorized to be reimbursed from the fund for administrative costs. "Administrative

costs" for purposes of this subsection means personal services directly associated with the processing and collection of the license surcharges in section 353-B, subsection 2, paragraph A. The department and the Department of Marine Resources shall annually provide an itemized description of the prior year's expenses from the fund and a proposed budget for the following year to the Shellfish Advisory Council established under Title 12, section 6038 and to representatives of publicly owned treatment works.

5. Grants. Provided there are available funds, the department shall establish procedures and criteria for the grant application process, eligibility for grants and the award and use of grants made under this section.

6. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. FFFF-6. Water quality standards for shellfish harvesting. The Department of Environmental Protection shall consider bacteria and viral standards used by the National Shellfish Sanitation Program's model ordinance when issuing waste discharge licenses to ensure that shellfish harvesting is protected as a designated use under the Maine Revised Statutes, Title 38, section 465-B.

The Department of Environmental Protection shall review whether the imposition of year-round disinfection requirements at licensed wastewater discharge facilities would serve to improve the ability of the Department of Marine Resources to upgrade the classification of shellfish growing areas, where such facilities affect classification status. The Department of Marine Resources shall identify which facilities affect shellfish growing area classification. If the Department of Environmental Protection determines that year-round disinfection improves the ability to upgrade the classification of any shellfish growing areas, it shall change the license of that facility to require year-round disinfection sufficient to improve the classification.

Sec. FFFF-7. Report. The Department of Marine Resources and the Department of Environmental Protection shall submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 1, 2011 that identifies the point and nonpoint sources of fecal coliform that affect the State's shellfish areas based upon existing information readily available to the departments. The report must be comprehensive and include but not be limited to analysis of: stormwater runoff, overboard discharge sources, farm and agricultural operations, municipal wastewater systems, direct industrial discharges and private septic systems. The joint standing committee of the Legislature having jurisdiction over natural resources matters is authorized to submit legislation to the First Regular Session of the 125th Legis-

lature to amend the fee structure under the Maine Revised Statutes, Title 38, section 353-B on the basis of the fecal coliform source report.

Sec. FFFF-8. Transfer from General Fund unappropriated surplus; Bureau of Resource Management, Shellfish Fund, Other Special Revenue Funds program, Department of Marine Resources. Notwithstanding any other provision of law, the State Controller shall transfer \$210,000 by July 15, 2009 from General Fund unappropriated surplus to the Bureau of Resource Management program, Shellfish Fund, Other Special Revenue Funds account within the Department of Marine Resources. On or before June 30, 2010, the State Controller shall transfer revenue credited to the Maine Environmental Protection Fund program, Water Quality Improvement Fund, Other Special Revenue Funds account within the Department of Environmental Protection to the unappropriated surplus of the General Fund to repay the \$210,000.

Sec. FFFF-9. Transfer from the Submerged Lands Fund, Department of Conservation. Notwithstanding any other provision of law, the State Controller shall transfer \$80,000 on or before July 15, 2009 and \$80,000 on or before July 15, 2010 from the Land Management and Planning program, Submerged Lands Fund, Other Special Revenue Funds account within the Department of Conservation to the Bureau of Resource Management program, Shellfish Fund, Other Special Revenue Funds account within the Department of Marine Resources.

PART GGGG

Sec. GGGG-1. Maine Juvenile Drug Treatment Court program. As a result of reductions of revenues in the Fund for a Healthy Maine and corresponding reductions in program funding, the Department of Health and Human Services, Office of Substance Abuse shall work collaboratively with the Judicial Department, the Department of Corrections and the contractor for the Office of Substance Abuse to phase out the Maine Juvenile Drug Treatment Court program. Beginning June 1, 2009 the Maine Juvenile Drug Treatment Court program shall cease new admissions and readmissions. For persons participating in the Maine Juvenile Drug Treatment Court program on May 31, 2009, the Office of Substance Abuse shall maintain agreed-upon services of the Maine Juvenile Drug Treatment Court program in accordance with the person's treatment plan through completion of court-structured treatment.

PART HHHH

Sec. HHHH-1. 12 MRSA §685-G, as enacted by PL 2007, c. 541, Pt. B, §4, is amended to read:

§685-G. Funding

1. Unorganized territories. Beginning with fiscal year 2009-10, funding for services and activities of the commission for planning, permitting and ensuring compliance in the unorganized territories must be assessed and allocated to the unorganized territories through a fee equal to ~~.013%~~ .014% of the most recent equalized state valuation established by the State Tax Assessor. This fee must be collected through the municipal cost component under Title 36, chapter 115.

2. Towns and plantations. Beginning with fiscal year 2009-10, a town or a plantation in the commission's jurisdiction that elects not to administer land use controls at the local level but receives commission services or a town or plantation with a portion of its land under the commission's jurisdiction and receiving commission services, including planning, permitting and ensuring compliance, must be assessed a fee equal to ~~.015%~~ .018% of the most recent equalized state valuation established by the State Tax Assessor for that town or plantation or that portion of a town or plantation under the commission's jurisdiction. The State Tax Assessor shall issue a warrant to each such town or plantation no later than March 1st of each year. The warrant is payable on demand. Interest charges on unpaid fees begin on June 30th of each year and are compounded monthly at the interest rate for unpaid property tax as established by the State Tax Assessor for the unorganized territory. For any assessment that remains unpaid as of September 1st of the year in which it is due, state revenue sharing to that town or plantation must be reduced by an amount equal to any unpaid warrant amount plus any accrued interest, until the amount is paid. These fees must be deposited to the General Fund.

3. Report. By January 15, 2009 and annually thereafter, the commission shall report to the joint standing committees of the Legislature having jurisdiction over conservation matters and taxation matters regarding commission funding and other financial matters. The report must cover the 5 previous fiscal years and must identify General Fund appropriations and other resources, amounts assessed and collected from the assessments required under this section and former section 685-E and amounts assessed and collected from other fees and penalties assessed under this chapter. Beginning in January 2010, the report must include an accounting of the permitting fees and administrative penalties collected that segregates the amounts collected from the unorganized territories from the amounts collected from the towns and plantations and must include recommendations to adjust the fees for the unorganized territories and for towns and plantations based on the amounts collected for permitting fees and administrative penalties from each of these entities. The joint standing committees of the Legislature having jurisdiction over conservation matters and taxation matters shall jointly review the distri-

bution of funding and other assessments among the General Fund, unorganized territories and towns and plantations under the commission's jurisdiction and may submit legislation considered necessary as a result of the commission's report to the First Regular Session of the 124th Legislature.

PART III

Sec. III-1. Education in Unorganized Territory account; lapse balances. Notwithstanding any other provision of law, \$1,064,811 of unencumbered balance forward in the personal services line category at the close of fiscal year 2008-09 in the Education in Unorganized Territory, General Fund account in the Department of Education lapses to the General Fund on June 30, 2009.

PART JJJJ

Sec. JJJJ-1. 28-A MRSA §453, sub-§2-A, as repealed and replaced by PL 2003, c. 20, Pt. SS, §1 and affected by §8, is amended to read:

2-A. Limitation on number of agency liquor stores. The Beginning July 1, 2009, the bureau may license up to ~~6~~ 8 agency liquor stores in a municipality with a population over 20,000 where a state liquor store has been closed and; up to ~~3~~ 5 agency liquor stores in a municipality with a population of 20,000 or less where a state liquor store has been closed at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001. In addition, the bureau may establish one agency liquor store in a municipality where no state liquor store has operated, and, if the population is ~~over 3,000, the bureau may locate 2 stores within the municipality less than 2,000.~~ The bureau may consider the impact of seasonal population or tourism and other related information provided by the ~~town~~ municipality requesting ~~a 2nd~~ an additional agency liquor store location.

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

Sec. JJJJ-2. 28-A MRSA §453, sub-§2-C is enacted to read:

2-C. Licenses issued on or after July 1, 2009. Beginning July 1, 2009, the bureau shall consider whether the applicant can satisfy the following criteria when determining whether to issue an agency liquor store license under this section:

A. The applicant has held a license to sell malt liquor and wine for off-premises consumption for more than one year immediately preceding application without a violation of any provision of this Title;

B. The applicant will be able to stock at least \$10,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of an agency liquor store license; and

C. The applicant can purchase the initial stock of spirits using a bank check or other financial instrument that certifies that funds are available.

PART KKKK

Sec. KKKK-1. PL 2007, c. 240, Pt. XXXX, §36, sub-§11, as amended by PL 2007, c. 668, §47, is further amended to read:

11. Result of disapproval at January 2008 referendum or subsequent referendum on or before January 30, 2009. A school administrative unit that rejects a proposed reorganization plan at the January 15, 2008 referendum or at a subsequent referendum on or before January 30, 2009 may restart the process to form a regional school unit with the same or other school administrative units and may seek assistance from the Department of Education to prepare another reorganization plan.

A. Subsequent reorganization plans must meet the same requirements as for reorganization plans filed prior to the January 2008 referendum, except that the timelines are adjusted to reflect a July 1, 2009 reorganization date.

B. The penalties set forth in Title 20-A, section 15696 apply to any school administrative unit that fails to approve a reorganization plan on or before January 30, 2009 and to implement that plan by July 1, 2009, including those school administrative districts that are reformulated under subsection 12. These penalties do not apply to any school administrative unit that implements a reorganization plan by July 1, 2010 in accordance with subsection 11-A.

Sec. KKKK-2. PL 2007, c. 240, Pt. XXXX, §36, sub-§11-A is enacted to read:

11-A. Result for school administrative unit that approves plan at referendum on or before January 30, 2009 but is unable to implement plan. A school administrative unit that approves a proposed reorganization plan at the January 15, 2008 referendum or at a subsequent referendum on or before January 30, 2009 but is unable to implement the plan because the plan was rejected at referendum by one or more of its proposed partner school administrative units under the plan may restart the process to form a regional school unit with the same or other school administrative units and may seek assistance from the Department of Education to prepare another reorganization plan.

A. Subsequent reorganization plans must meet the same requirements as for reorganization plans filed prior to the January 2008 referendum, except

that the timelines are adjusted to reflect a July 1, 2010 reorganization date.

B. The penalties set forth in Title 20-A, section 15696 apply, as of July 1, 2010, to any school administrative unit that fails to approve a reorganization plan on or before January 30, 2010 and to implement that plan by July 1, 2010.

PART LLLL

Sec. LLLL-1. Assertive community treatment in children's behavioral health. By October 1, 2009 the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services with a plan to achieve savings of \$1,328,390 in assertive community treatment in children's behavioral health in General Fund funds in fiscal year 2010-11. The department shall convene a stakeholders group that includes providers of children's assertive community treatment services and shall work with the stakeholders to agree on a plan to achieve the savings. If agreement is not possible, the department shall adopt routine technical rules to achieve the savings and shall report to the Joint Standing Committee on Health and Human Services on the initiative implemented by the department and the stakeholders.

PART MMMM

Sec. MMMM-1. Child welfare services. The Department of Health and Human Services shall work with alternative response program providers to achieve the targeted savings of \$500,000 in fiscal year 2009-10 and \$500,000 in fiscal year 2010-11 deappropriated in Part A and realign services for children and families, giving priority to reducing serious maltreatment of children 5 years of age and under and making referrals to alternative response program agencies for low-risk and moderate-risk families.

PART NNNN

Sec. NNNN-1. Funding reduced for Maine Clean Election Act legislative candidates. Notwithstanding the Maine Revised Statutes, Title 21-A, chapter 14, the amount distributed to certified legislative candidates by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Clean Election Act during the 2010 election cycle must be 5% less than the amount distributed to certified candidates by the commission during the 2008 election cycle.

Sec. NNNN-2. Funding reduced for Maine Clean Election Act gubernatorial candidates. Notwithstanding any other provision of law, the amount distributed to certified gubernatorial candidates by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Clean Election Act during the 2010 election cycle must be 5% less than the amount that would be distributed pursu-

ant to the Maine Revised Statutes, Title 21-A, section 1125, subsection 8.

Sec. NNNN-3. Seed money contributions. Notwithstanding the Maine Revised Statutes, Title 21-A, section 1125, subsection 2, certified gubernatorial and legislative candidates during the 2010 election cycle may raise an additional amount of seed money to cover the 5% reduction in distributions described in sections 1 and 2. The Commission on Governmental Ethics and Election Practices shall establish rules and procedures to implement this Part. Rules adopted in accordance with this Part are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The rules must address the collection of seed money to cover the reductions in Maine Clean Election Act funding for certified candidates during the 2010 election cycle. The commission shall publish the adopted rules and procedures on its publicly accessible website and in a guidebook distributed to certified candidates.

Sec. NNNN-4. Transfer of funds from Maine Clean Election Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$363,930 on or before June 30, 2010 and \$121,310 on or before June 30, 2011 from the Maine Clean Election Fund, Other Special Revenue Funds account to the unappropriated surplus of the General Fund.

PART OOOO

Sec. OOOO-1. 20-A MRSA §1512, sub-§6, as amended by PL 2007, c. 668, §25, is further amended to read:

6. Multiple municipalities. If a school proposed for closure is a school that serves students from more than one municipality, the article set forth in subsection 1 must be submitted to the voters in each of the municipalities that sent all students from that municipality to the school. ~~If the article is approved by a majority of the voters in each of the municipalities~~ vote to keep the school open, the school is not closed and the municipalities share in the costs under this section in the same proportion as they share the current operating costs of the school.

PART PPPP

Sec. PPPP-1. Department of Health and Human Services; use of risk-based contracts within MaineCare. The Department of Health and Human Services shall investigate the feasibility of obtaining a waiver from the federal Centers for Medicare and Medicaid Services to establish a risk-based managed care contract for specific MaineCare populations or services. The department shall submit its findings and recommendations along with the projected net cost savings and the projected impact on quality of care and health outcomes to the Joint Standing Committee on Health and Human Services no later than April 1, 2010.

PART QQQQ

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Recognizes additional savings as all claims in fiscal year 2008-09 have been processed for payment.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$200,000)	\$0	\$0
GENERAL FUND TOTAL	(\$200,000)	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
GENERAL FUND	(\$200,000)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$200,000)	\$0	\$0

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Milk Commission 0188

Initiative: Adjusts allocation to the Maine Milk Pool for fiscal year 2008-09 based on proposed legislation that would cap the milk subsidy at \$11,811,000 for fiscal year 2008-09.

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$4,246,200	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,246,200	\$0	\$0

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$4,246,200	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$4,246,200	\$0	\$0

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Provides funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$4,129,530	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$4,129,530	\$0	\$0

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA	\$4,129,530	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$4,129,530	\$0	\$0

EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools 0308

Initiative: Provides funding for General Purpose Aid for Local Schools from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11

All Other	2008-09	2009-10	2010-11
\$27,046,649	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$27,046,649	\$0	\$0

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA	\$27,046,649	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$27,046,649	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

FHM - Substance Abuse 0948

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
All Other	(\$192,159)	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	(\$192,159)	\$0	\$0

Medicaid Services - Mental Retardation 0705

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$7,036,320)	\$0	\$0
GENERAL FUND TOTAL	(\$7,036,320)	\$0	\$0

Medicaid Services - Mental Retardation 0705

Initiative: Provides funding necessary to meet the remaining obligations of the MaineCare program in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11

All Other	\$3,000,000	\$0	\$0
GENERAL FUND TOTAL	\$3,000,000	\$0	\$0

Mental Health Services - Child Medicaid 0731

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$5,835,294)	\$0	\$0
GENERAL FUND TOTAL	(\$5,835,294)	\$0	\$0

Mental Health Services - Child Medicaid 0731

Initiative: Provides funding necessary to meet the remaining obligations of the MaineCare program in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$4,000,000	\$0	\$0
GENERAL FUND TOTAL	\$4,000,000	\$0	\$0

Mental Health Services - Community Medicaid 0732

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,641,132)	\$0	\$0
GENERAL FUND TOTAL	(\$8,641,132)	\$0	\$0

Mental Health Services - Community Medicaid 0732

Initiative: Provides funding necessary to meet the remaining obligations of the MaineCare program in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$3,000,000	\$0	\$0
GENERAL FUND TOTAL	\$3,000,000	\$0	\$0

Mental Retardation Waiver - MaineCare 0987

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$15,034,085)	\$0	\$0
GENERAL FUND TOTAL	(\$15,034,085)	\$0	\$0

Mental Retardation Waiver - MaineCare 0987

Initiative: Provides funding necessary to meet the remaining obligations of the MaineCare program in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$12,000,000	\$0	\$0
GENERAL FUND TOTAL	\$12,000,000	\$0	\$0

Mental Retardation Waiver - Supports Z006

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$237,937)	\$0	\$0
GENERAL FUND TOTAL	(\$237,937)	\$0	\$0

Office of Substance Abuse - Medicaid Seed 0844

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$624,545)	\$0	\$0
GENERAL FUND TOTAL	(\$624,545)	\$0	\$0

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

2008-09	2009-10	2010-11
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GENERAL FUND	(\$15,409,313)	\$0	\$0
FUND FOR A HEALTHY MAINE	(\$192,159)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$15,601,472)	\$0	\$0

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

FHM - Medical Care 0960

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
All Other	(\$1,368,579)	\$0	\$0

FUND FOR A HEALTHY MAINE TOTAL	(\$1,368,579)	\$0	\$0
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Health - Bureau of 0143

Initiative: Provides funding for the purchase of antiviral medications from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$2,175,000	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$2,175,000	\$0	\$0
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IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$160,778)	\$0	\$0

GENERAL FUND TOTAL	(\$160,778)	\$0	\$0
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Medical Care - Payments to Providers 0147

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$70,616,740)	\$0	\$0
GENERAL FUND TOTAL	(\$70,616,740)	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$102,711,249	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$102,711,249	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to reflect the availability of funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$22,240,700)	\$0	\$0
GENERAL FUND TOTAL	(\$22,240,700)	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$22,240,700	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$22,240,700	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding necessary to meet the remaining obligations of the MaineCare program in fiscal year 2008-09.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$28,000,000	\$0	\$0

GENERAL FUND TOTAL	\$28,000,000	\$0	\$0
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FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$120,935,036	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$120,935,036	\$0	\$0
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FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$16,823,132	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$16,823,132	\$0	\$0
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Medical Care - Payments to Providers 0147

Initiative: Provides funding for hospital settlements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$45,000,000	\$0	\$0

GENERAL FUND TOTAL	\$45,000,000	\$0	\$0
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FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$108,841,532	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$108,841,532	\$0	\$0
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FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$15,140,819	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$15,140,819	\$0	\$0
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Medical Care - Payments to Providers 0147

Initiative: Provides funding for hospital settlements.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$10,000,000	\$0	\$0

GENERAL FUND TOTAL	\$10,000,000	\$0	\$0
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FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$24,187,007	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$24,187,007	\$0	\$0
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FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$3,364,626	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$3,364,626	\$0	\$0
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Nursing Facilities 0148

Initiative: Reduces funding available as a result of the enhanced Federal Medical Assistance Percentage provided in the American Recovery and Reinvestment Act of 2009.

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$16,784,390)	\$0	\$0

GENERAL FUND TOTAL	(\$16,784,390)	\$0	\$0
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FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$23,820,710	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$23,820,710	\$0	\$0
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HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
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GENERAL FUND	(\$26,802,608)	\$0	\$0
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FEDERAL EXPENDITURES FUND	\$253,963,575	\$0	\$0
FUND FOR A HEALTHY MAINE	(\$1,368,579)	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA	\$186,276,236	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$412,068,624	\$0	\$0

MARITIME ACADEMY, MAINE

Maritime Academy - Operations 0035

Initiative: Provides funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$586,323	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$586,323	\$0	\$0
MARITIME ACADEMY, MAINE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA	\$586,323	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$586,323	\$0	\$0

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - UMS 0031

Initiative: Provides funding from state fiscal stabilization funds authorized in the American Recovery and Reinvestment Act of 2009.

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
All Other	\$8,407,434	\$0	\$0

FEDERAL EXPENDITURES FUND ARRA	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$8,407,434	\$0	\$0
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA	\$8,407,434	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$8,407,434	\$0	\$0
SECTION TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$42,411,921)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$253,963,575	\$0	\$0
FUND FOR A HEALTHY MAINE	(\$1,560,738)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$4,246,200	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA	\$226,446,172	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$440,683,288	\$0	\$0

PART RRRR

Sec. RRRR-1. Emergency rule-making authority; health and human services matters.

The Department of Health and Human Services is authorized to adopt rules on or before December 31, 2009 on an emergency basis 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 without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

PART SSSS

Sec. SSSS-1. PL 2007, c. 240, Pt. X, §2 is 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, 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. SSSS-2. PL 2007, c. 240, Pt. X, §5 is amended to read:

Sec. X-5. Weekly MaineCare reporting. Until June 30, ~~2009~~ 2011, 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 ~~20-A~~ 22, section 3174-B.

Sec. SSSS-3. PL 2007, c. 240, Pt. X, §6 is amended to read:

Sec. X-6. Quarterly MaineCare reporting. Until June 30, ~~2009~~ 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 ~~fund and by category of service enrollment category and type of service.~~ From July 1, 2010 to June 30, 2011 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.

PART TTTT

Sec. TTTT-1. 36 MRSA §194 is enacted to read:

§194. Data warehouse

1. Information provided to State Tax Assessor; use and confidentiality of data. Notwithstanding any other provision of law, the Secretary of State and all executive branch departments, boards, commissions, divisions, authorities, districts or other executive branch agencies of the State shall annually provide to the State Tax Assessor, within 3 months of the request of the assessor, and in such form as the assessor may prescribe, electronic data that those entities possess unless such release is prohibited by federal law. Information provided to the assessor pursuant to this section must be treated as though it is tax return information that is subject to the confidentiality and disclosure provisions of section 191 and its disclosure is further restricted as requested by the agency providing the information and as agreed to by the Commissioner of Administrative and Financial Services.

2. Expense of creating and maintaining data warehouse; transfer of funds. The State Controller shall transfer from the General Fund an amount authorized by the assessor equal to the expenses incurred in creating and maintaining the data warehouse authorized by this section and in collecting the debts arising from the operation of the data warehouse. These expenses are limited to those resulting from 3rd-party contingency fee contracts for the services referenced in this section and include any associated expense charged by the Department of Administrative and Financial Services, Office of Information Technology for directly related services. The amount transferred must be deposited into a dedicated, nonlapsing account to be used solely for the purpose of creating and maintaining the data warehouse. Interest earned on balances in the account accrue to the account.

3. Report to Legislature. The assessor shall annually report to the joint standing committees of the Legislature having jurisdiction over taxation matters and appropriations and financial affairs the costs incurred in creating and maintaining, and the tax revenues collected by using, the data warehouse authorized by this section.

Sec. TTTT-2. Privacy protection; plan. The Department of Administrative and Financial Services, Bureau of Revenue Services shall develop a plan to ensure that the confidentiality of taxpayer information is protected from any type of disclosure as part of the establishment of a data warehouse as provided in this Part. The plan must include provisions for ensuring that government and contract employees are educated in the requirements of law for protecting the confidentiality of taxpayer information. The bureau shall submit the plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Taxation by October 1, 2009.

PART UUUU

Sec. UUUU-1. Distribution of Fund for a Healthy Maine deallocation; report required.

The State Budget Officer shall review the programs receiving funds from the Fund for a Healthy Maine and shall make adjustments to each account receiving funding in the All Other line category pursuant to the deallocation in the Department of Administrative and Financial Services included in section 2. The State Budget Officer shall first apply any unexpended balance in the Fund for a Healthy Maine on June 30, 2009 before making any adjustments. These adjustments must be calculated in proportion to each account's allocation in the All Other line category in relation to the total All Other allocation for Fund for a Healthy Maine programs. Notwithstanding any other provision of law, the State Budget Officer shall transfer the identified amounts by financial order upon approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2009-10. The State Budget Officer shall report on the distribution of savings to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 1, 2010.

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Fund for a Healthy Maine 0921

Initiative: Reduces funding to reflect a fundwide reduction to the Fund for a Healthy Maine in fiscal year 2009-10.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
All Other	(\$536,000)	\$0
FUND FOR A HEALTHY MAINE TOTAL	(\$536,000)	\$0

PART VVVV

Sec. VVVV-1. Calculation and transfer; General Fund savings; Central Administration. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in the Statewide Salary Adjustment account in section 3 that applies against each General Fund account for executive branch departments and independent agencies statewide from implementing a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services. 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 2009-10 and 2010-11.

Sec. VVVV-2. Calculation and transfer; General Fund savings; Information Technology. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in the Statewide Salary Adjustment account in section 4 that applies against each General Fund account for executive branch departments and independent agencies statewide from implementing a decrease in charges made by the Department of Administrative and Financial Services, Office of Information Technology for its services. 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 2009-10 and 2010-11.

Sec. VVVV-3. 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 implementing a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services.

GENERAL FUND	2009-10	2010-11
All Other	(\$413,628)	(\$531,170)
GENERAL FUND TOTAL	(\$413,628)	(\$531,170)

Sec. VVVV-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 implementing a decrease in charges made by the Department of Administrative and Financial Services, Office of Information Technology for its services.

GENERAL FUND	2009-10	2010-11
All Other	(\$814,787)	(\$941,187)
GENERAL FUND TOTAL	(\$814,787)	(\$941,187)

PART WWWW

Sec. WWWW-1. 4 MRSA §1606, sub-§2, as amended by PL 2005, c. 460, §1, is further amended to read:

2. Limitation on securities issued. The authority may not issue securities in excess of ~~\$128,000,000~~ \$189,000,000 outstanding at any one time, of which no less than ~~\$75,000,000~~ \$136,000,000 must be specifically allocated to projects relating to the Judicial Branch, except for the issuance of revenue refunding securities authorized by section 1610 and securities issued under section 1610-A. The amount of securities that may be outstanding in the name of the authority may be increased by the Legislature upon a showing by the authority that its available revenues are sufficient to support additional issuance of securities and that the issuance of securities will not materially impair the credit standing of the authority, the investment status of securities issued by the authority or the ability of the authority to fulfill its commitments to holders of securities. Nothing in this chapter may be construed to authorize the authority to issue securities to fund the construction, reconstruction, purchase or acquisition of facilities without a majority vote of approval in each House of the Legislature.

Sec. WWWW-2. Issuance of securities; Maine Governmental Facilities Authority. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsections 1 and 2, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$67,500,000 for the purpose of paying the costs associated with the construction of a new courthouse in Augusta, the renovation of a courthouse in Dover-Foxcroft and planning for court facilities upgrades in Machias.

PART XXXX

Sec. XXXX-1. PL 2007, c. 240, Pt. Q, §1 is amended to read:

Sec. Q-1. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$11,000,000 in fiscal year 2007-08 and \$6,000,000 in fiscal year 2008-09 or 2009-10 for the purpose of paying the cost, including preliminary planning costs, including but not limited to needs assessments and space planning, master planning, capital asset assessments, concept design, design development and final design including construction drawings, associated with capital repairs and improvements to state-owned facilities throughout the State as designated by the Commissioner of Administrative and Financial Services. The authority may also issue additional securities in its own name in an amount up to \$750,000 in fiscal year 2007-08 for preconstruction costs and capi-

tal improvements for a Department of Corrections project at the Bangor campus and for other capital improvements at the correctional facilities within the Department of Corrections any part or all of which may be advanced by the Department of Administrative and Financial Services, Bureau of General Services with reimbursement upon issuance of the additional securities.

PART YYYY

Sec. YYYY-1. 29-A MRSA §525, sub-§10, as amended by PL 2007, c. 438, §2, is further amended to read:

10. Suspension. If a person fails to file a fuel tax report or to pay any taxes, interest, penalties or audit assessment as required pursuant to Title 36, chapter 459 or any rule adopted pursuant to this section, the Secretary of State shall suspend the person's fuel tax license, all fuel decals issued to the person and that person's privilege to operate as a motor carrier. In order to be reinstated, the person must file all delinquent tax returns and pay all assessments, interest and penalties. In addition, the person must pay a ~~\$35~~ \$50 reinstatement fee pursuant to section 2486, subsection 1.

Sec. YYYY-2. 29-A MRSA §2486, sub-§1, as amended by PL 2007, c. 531, §4 and affected by §10, is further amended to read:

1. Reinstatement fee for suspensions other than for OUI or failure to submit to a test. Before a suspension for any reason other than OUI or failure to submit to a test is terminated and a license or certificate reinstated, a fee of ~~\$35~~ \$50, in addition to the regular license fee, must be paid to the Secretary of State.

Sec. YYYY-3. 29-A MRSA §2486, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Allocation of fee. A reinstatement fee paid for a court-ordered suspension under section 2605 must be deposited equally between the Highway Fund and the General Fund. Except for suspensions under section 2605, 85% of the reinstatement fee paid pursuant to subsection 1 accrues to the Highway Fund and 15% accrues to the General Fund.

Sec. YYYY-4. 29-A MRSA §2605, sub-§4, as amended by PL 2001, c. 463, §4 and affected by §7, is further amended to read:

4. Rescission of suspension. On appearances or payment of the fine, whichever was the basis for the suspension, and on the condition of payment of a ~~\$35~~ \$50 reinstatement fee pursuant to section 2486, subsection 1 to the Secretary of State, the clerk of the court in which the suspension was ordered shall rescind the suspension and notify the Secretary of State who, upon receipt of the ~~\$35~~ \$50 reinstatement fee,

shall delete any record of the suspension from that person's driving record.

Sec. YYYY-5. 29-A MRSA §2608, 3rd ¶, as amended by PL 2001, c. 463, §5 and affected by §7, is further amended to read:

The clerk shall immediately notify that person of the suspension by regular mail or personal service. The suspension has the same force and effect as a suspension by the Secretary of State. The suspension remains in effect until the person answers or appears, either in person or by counsel, or pays the fine. On answer, appearance or payment of the fine, whichever was the basis for the suspension, and on condition of payment of a ~~\$35~~ \$50 reinstatement fee pursuant to section 2486, subsection 1 to the Secretary of State, the clerk of the court in which the suspension was ordered shall rescind the suspension and notify the Secretary of State who, upon receipt of the ~~\$35~~ \$50 reinstatement fee pursuant to section 2486, subsection 1, shall delete any record of the suspension from that person's driving record.

PART ZZZZ

Sec. ZZZZ-1. Reduction to MaineCare baseline budget. For purposes of calculating the 2012-2013 biennial budget, General Fund, All Other funding baseline, the General Fund, All Other funding baseline for the MaineCare seed programs must be calculated based on the final 2010-11 General Fund, All Other ongoing appropriations for each of these programs less 2.5% for each year.

PART AAAAA

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

PUBLIC UTILITIES COMMISSION

Conservation Administration Fund 0966

Initiative: Eliminates position counts added in error for limited-period positions authorized in Resolve 2009, chapter 46.

FEDERAL EXPENDITURES FUND ARRA	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(4.500)	(4.500)

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$0	\$0
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FEDERAL BLOCK GRANT FUND ARRA	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)

FEDERAL BLOCK GRANT FUND ARRA TOTAL	\$0	\$0
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PUBLIC UTILITIES COMMISSION

DEPARTMENT TOTALS	2009-10	2010-11
FEDERAL EXPENDITURES FUND ARRA	\$0	\$0
FEDERAL BLOCK GRANT FUND ARRA	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

TREASURER OF STATE, OFFICE OF Disproportionate Tax Burden Fund 0472

Initiative: Increases the allocations in Part A based on projected total transfers to the Disproportionate Tax Burden Fund.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$2,866,890	\$3,162,622
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,866,890	\$3,162,622

State - Municipal Revenue Sharing 0020

Initiative: Increases the allocations in Part A based on projected total transfers to the Local Government Fund for State-Municipal Revenue Sharing.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$16,245,710	\$16,603,769
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,245,710	\$16,603,769

TREASURER OF STATE, OFFICE OF

DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$19,112,600	\$19,766,391
DEPARTMENT TOTAL - ALL FUNDS	\$19,112,600	\$19,766,391

SECTION TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$19,112,600	\$19,766,391
FEDERAL EXPENDITURES FUND ARRA	\$0	\$0
FEDERAL BLOCK GRANT FUND ARRA	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$19,112,600	\$19,766,391

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

Effective May 28, 2009, unless otherwise indicated.

**CHAPTER 214
S.P. 34 - L.D. 85**

An Act To Simplify and Consolidate Maine's Fishing Laws and Rules

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

Sec. 1. 12 MRSA §12452, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

§12452. Consolidation of rules

Fishing rules as set forth in the ~~annual Open Water and Ice Fishing Regulations folder and the annual Ice Fishing Regulations folder~~, as printed and distributed to the public, are declared to be official consolidations of fishing rules upon filing with the Secretary of State, except that the 150-day limit of Title 5, section 8052, subsection 7, paragraph B does not apply to this section.

Sec. 2. 12 MRSA §12454, sub-§1, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 3. 12 MRSA §12455, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 4. 12 MRSA §12456, sub-§1, as amended by PL 2007, c. 695, Pt. C, §3, is repealed.

Sec. 5. 12 MRSA §12456, sub-§1-A is enacted to read:

1-A. Open seasons. The commissioner shall establish open seasons for fishing, except as provided in this section and section 6140-A, subsection 4.

A. The open-water fishing season on boundary waters between Maine and New Brunswick is from April 15th to September 30th, inclusive.

Sec. 6. 12 MRSA §12456, sub-§2, as amended by PL 2005, c. 237, §2, is further amended to read:

2. Exceptions. Notwithstanding the open seasons established under subsection ~~1~~ 1-A:

A. A person who holds a valid Maine fishing license may take smelts for recreational purposes only from the inland waters or portions of inland waters that are naturally free of ice with a dip net in the usual and ordinary way from noon to 2:00 a.m. in accordance with bag limits established by rule. Bag limits established by rule under this paragraph are for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day. The commissioner may prohibit the taking of smelts under this section or shorten the noon to 2:00 a.m. smelt fishing timeframe by rule for enforcement or conservation purposes.

(1) A person may not keep more than 5 dozen smelts alive as part of that person's daily bag limit pursuant to this paragraph.

(2) A person may not take smelts with a dip net unless that dip net meets the requirements under section 10001, subsection 12-A.

Each day a person violates subparagraph (1) or (2) that person commits a Class E crime;

~~B. There is a continued closed season on the dipping of smelts from Morrill Pond and its tributaries in Somerset County;~~

~~C. Whenever the last day of open water fishing season falls on a Saturday, the season is extended one day to include the following Sunday; and~~

~~D. The commissioner by rule may extend the open water fishing season as long as such an extension does not pose a threat to the fishery. Rules adopted under this paragraph may include provisions that establish catch and release only restrictions on landlocked salmon, trout, togue and bass.~~

Sec. 7. 12 MRSA §12461, sub-§6 is enacted to read:

6. Exceptions. Notwithstanding the stocking restrictions set forth in subsection 4, the commissioner may:

A. Stock Big Reed Pond in T.8, R.10, W.E.L.S. with native fish species. If sufficient brook trout from Big Reed Pond are not available, brook trout

from Reed Brook and its tributaries in T.8, R.10, W.E.L.S. may be used for restocking. If arctic charr from Big Reed Pond are not available, arctic charr from an endemic arctic charr water in the State may be used for restocking. If northern redbelly dace need to be restocked in Big Reed Pond, northern redbelly dace from Reed Brook and its tributaries in T.8, R.10, W.E.L.S. may be used for restocking.

Sec. 8. 12 MRSA §12652, sub-§1, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §275 and affected by §422, is repealed and the following enacted in its place:

1. Prohibition. Unless otherwise provided:

A. A person may not fish with more than 2 lines at any one time during the open-water fishing season; and

B. A person may not fish during the open-water fishing season unless that person's fishing lines are under that person's immediate supervision.

Sec. 9. 12 MRSA §12656, sub-§1, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. Possess any grapnel, trawl, weir, seine, gill net or, trap or, set line or drop net on or adjacent to any of the inland waters of the State, except in accordance with sections 12157 and 12506, section 12551-A, subsection 7, paragraph A, subparagraph (2) and section 12763, subsections 3 and 4; or

Sec. 10. 12 MRSA §12659-A, sub-§4, as amended by PL 2005, c. 477, §19, is further amended to read:

4. Checking cusk lines. ~~In waters that are opened under section 12454, subsection 1, paragraph B,~~ A person fishing through the ice for cusk in the nighttime shall visit at least once every hour all lines set by that person for cusk.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor 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. 11. 12 MRSA §12661, sub-§1, ¶A, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §283 and affected by §422, is further amended to read:

A. May not leave or allow the shack or structure to remain on the ice of any inland waters ~~more than 3 days after the waters on which the shack or~~

~~structure is located are closed to ice fishing after April 1st; or~~

Sec. 12. 12 MRSA §12661, sub-§1, ¶B, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §283 and affected by §422, is repealed.

Sec. 13. 12 MRSA §12662, as amended by PL 2005, c. 397, Pt. E, §12, is repealed.

See title page for effective date.

CHAPTER 215

H.P. 993 - L.D. 1417

An Act To Add Unlicensed Assistive Persons with Notations to the Maine Registry of Certified Nursing Assistants

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

Sec. 1. 22 MRSA §1812-G, as amended by PL 2003, c. 376, §§ 1 and 2 and c. 599, §4 and affected by §5 and amended by c. 634, §3 and c. 689, Pt. B, §6, is further amended to read:

§1812-G. Maine Registry of Certified Nursing Assistants

1. Established. The Maine Registry of Certified Nursing Assistants is established in compliance with federal and state requirements. The Department of Health and Human Services shall maintain the registry.

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

A. "Certified nursing assistant" means an individual who has successfully completed an approved nursing assistant training program, holds a certificate of training and meets the eligibility requirements established by the State Board of Nursing for listing on the registry.

B. "Registry" means the Maine Registry of Certified Nursing Assistants established in subsection 1, which is a list of certified nursing assistants, with notations if applicable, and a list of unlicensed assistive persons with notations.

C. "Unlicensed assistive person" means an individual employed to provide hands-on assistance with activities of daily living to individuals in homes, assisted living programs, residential care facilities, hospitals and other health care settings. "Unlicensed assistive person" does not include a certified nursing assistant employed in the capacity of a certified nursing assistant.

2. Contents. The ~~Maine Registry of Certified Nursing Assistants~~ registry must contain a listing of certified nursing assistants who have successfully completed a nursing assistant training program, hold a certificate of training and meet the eligibility requirements established by the State Board of Nursing. The listing must include, for any certified nursing assistant listed, a notation of:

A. Any criminal convictions, except for Class D and Class E convictions over 10 years old that did not involve as a victim of the act a patient, client or resident of a health care entity; and

B. Any specific documented findings by the state survey agency of abuse, neglect or misappropriation of property of a resident, client or patient. For purposes of this section, "state survey agency" means the agency specified under 42 United States Code, Sections 1395aa and 1396 responsible for determining whether institutions and agencies meet requirements for participation in the State's Medicare and Medicaid programs.

The registry must also contain a listing of any unlicensed assistive persons who have notations pursuant to section 1812-J.

3. Eligibility requirements for listing. The State Board of Nursing shall adopt rules pursuant to the Maine Administrative Procedure Act defining eligibility requirements for listing on the ~~Maine Registry of Certified Nursing Assistants~~ registry, including rules regarding temporary listing of nursing assistants who have received training in another jurisdiction. The rules must permit nursing assistants to work under the supervision of a registered professional nurse in a facility providing assisted living services as defined in chapter 1664 and must recognize work in those facilities for the purpose of qualifying for and continuing listing on the registry. Rules adopted regarding the work of nursing assistants in facilities providing assisted living services are routine technical rules as defined by Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

4. Verification of credentials and training. The department shall verify the credentials and training of all certified nursing assistant applicants to the ~~Maine Registry of Certified Nursing Assistants~~ registry.

5. Verifying certified nursing assistant listing. A health care institution, facility or organization that employs a certified nursing assistant shall, before hiring a certified nursing assistant, verify with the ~~Maine Registry of Certified Nursing Assistants~~ registry that the certified nursing assistant is listed on the ~~Maine Registry of Certified Nursing Assistants~~ registry.

6. Registry notations. Except as otherwise provided in this section:

A. An individual may not be employed in a hospital, nursing facility, home health agency or as-

sisted housing program as a certified nursing assistant if that individual has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; and

B. An individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual:

(1) Has been the subject of a complaint involving abuse or neglect that was substantiated by the department pursuant to its responsibility to license hospitals, nursing facilities, home health agencies and assisted housing programs and that was entered on the ~~Maine Registry of Certified Nursing Assistants~~ registry; or

(2) Has been the subject of a complaint involving the misappropriation of property in a health care setting that was substantiated by the department and entered on the ~~Maine Registry of Certified Nursing Assistants~~ registry.

7. Time limit on consideration of prior criminal conviction. Except as otherwise provided in this section, an individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual has a prior criminal conviction within the last 10 years of:

A. 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

B. 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.

8. Exception. The restrictions on employment under subsections 6 and 7 do not apply to an individual listed and active on the ~~Maine Registry of Certified Nursing Assistants~~ registry prior to the effective date of this subsection, as long as the individual meets other state and federal requirements for certified nursing assistants and continues to maintain an active status by timely reregistration as required by the rules.

9. Notification. A nursing assistant training program must notify applicants to that program of the restrictions under subsections 6 and 7 prior to the acceptance of any applicant.

Sec. 2. 22 MRSA §1812-J is enacted to read:

§1812-J. Unlicensed assistive persons

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

A. "Certified nursing assistant" means an individual who has successfully completed an approved nursing assistant training program, holds a certificate of training and meets the eligibility requirements established by the State Board of Nursing for listing on the registry.

B. "Registry" means the Maine Registry of Certified Nursing Assistants, which is a list of certified nursing assistants, with notations if applicable, and a list of unlicensed assistive persons with notations and is established under section 1812-G.

C. "State survey agency" has the same meaning as in section 1812-G, subsection 2, paragraph B.

D. "Unlicensed assistive person" means an individual employed to provide hands-on assistance with activities of daily living to individuals in homes, assisted living programs, residential care facilities, hospitals and other health care settings. "Unlicensed assistive person" does not include a certified nursing assistant employed in the capacity of a certified nursing assistant.

2. Complaint investigation. The department may investigate complaints of abuse, neglect or misappropriation of property of a client, patient or resident in a home or health care setting against unlicensed assistive persons employed or placed by a licensed, certified or registered agency or facility.

3. Substantiated complaint; registry listing. When a complaint against an unlicensed assistive person is substantiated by the department and the unlicensed assistive person must be listed on the registry pursuant to subsection 4, the department's decision becomes final agency action as defined in Title 5, section 8002, subsection 4.

4. Registry listing. The registry listing for an unlicensed assistive person with a notation must include but is not limited to the following information:

A. Documentation of the department's investigation, including the nature of the allegation and the evidence that led the department to substantiate the allegation of abuse, neglect or misappropriation of property;

B. The date of the hearing, if the unlicensed assistive person chose to appeal the department finding that the complaint was substantiated; and

C. The unlicensed assistive person's statement to the department disputing the allegation, if the unlicensed assistive person chose to submit one.

5. Right to hearing. The department shall notify the unlicensed assistive person of the right to request a hearing to contest the finding that the complaint under subsection 3 was substantiated.

6. Petition for removal of a finding of neglect. No sooner than 12 months after the date a neglect finding is placed on the registry, an unlicensed assistive person may petition the department to remove a notation from the registry if the substantiated complaint of neglect is a one-time occurrence and there is no pattern of neglect.

7. Prohibited employment. The following unlicensed assistive persons may not be employed or placed by a licensed, certified or registered agency or facility:

A. An unlicensed assistive person listed on the registry with a notation;

B. An unlicensed assistive person who, while working as a certified nursing assistant, had a notation on the registry for a complaint that was substantiated by the state survey agency for abuse or neglect; or

C. An unlicensed assistive person who, while working as a certified nursing assistant, had a notation on the registry for a complaint that was substantiated by the state survey agency for misappropriation of property in a health care setting.

8. Rules. 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.

See title page for effective date.

CHAPTER 216

H.P. 497 - L.D. 714

**An Act To Empower Anglers
in Fish Stocking Decisions**

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

Sec. 1. 12 MRSA §12758-A is enacted to read:

§12758-A. Fish stocking; public notification

When the Bureau of Resource Management plans to stock an inland water for the first time or to stock a new fish species or permanently stop stocking a fish species that is currently being stocked in an inland water, the department shall notify the public as provided in this section and allow for public comments on the stocking plan prior to implementing that plan. The department shall include on its publicly accessible website, in a manner that is easily identifiable and

accessible by the public, notice of fish stocking plans identified under this section and allow public comment within a reasonable period of time. The department shall also provide notice by e-mail to organizations and individuals who have requested such notice. The department shall provide notification as provided in this section at the same time the stocking plan becomes a Bureau of Resource Management proposal. This section does not apply to a private pond or a fishing program for children.

See title page for effective date.

CHAPTER 217

H.P. 335 - L.D. 447

An Act To Allow the Direct Sale of Shellfish to Retailers

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

Sec. 1. 12 MRSA §6601, sub-§2, as amended by PL 2005, c. 434, §4, is further amended to read:

2. Licensed activities. The holder of a commercial shellfish license may fish for, take, possess or transport shellfish within the state limits or sell shellstock the holder has taken to a wholesale seafood license holder certified under section 6856 or an enhanced retail seafood license holder under section 6852-A. The holder may also sell shellstock the holder has taken from that license holder's home in the retail trade. This license does not authorize the holder to fish for or take shellfish in violation of a municipal ordinance adopted pursuant to section 6671.

Sec. 2. 12 MRSA §6602, sub-§2, as enacted by PL 2007, c. 54, §2, is amended to read:

2. Licensed activity. A surf clam boat license issued under this section may be used for harvesting surf clams. The holder of a surf clam boat license may also possess or transport surf clams within state limits or sell surf clams the holder has taken to a wholesale seafood license holder certified under section 6856 or an enhanced retail seafood license holder under section 6852-A. The license also authorizes the captain and crew members aboard the licensed boat when engaged in harvesting surf clams to undertake these activities.

Sec. 3. 12 MRSA §6731, sub-§2, ¶C, as amended by PL 2005, c. 434, §7, is further amended to read:

C. Sell mahogany quahogs that the holder has taken to a wholesale seafood license holder certified under section 6856 or an enhanced retail seafood license holder under section 6852-A.

Sec. 4. 12 MRSA §6745, sub-§2, as amended by PL 2005, c. 434, §9, is further amended to read:

2. Licensed activity. The holder of a hand-raking mussel license may take mussels by hand raking or possess or transport mussels within the state limits or sell mussels the holder has taken to a wholesale seafood license holder certified under section 6856 or an enhanced retail seafood license holder under section 6852-A.

Sec. 5. 12 MRSA §6746, sub-§2, as amended by PL 2007, c. 494, §3, is further amended to read:

2. Licensed activity. A boat license under this section may be used for dragging for mussels. The holder of a mussel boat license may also possess or transport mussels within the state limits or sell mussels the holder has taken to a wholesale seafood license holder certified under section 6856 or an enhanced retail seafood license holder under section 6852-A. The license also authorizes the captain and crew members aboard the licensed boat when engaged in dragging for mussels to undertake these activities. A mussel boat license does not authorize the holder to fish for or take mussels in violation of a municipal ordinance adopted pursuant to section 6671.

Sec. 6. 12 MRSA §6852-A is enacted to read:

§6852-A. Enhanced retail seafood license

1. Licensed required. A person may not engage in the activities authorized under this section without a current enhanced retail seafood license or other license issued under this Part authorizing the activities.

2. Licensed activity. The holder of an enhanced retail seafood license may, in the retail trade within the state limits, buy, sell, transport, ship or serve:

A. Shellstock bought from a commercial shellfish license holder licensed under section 6601, a surf clam boat license holder licensed under section 6602, a mahogany quahog license holder licensed under section 6731, a hand-raking mussel license holder licensed under section 6745 and a mussel boat license holder licensed under section 6746;

B. Shellstock and shucked shellfish if they are bought from a wholesale seafood license holder certified under section 6856;

C. Lobster parts or meat if they are permitted under section 6857 or have been lawfully imported;

D. Crayfish; and

E. Lobsters.

3. License limited. An enhanced retail seafood license authorizes the activities under subsection 2 at only one establishment or with only one vehicle.

4. Fee. The annual fee for an enhanced retail seafood license is \$150. Forty-four dollars of the license

fee is dedicated to the Shellfish Fund under section 6651.

5. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

6. Rules. Rules adopted by the commissioner pursuant to section 6852, subsection 6 are applicable to this section.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management 0027

Initiative: Allocates funds related to the newly created enhanced retail seafood license.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$3,564	\$4,752
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,564	\$4,752

See title page for effective date.

CHAPTER 218

S.P. 108 - L.D. 344

An Act To Allow Smelting on Mud Brook on Long Lake in Arostook County

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

Sec. 1. 12 MRSA §12460-A, sub-§3, as amended by PL 2007, c. 651, §12, is repealed.

See title page for effective date.

CHAPTER 219

H.P. 393 - L.D. 555

An Act To Promote Public Safety Answering Point Efficiency

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

Sec. 1. 25 MRSA §2925, sub-§6, ¶D is enacted to read:

D. The council shall assist the bureau in responding to and resolving service-related complaints and issues regarding the E-9-1-1 system.

Sec. 2. 25 MRSA §2926, sub-§2-A, as enacted by PL 2003, c. 359, §3, is amended to read:

2-A. Goal. To the extent possible, the bureau shall establish a total of between 16 and 24 public service answering points. The bureau shall seek to coordinate any reduction in the number of public service 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. 3. 25 MRSA §2927, sub-§5, as amended by PL 1997, c. 409, §1, is further amended to read:

5. Legislative annual report. The bureau shall report annually, before February 1st, to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on:

- A. The bureau's planned expenditures for the year and use of funds for the previous year;
- B. The statewide E-9-1-1 surcharge collected under this section;
- C. The bureau's recommended statewide E-9-1-1 surcharge for the coming year; ~~and~~
- D. The bureau's recommendations for amending existing and enacting new law to improve the E-9-1-1 system; ~~and~~
- E. The performance of each of the public safety answering points in the State during the previous calendar year.

Sec. 4. Report regarding public safety answering points and E-9-1-1 system. No later than February 1, 2010, the Public Utilities Commission, Emergency Services Communication Bureau shall prepare and submit to the Joint Standing Committee on Utilities and Energy a report on:

- 1. The optimum configuration of public safety answering points in the State, taking into account:
 - A. Total E-9-1-1 system needs and costs, including, but not limited to, needs and costs related to system operations, maintenance, training, back-up system capacity and staffing levels, including answering position units or seats;
 - B. Forecasted total system costs, including direct and indirect costs, under the optimum configuration; and

C. Established formulas and models of optimum call-taker staffing for public safety answering points, including, but not limited to, the minimum call-taker, or call answerer, staffing model presented in the 1980 report "Design and Costing of 911 Systems - A Technical Manual - Final Report" commissioned by the United States Department of Justice;

2. The implementation and regulation of the optimum configuration of public safety answering points, including the regulation of changes to public safety answering point locations initiated by municipalities, taking into consideration the cost implications for municipalities and the State; and

3. The benefits and consequences of expanding the statewide E-9-1-1 surcharge to fund all E-9-1-1 system costs, including operation and maintenance expenses that are currently funded through county assessments and fees from the political subdivisions, and the projected increase in the E-9-1-1 surcharge required to fund all system costs.

After receipt and review of the report required under this section, the Joint Standing Committee on Utilities and Energy may submit legislation relating to the report to the Second Regular Session of the 124th Legislature.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Provides funds for a study on the optimum configuration of public safety answering points.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$300,000	\$0
	\$300,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,000	\$0

See title page for effective date.

CHAPTER 220

S.P. 159 - L.D. 456

An Act To Provide Free Admission to State Parks to Veterans and Military Personnel

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 in order to be in effect for the upcoming summer 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 enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §1819-A, as enacted by PL 2005, c. 268, §1, is amended to read:

§1819-A. Day use passes for certain veterans

Notwithstanding section 1819, the commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free day use pass to state parks and historic sites to each veteran determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 6. The pass entitles the holder, and the holder's spouse and children when accompanied by the holder, to admission free of charge to all state parks and historic sites for the period described in Title 37-B, section 6. This section is repealed June 30, 2010 ~~2015~~.

Sec. 2. 12 MRSA §1819-B is enacted to read:

§1819-B. Day use passes for active military personnel

Notwithstanding section 1819, the commissioner shall enter into a memorandum of agreement with the Department of Defense, Veterans and Emergency Management for the issuance of a free day use pass to state parks and historic sites to each active duty military member determined by the Department of Defense, Veterans and Emergency Management to meet the criteria established in Title 37-B, section 7. The pass entitles the holder, and the holder's spouse and children when accompanied by the holder, to admission free of charge to all state parks and historic sites.

Sec. 3. 37-B MRSA §6, as enacted by PL 2005, c. 268, §3, is amended to read:

§6. Issuance of free day use pass

The Commissioner of Defense, Veterans and Emergency Management, in accordance with a memorandum of agreement entered into with the Commissioner of Conservation and this section, shall issue a free day use pass to state parks and historic sites to eligible veterans. ~~The commissioner, in accordance with a memorandum of agreement entered into with~~

the Commissioner of Inland Fisheries and Wildlife and this section, shall issue a free fishing license and free hunting license to eligible veterans who meet other criteria of the Department of Inland Fisheries and Wildlife for the issuance of licenses.

1. Eligibility. The Department of Defense, Veterans and Emergency Management shall determine, based on an examination of an individual's discharge certificate from active duty services, also known as the DD214, whether the following criteria are met:

- A. The person is a resident of this State;
- B. The person received an honorable discharge or general discharge under honorable conditions; and
- C. Between October 1, 2001 and January 1, 2015, while a member of the Maine National Guard or an active or reserve member of the uniformed services as defined in 10 United States Code, Section 101(a)(5), the person served for a minimum of 3 continuous months outside the United States either:

- (1) On an operational mission for which members of the reserve were ordered to active duty; or
- (2) During a period of war declared by the United States Congress or a period of national emergency declared by the President of the United States or Congress.

2. Duration of passes. A license or pass issued in accordance with this section is valid for a minimum of 12 months from the date of an eligible veteran's discharge from active duty. The memoranda memorandum of agreement between the departments may allow issuance of passes or licenses for a period longer than 12 months.

3. Responsibilities of commissioner. The Commissioner of Defense, Veterans and Emergency Management shall identify a point of contact within the department to issue licenses and passes in accordance with this section and the memoranda memorandum of agreement entered into with the Department of Conservation and the Department of Inland Fisheries and Wildlife. The commissioner shall periodically report to the Department of Conservation with a listing of the names and addresses of all persons receiving passes to state parks and historic sites and the expiration dates for those passes. The department shall periodically report to the Department of Inland Fisheries and Wildlife with a listing of the names and addresses of all persons receiving fishing licenses and hunting licenses and the expiration dates for those licenses.

4. Repeal. This section is repealed June 30, 2015.

Sec. 4. 37-B MRSA §7 is enacted to read:

§7. Issuance of free day use pass

The Commissioner of Defense, Veterans and Emergency Management, in accordance with a memorandum of agreement entered into with the Commissioner of Conservation and this section, shall issue a free day use pass to state parks and historic sites to eligible active duty military personnel.

1. Eligibility. The Department of Defense, Veterans and Emergency Management shall determine, based on an examination of an individual's military identification, whether the following criteria are met:

- A. The person's home of residence is this State; and
- B. The person is serving in an enlisted grade in the armed forces as defined in 10 United States Code, Section 101(a)(4).

2. Duration of passes. A pass issued in accordance with this section is valid for 12 months from the date of issuance and may be renewed upon verification of continuing eligibility.

3. Responsibilities of commissioner. The Commissioner of Defense, Veterans and Emergency Management shall identify a point of contact within the department to issue passes in accordance with this section and the memorandum of agreement entered into with the Department of Conservation. The commissioner shall periodically report to the Department of Conservation with a listing of the names and addresses of all persons receiving passes to state parks and historic sites and the expiration dates for those passes.

Sec. 5. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 37-B, section 6 takes effect June 30, 2010.

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

Effective May 28, 2009, unless otherwise indicated.

CHAPTER 221

H.P. 454 - L.D. 640

An Act To Ensure Public Access to Records Relating to Public Contracts for Personal Services

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

Sec. 1. 5 MRSA §1816-A, sub-§4 is enacted to read:

4. Access to public records. As a condition of accepting a contract for services under this section, a contractor must agree to treat all records, other than proprietary information, relating to personal services work performed under the contract as public records under the freedom of access laws to the same extent as if the work were performed directly by the department or agency. For the purposes of this subsection, "proprietary information" means information that is a trade secret or commercial or financial information, the disclosure of which would impair the competitive position of the contractor and would make available information not otherwise publicly available. Information relating to wages and benefits of the employees performing the personal services work under the contract and information concerning employee and contract oversight and accountability procedures and systems are not proprietary information. This subsection applies to contracts, contract extensions and contract amendments executed on or after October 1, 2009.

See title page for effective date.

CHAPTER 222

H.P. 513 - L.D. 754

An Act Regarding Subrogation of Medical Payments Coverage

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

Sec. 1. 24-A MRSA §2910-A, sub-§1, as enacted by PL 1997, c. 369, §2, is amended to read:

1. Policy requirements. A casualty insurance policy subject to this chapter may not provide for subrogation or priority over the insured of payment for any hospital, nursing, medical or surgical services or of any expenses paid or reimbursed under the medical payments coverage in the policy in the event the insured is entitled to receive payment or reimbursement from any other person as a result of legal action or claim, except as provided in this section.

The coverage may contain a provision that allows the payments if ~~that provision is approved by the superintendent and if that provision required the prior written approval of the insured and provides that the insurer's subrogation right is subject to subtraction to account for the pro rata share of the insured's attorney's fees incurred in obtaining the recovery from another source.;~~

A. The provision provides for subrogation or priority over the insured when an insured's awarded or settled damages exceed \$20,000;

B. The provision requires the written approval of the insured;

C. The provision provides that the insurer's subrogation right is subject to subtraction to account for the pro rata share of the insured's attorney's fees incurred in obtaining the recovery from another source; and

D. The provision is approved by the superintendent.

See title page for effective date.

CHAPTER 223

H.P. 854 - L.D. 1234

An Act To Regulate the Use of Traffic Surveillance Cameras

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

Sec. 1. 29-A MRSA §2117 is enacted to read:

§2117. Use of traffic surveillance cameras restricted

The State or a municipality may not use a traffic surveillance camera to prove or enforce a violation of this Title. For purposes of this section, "traffic surveillance camera" means a device that, in conjunction with a lighted traffic-control device or a lane direction control device, as described in section 2057, subsections 1 and 3, or a speed measurement device as described in section 2075, subsection 4, automatically produces one or more photographs, one or more microphotographs, a videotape or any other recorded image of a vehicle at the time the vehicle is operated in violation of state law.

This section does not apply to a photo-monitoring system, as defined by Title 23, section 1980, subsection 2-A, paragraph B, subparagraph 4, used by the Maine Turnpike Authority for toll enforcement purposes.

See title page for effective date.

CHAPTER 224

H.P. 947 - L.D. 1346

An Act To Amend the Laws Governing Games of Chance

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

Sec. 1. 17 MRSA §341, sub-§1, as repealed and replaced by PL 2007, c. 554, §2, is amended to read:

1. Limits. The maximum bet for licensed games of chance, including card games in which bets are

placed per hand or per deal, is \$1 for any one chance, hand or deal. Licensed card games that award part or all of the entry fees paid to participate as prize money and in which no money or thing of value is wagered except for the entry fee are limited to a \$5 daily entry fee and no more than 40 50 players at any one time at any one location.

Sec. 2. Chief of State Police to report. The Chief of the State Police shall gather information regarding the number of players attending card games conducted by licensed organizations including any input received by those licensees stating difficulty in conducting games under the current player limits and report to the Joint Standing Committee on Legal and Veterans Affairs no later than February 1, 2010.

See title page for effective date.

CHAPTER 225
H.P. 914 - L.D. 1311

**An Act To Enable Municipal
Assistance for Purposes of
Protecting or Restoring Public
Waters**

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

Sec. 1. 23 MRSA §3106 is enacted to read:

§3106. Municipal assistance for purposes of protecting or restoring a great pond

1. Repairs to a private road. A municipality may repair a private road, way or bridge to prevent storm water runoff pollution from reaching a great pond as defined in Title 38, section 480-B, subsection 5 through the expenditure of public funds if:

A. The private road, way or bridge is within the watershed of the great pond;

B. The great pond:

(1) Is listed on the Department of Environmental Protection's list of bodies of water most at risk pursuant to Title 38, section 420-D, subsection 3;

(2) Has been listed as impaired in an integrated water quality monitoring and assessment report submitted by the Department of Environmental Protection to the United States Environmental Protection Agency pursuant to the federal Clean Water Act, 33 United States Code, Section 1315(b) at least once since 2002; or

(3) Is identified as having threats to water quality in a completed watershed survey that

uses a protocol accepted by the Department of Environmental Protection;

C. The Department of Environmental Protection or the municipality determines that the private road, way or bridge is contributing to the degradation of the water quality of the great pond based upon an evaluation of the road, way or bridge using a protocol accepted by the department;

D. The repair complies with best management practices required by the Department of Environmental Protection; and

E. The private road, way or bridge is maintained by a road association organized under this subchapter or Title 13-B.

2. Rules. The Department of Environmental Protection may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 226
H.P. 559 - L.D. 823

**An Act To Increase
Snowmobile Registration Fees**

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

Sec. 1. 12 MRSA §13104, sub-§4, as amended by PL 2007, c. 556, §3, is further amended to read:

4. Fee. Except as provided in subsection 5, the annual snowmobile registration fee is as follows:

A. For residents, ~~\$35~~ \$40. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year.

B. For nonresidents:

(1) Forty-three dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season;

(2) Fifty-eight dollars for a 10-consecutive-day registration. A person may purchase more than one 10-day registration in any season; and

(3) Eighty-eight dollars for a seasonal registration.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Five dollars from each registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Conservation. The funds must be used to assist any entity that has a snowmobile trail-grooming contract with the bureau in the purchase of trail-grooming equipment.

~~Two~~ Seven dollars from each resident snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Conservation, Bureau of Parks and Lands.

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

**CONSERVATION, DEPARTMENT OF
Off-road Recreational Vehicles Program 0224**

Initiative: Provides an allocation of funds from increased resident snowmobile registration fees.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$379,540	\$379,540
OTHER SPECIAL REVENUE FUNDS TOTAL	\$379,540	\$379,540

See title page for effective date.

**CHAPTER 227
H.P. 493 - L.D. 710**

**An Act To Allow Qualified,
Licensed Denturists To
Practice to the Level of Their
Educational Training**

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

Sec. 1. 32 MRSA §1100-B, sub-§1-A is enacted to read:

1-A. Denture. "Denture" means any removable full or partial upper or lower prosthetic dental appliance to be worn in the human mouth to replace any missing natural teeth.

Sec. 2. 32 MRSA §1100-B, sub-§3, ¶A, as amended by PL 1993, c. 600, Pt. A, §88, is further amended to read:

A. The taking of denture impressions and bite registration for the purpose of or with a view to the making, producing, reproducing, construction, finishing, supplying, altering or repairing of a

~~complete upper or complete lower prosthetic denture, or both~~ to be fitted to an edentulous or partially edentulous arch or arches;

Sec. 3. 32 MRSA §1100-B, sub-§3, ¶B, as amended by PL 1993, c. 600, Pt. A, §88, is further amended to read:

B. The fitting of a ~~complete upper or lower prosthetic denture, or both~~, to an edentulous or partially edentulous arch or arches, including the making, producing, reproducing, constructing, finishing, supplying, altering and repairing of dentures, without performing alteration to natural or reconstructed tooth structure. Upon the receipt of a written statement of oral condition or oral health certificate as determined by the board by a licensed dentist, a denturist may complete clinical procedures related to the fabrication of a removable tooth-borne partial denture, including cast frameworks; and

Sec. 4. 32 MRSA §1100-D, sub-§2-A, ¶B, as enacted by PL 1995, c. 590, §6, is amended to read:

B. A person is eligible to take the examination if that person:

- (1) Is a high school graduate or has obtained high school equivalency; and
- (2) Has a diploma from a board-approved denturism postsecondary institution or, until September 30, 2009, has completed an equivalent denturist educational program approved by the board.

Sec. 5. 32 MRSA §1100-E, sub-§2, as amended by PL 1995, c. 590, §7, is further amended to read:

2. License issued. The board shall issue a license for the practice in this State to each person who has passed an examination under section 1100-D. This license authorizes the licensee to practice as a denturist in the State until the expiration date that appears on the license. Beginning October 1, 2009, the board shall require, in addition to passage of the examination, all applicants for licensure to have a diploma and be graduates of a board-approved denturism postsecondary institution. Denturists licensed in this State prior to October 1, 2009 that do not have a diploma from a board-approved denturism postsecondary institution shall successfully complete an upgraded curriculum approved by the board before a license may be issued or renewed.

Sec. 6. Board of Dental Examiners to adopt rules; deadline for completion of upgraded curriculum. The Board of Dental Examiners shall adopt rules, which are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, no later than January 1, 2010 regarding the upgraded curriculum described in Title

32, section 1100-E, subsection 2. Denturists licensed in this State prior to October 1, 2009 that do not have a diploma from a board-approved denturism postsecondary institution shall successfully complete the upgraded curriculum no later than 2 years after the Board of Dental Examiners adopts rules pursuant to this section.

See title page for effective date.

CHAPTER 228
H.P. 985 - L.D. 1409

**An Act To Make Technical and
Supervisory Amendments to
the Laws Governing Banking
and Consumer Credit**

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

Sec. 1. 9-A MRSA §6-202, as amended by PL 1975, c. 767, §8, is further amended to read:

§6-202. Notification

1. Persons subject to this Part shall file notification with the administrator before commencing business in this State, and, thereafter, on or before January 31st of each year. ~~The notification shall state: The notification filings must be made to the administrator and must be in a form and contain information that the administrator considers appropriate for the proper supervision and regulation of such persons.~~

A. ~~Name of the person;~~

B. ~~Name in which business is transacted if different from A;~~

C. ~~Address of principal office, which may be outside this State;~~

D. ~~Address of all offices or retail stores, if any, in this State at which consumer credit transactions are entered into, or in the case of a person taking assignments of obligations, the offices or places of business within this State at which business is transacted;~~

E. ~~If consumer credit transactions are entered into otherwise than at an office or retail store in this State, a brief description of the manner in which they are entered into;~~

F. ~~Address of designated agent upon whom service of process may be made in this State, section 1-203; and~~

G. ~~Whether supervised loans are made.~~

~~2. If information in a notification becomes inaccurate after filing, the administrator should be advised in writing of such new or corrected information.~~

3. In addition to the notification filings required in subsection 1, the administrator may require reports and other information at such times and in such form as the administrator considers appropriate for the proper supervision of the persons subject to this Part.

4. If information in a notification required in subsection 1 becomes inaccurate after filing, the administrator must be advised in writing of the new or corrected information.

Sec. 2. 9-B MRSA §222, sub-§3, as amended by PL 2001, c. 211, §7, is repealed and the following enacted in its place:

3. Condition and income reports. Every financial institution subject to this Title shall make quarterly, or at such times as the superintendent may direct, a report of condition and income to the superintendent. The report must be in such form and contain such information as the superintendent considers appropriate for the proper supervision and regulation of such financial institutions.

The report must contain a declaration that the report is true and correct and must be signed by an officer authorized to do so by the board of directors of the financial institution. The financial institution shall retain a copy of the report that is filed with the bureau, including the original signed declaration, and shall make it available to the bureau upon request.

Sec. 3. 9-B MRSA §223, sub-§2, as enacted by PL 1975, c. 500, §1, is amended to read:

2. Reports posted in offices. Every financial institution shall make available in all of its offices at least 10 days, but not more than 30 days, prior to the annual meeting of its stockholders, corporators or members, its latest condition report or a condition report for its most recently completed fiscal year, and a report of income for the institution's most recently completed fiscal year. In addition to making available its latest condition report or condition report for its most recently completed fiscal year, a nondepository trust company shall make available a report of its fiduciary assets and income.

Sec. 4. 9-B MRSA §342, as amended by PL 2007, c. 79, §7, is further amended to read:

§342. Conversion to new charter: federal to State; State to federal; out of state to State

1. Federal savings bank or savings and loan to state financial institution. Any federal association or federal savings bank may convert to a financial institution organized under the laws of this State in the following manner. A federal savings bank or savings and loan association converting to a financial institution organized under the laws of this State may continue to use the designation "Federal" or "FSB" or derivatives of "Federal" or "FSB" in its corporate title, as long as the converted federal savings bank or savings and loan

association also uses the designation "state association" or "S.A." in its corporate title.

A. At an annual meeting or a special meeting called for that purpose, a majority, or more if required by the institution's organizational documents, of the members or investors casting votes in person or by proxy must approve of the conversion. Notice of the meeting must be mailed to each member or investor at least 30 and not more than 60 days prior to the date of the meeting at the member's or investor's last known address as shown on the books of the institution.

B. At the meeting required in paragraph A, the members or investors shall vote upon directors who will be the directors of the state-chartered institution after conversion becomes effective and the members shall also vote upon incorporators if a board of incorporators is to be established for the resulting state-chartered institution.

C. Within 10 days after the meeting, a copy of the minutes of the meeting, verified by affidavit of the clerk or secretary, together with such additional information as the superintendent may require, must be submitted to the superintendent for the superintendent's approval or disapproval in writing of the proposed conversion pursuant to the procedures and requirements of section 252. The verified copies of the minutes of the meeting when filed are presumptive evidence of the holding and action of the meeting.

D. Copies of the minutes of the meeting of members or investors, verified by affidavit of the clerk or secretary, and copies of the superintendent's written approval must be mailed to the Office of Thrift Supervision or its successor within 10 days after approval.

E. Following compliance with all applicable requirements of federal law, if any, the directors elected pursuant to paragraph B shall execute 3 copies of the organizational documents upon which the superintendent shall endorse approval and those documents must be filed in accordance with the provisions of chapter 31 or 32. Each director shall sign and acknowledge the documents as a subscriber to the documents.

F. So far as applicable, the provisions of this Title apply to the resulting institution.

G. The rights of dissenting investors of a converting federal savings bank or federal savings and loan are governed by federal law.

H. Upon approval of the superintendent and evidence that the converting institution has complied with all applicable state and federal laws, rules and regulations, the superintendent shall issue to the resulting institution a certificate speci-

fying the name of the converting institution and shall file a copy of the certificate with the Secretary of State. This certificate, once filed, is conclusive evidence of the conversion and of the correctness of all proceedings relating to the conversion in all courts and places. Unless a later date is specified in the certificate, the conversion is effective upon issuance of the certificate.

2. National bank to financial institution. A national bank may convert to a financial institution organized under the laws of this State in the following manner. A national bank converting to a financial institution organized under the laws of this State may continue to use the designation "National" or "NA" or derivatives of "National" or "NA" in its corporate title, as long as the converted national bank also uses the designation "state association" or "S.A." in its corporate title.

A. The national bank must comply with the conditions and limitations imposed by the laws of the United States governing the conversion.

B. The converting national bank may apply for a State charter by filing with the superintendent an application signed by its president and by a majority of its governing body setting forth the corporate action taken in compliance with the laws of the United States in paragraph A and affixing to the application the organizational documents governing the bank as a financial institution.

D. The rights of dissenting investors of a converting national bank are governed by federal law.

E. Upon approval of the superintendent and evidence that the converting institution has complied with all applicable state and federal laws, rules and regulations, the superintendent shall issue to the resulting institution a certificate specifying the name of the converting institution and shall file a copy of the certificate with the Secretary of State. This certificate, once filed, is conclusive evidence of the conversion and of the correctness of all proceedings related to the conversion in all courts and places. Unless a later date is specified in the certificate, the conversion is effective upon issuance of the certificate.

6. State to federal charter. A financial institution organized under provisions of this Title may convert to a federal association or to a national bank in accordance with applicable federal laws and regulations and the following provisions.

A. A majority of the institution's investors or mutual voters, or more if required by the institution's organizational documents, must approve the conversion at an annual meeting or at a special meeting. Notice of the meeting must be mailed not less than 20 nor more than 30 days prior to the meeting to each investor or mutual voter at the in-

vestor's or voter's last known address as shown on the books of the institution.

B. Upon completion of the conversion, the financial institution shall certify in writing that the conversion has been completed under applicable federal law. The charter of the converting financial institution terminates automatically upon issuance of the federal charter or certificate. Upon receipt of a copy of the charter or certificate showing the organization of the institution as a federal institution, the superintendent shall notify the Secretary of State that the conversion has been effected.

C. The rights of dissenting investors of a financial institution converting to a federal charter are those specified in section 352, subsection 5.

D. The financial institution must notify and provide the superintendent with a copy of the application filed with the appropriate federal regulator within 3 days of filing with the federal regulator.

7. Out of state to State charter. A financial institution organized under the laws of another state may convert to a financial institution organized under the laws of this State in the manner set out in this section.

A. The financial institution organized under the laws of another state must comply with the conditions and limitations imposed by the laws of that state governing the conversion.

B. The converting financial institution may apply for a state charter by filing with the superintendent an application signed by its president and by a majority of its governing body setting forth the corporate action taken in compliance with the laws of the state under which it is organized and affixing to the application the organizational documents governing the bank as a financial institution.

C. Upon approval of the superintendent and evidence that the converting institution has complied with all applicable state and federal laws, rules and regulations, the superintendent shall issue to the resulting institution a certificate specifying the name of the converting institution and shall file a copy of the certificate with the Secretary of State. This certificate, once filed, is conclusive evidence of the conversion and of the correctness of all proceedings related to the conversion in all courts and places. Unless a later date is specified in the certificate, the conversion is effective upon issuance of the certificate.

The rights of dissenting investors of a converting financial institution organized under another state are governed by the laws of that state.

Sec. 5. 9-B MRSA §363-A, sub-§9-A is enacted to read:

9-A. Directors not liable. The members of the board of directors of a financial institution may not be liable to the financial institution's shareholders or creditors for acquiescing in or consenting in good faith to the appointment of a conservator for that financial institution or requiring the financial institution to be acquired by a financial institution holding company or to combine with another financial institution, if grounds exist for appointing a conservator for the financial institution.

Sec. 6. 9-B MRSA §365, sub-§12 is enacted to read:

12. Directors not liable. The members of the board of directors of a financial institution may not be liable to the financial institution's shareholders or creditors for acquiescing in or consenting in good faith to the appointment of a receiver for that financial institution or requiring the financial institution to be acquired by a financial institution holding company or to combine with another financial institution, if grounds exist for appointing a receiver for the financial institution.

Sec. 7. 9-B MRSA §369, as enacted by PL 1991, c. 34, §8, is repealed and the following enacted in its place:

§369. Judicial review

1. Action by financial institution. A financial institution closed by action of the superintendent pursuant to this chapter may bring an action challenging the superintendent's appointment of a receiver in the Superior Court of Kennebec County within 10 days after the superintendent appoints a receiver.

The court must uphold the superintendent's finding that a financial institution is insolvent or that its condition is such as to render its further proceedings hazardous to the public or to those having funds in its custody and must uphold the appointment of a receiver unless the court finds that the superintendent's action was arbitrary and capricious.

2. Action by person adversely affected. Except when the Federal Deposit Insurance Corporation is appointed receiver and conducts a receivership under federal law, a person affected adversely by an act or omission of the superintendent or receiver under this section and sections 365, 367-A and 368 may bring an action in the Superior Court of Kennebec County seeking an order to annul, alter or modify the act or to enjoin the performance of the act or to require that action be taken under any provision of this section.

A. Any proceedings under this section must be given precedence over other pending court cases and must be expedited. The person bringing the action has the burden of proof to show that the act or omission is unlawful or arbitrary and capricious.

B. The person must bring the action under this subsection within 10 business days after receiving notice of the act or omission in person, by registered mail or by publication of a certificate signed by the superintendent or receiver in a newspaper of general circulation in the county where the financial institution has its principal office.

C. Notwithstanding paragraph B, action may not be brought more than 30 days after the order of the superintendent determining that the business affairs of the receivership are substantially complete and that the receivership is terminated. Upon termination of the receivership, the superintendent is under no obligation to reopen the receivership.

D. The court may issue injunctions to prevent multiplicity of proceedings seeking to annul, alter or modify the actions of the superintendent or receiver made under the provisions of this chapter or to prevent undue interference with the regulation and liquidation of the financial institution.

E. The court, upon application by the superintendent or receiver, has jurisdiction to enforce orders relating to the receivership and the financial institution in receivership.

F. Notwithstanding Title 5, section 8003, the Maine Administrative Procedure Act does not apply to the procedures described in this subsection.

Sec. 8. 9-B MRSA §844, sub-§5, as enacted by PL 2003, c. 322, §33, is amended to read:

5. Exception. Notwithstanding the provisions of subsections 1 and 1-A, any credit union that has total assets in excess of \$100,000,000 must employ an independent public accountant to conduct an annual audit of the credit union in accordance with section 453.

Sec. 9. 9-B MRSA §873, as amended by PL 1997, c. 398, Pt. L, §13, is further amended to read:

§873. Conversion: federal to State charter; out of state to State charter

1. Eligibility. A credit union ~~now or hereafter authorized to do business in this State and~~ organized pursuant to provisions of ~~Federal~~ federal law or organized under the laws of another state may become subject to this Part and receive a charter as a state-chartered credit union by making application in writing to the superintendent for such conversion. The superintendent may approve or disapprove such conversion in accordance with the criteria set forth in section 253; ~~provided that~~ as long as, as a condition precedent to such approval, the credit union ~~shall show~~ shows compliance with all applicable ~~Federal~~ federal laws and regulations and laws and regulations of the state under which it is organized relating to such conversion.

2. Issuance of charter. Upon receiving approval from the superintendent, the credit union ~~shall~~ must be issued a charter under this Part, which fact ~~shall~~ must be certified by the superintendent to the Secretary of State; and, from and after the issuance of such charter, ~~said~~ the credit union ~~shall~~ must be subject to the provisions of this Part and all ~~regulations~~ rules issued ~~hereunder~~ under under this Part.

3. Applicability of other sections. A credit union converting to a state charter pursuant to this section is subject to the provisions contained in sections 357 and 358 governing resulting institutions.

Sec. 10. 9-B MRSA §1052, sub-§3, as amended by PL 1993, c. 257, §4, is further amended to read:

3. Subsidiary universal bank. ~~"Subsidiary savings institution"~~ "Subsidiary universal bank" means any savings universal bank or savings and loan association organized under the laws of this State, at least 51% of the voting stock of which is wholly owned by a mutual holding company.

Sec. 11. 9-B MRSA §1053, sub-§1, as amended by PL 1993, c. 257, §5, is further amended to read:

1. Reorganization. Notwithstanding any other provision of law, a mutual financial institution may reorganize so as to become a mutual holding company by:

A. Chartering, pursuant to chapter 31, a subsidiary ~~savings institution~~ universal bank; and

B. Transferring a substantial part of its assets and liabilities, including all of its insured liabilities to the subsidiary ~~savings institution~~ universal bank. The subsidiary ~~savings institution~~ universal bank must meet or exceed minimum capital requirements prescribed by federal law or regulations or state law or rules. Persons having liquidation rights with respect to the mutual financial institution pursuant to chapter 36, at the time of the formation of the subsidiary ~~savings institution~~ universal bank, have those rights with respect to the mutual holding company.

Sec. 12. 9-B MRSA §1053, sub-§4, as amended by PL 2005, c. 65, Pt. C, §5, is further amended to read:

4. Issuance of stock and securities. A subsidiary ~~savings institution~~ universal bank has the power to issue to persons other than the mutual holding company of which it is a subsidiary an amount of common stock and securities convertible into common stock that in the aggregate does not exceed 49% of the issued and outstanding common stock of that subsidiary ~~savings institution~~ universal bank. For purposes of the 49% limitation, any issued and outstanding securities that are convertible into common stock, including war-

rants, options and rights to purchase common stock, are considered issued and outstanding common stock of the subsidiary. Each time common stock of the subsidiary ~~savings institution~~ universal bank is offered by the institution to the general public for a price payable in cash, each eligible account holder of the subsidiary ~~savings institution~~ universal bank of the mutual holding company must receive, without payment, non-transferable subscription rights to purchase that common stock at the same price and in accordance with guidelines or rules as may be adopted by the superintendent. For purposes of this chapter, an "offer to the general public" means an offer by means of public advertising or general solicitation and does not include:

- A. Issuances to the mutual holding company; or
- B. Offers or sales that are exempt from registration by virtue of Title 32, section 16202, ~~subsections~~ subsection 16, 19 or 26.

Sec. 13. 9-B MRSA §1053, sub-§5, as enacted by PL 1993, c. 257, §6, is amended to read:

5. Reporting. A subsidiary ~~savings institution~~ universal bank that issues, or has issued and outstanding, any common stock or securities convertible into common stock to persons other than the mutual holding company of which it is a subsidiary shall file consolidated financial statements, reports or proxy materials as required under federal law. If the consolidated financial statements, reports or proxy materials are not required to be filed with any federal authority or agency, copies of the consolidated financial statements, reports or proxy materials must be filed with the superintendent and must be public records.

Sec. 14. 9-B MRSA §1053, sub-§6, as enacted by PL 1993, c. 257, §6, is amended to read:

6. Powers of subsidiary universal banks. A subsidiary ~~savings institution~~ universal bank may continue to exercise its powers, rights and privileges and is subject to limitations not inconsistent with this chapter and applicable to a savings bank or savings and loan association organized under the laws of the State, including, but not limited to, the powers of a stock financial institution organized under chapter 31.

Sec. 15. 9-B MRSA §1054, sub-§3, as amended by PL 1993, c. 257, §8, is further amended to read:

- 3. Powers.** A mutual holding company may:
 - A. Invest in the stock of a financial institution, subject to section 1013;
 - B. Acquire a mutual financial institution through merger into a subsidiary ~~savings institution~~ universal bank or an interim subsidiary ~~savings institution~~ universal bank of the mutual holding company;

- C. Merge with or acquire a mutual holding company, one of whose subsidiaries is a savings bank or savings and loan association;

- D. Exercise any power, right or privilege, with the exception of deposit taking, granted to mutual financial institutions under the laws of the State, and, unless specifically noted otherwise, any reference to "savings bank" or "savings and loan association" in any other law of this State also applies to a subsidiary ~~savings institution~~ universal bank chartered pursuant to this chapter;

- E. Invest in the capital stock of a company, which is a legal investment for a savings bank under the laws of the State;

- F. Exercise any power or engage in any activity authorized for a bank holding company or savings and loan holding company under federal law or rule or chapter 101; and

- G. Exercise any other power or engage in any other activity authorized by the superintendent.

Sec. 16. 9-B MRSA §1055, as amended by PL 1993, c. 257, §9, is further amended to read:

§1055. Rules

The superintendent shall adopt such rules as necessary to effectuate the purposes of this chapter and to ensure that the reorganization of a mutual financial institution is conducted in a fair and equitable manner to ensure the safety and soundness of the subsidiary ~~savings institution~~ universal bank and the protection of the subsidiary ~~savings institution's~~ universal bank's net worth.

See title page for effective date.

CHAPTER 229

H.P. 977 - L.D. 1398

An Act To Amend the Aquaculture Laws

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

Sec. 1. 12 MRSA §6072, sub-§11-A is enacted to read:

11-A. Lease assignment. The commissioner shall assign leases in accordance with this subsection.

A. When a lease under this section has been terminated by the lessee or has been revoked by the commissioner and all appeals have been exhausted, the commissioner may lease the same site on the same terms and conditions to a new lessee for the amount of time remaining in the term of the previous lease, subject to the require-

ments of this section. A lease that has been terminated or revoked may be assigned pursuant to this subsection at any time before its term expires. A lease assignment pursuant to this subsection is not an adjudicatory proceeding.

B. Before assigning a lease pursuant to this subsection, the commissioner shall give notice to the public of the opportunity to submit proposals to assume and operate the lease. The commissioner shall determine that a proposal is eligible for consideration if:

- (1) The application is complete, using forms provided by the commissioner;
- (2) The change in lessee would not violate any of the standards in subsection 7-A;
- (3) The assignment is not intended to circumvent the intent of subsection 8;
- (4) The assignment is not for speculative purposes; and
- (5) Except as provided in subsection 13-A, the assignment will not cause the assignee to be a tenant of any kind in leases covering an aggregate of more than 500 acres.

C. The commissioner shall consider the eligible proposals under paragraph B and shall either:

- (1) Select for assignment the proposal that is best suited to the lease site and in the best interests of the State;
- (2) Declare all proposals unsuitable and solicit new proposals; or
- (3) Suspend the assignment process for the lease site in question.

D. After a proposal is selected pursuant to paragraph C, but before the lease is assigned, the commissioner shall give notice of the pending assignment to the public, the owners of riparian land within 1,000 feet of the lease site and the municipal officers of the municipality within which the lease is located. The notice must provide an opportunity to submit written comments on the proposed lease assignment within 14 days. The commissioner may decline to assign the lease and may select another proposal for assignment or proceed as described in paragraph C, subparagraph (2) or (3).

E. A decision by the commissioner to assign a lease or to decline to assign a lease to an applicant whose proposal was selected pursuant to paragraph C must be rendered in writing and must include findings of fact and conclusions of law. The decision by the commissioner to assign or not to assign a lease is a final decision.

F. The commissioner shall establish by rule the fee for assigning a lease under this subsection, which may not exceed \$5,000, based on the type of aquaculture conducted and the size of the lease. The assignee must pay the fee prior to the execution of the lease. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 12 MRSA §6072, sub-§12-A, as amended by PL 2005, c. 535, §3, is further amended to read:

12-A. Transferability. A lease under this section may be transferred to another person for the remaining portion of its term subject to the following conditions in this subsection. A lease transfer is not an adjudicatory proceeding.

A. Lease transfers shall be subject to the same procedural requirements as initial applications, except that a public hearing is not mandatory unless requested in writing by 5 persons. An application to transfer a lease pursuant to this subsection must be made on forms provided by the commissioner. When the commissioner determines that the application is complete, the commissioner shall give notice of the proposed transfer to the public, the owners of riparian land within 1,000 feet of the lease site and the municipal officers of the municipality within which the lease is located. The notice must provide an opportunity to submit written comments on the proposed lease transfer within 14 days.

B. The commissioner may grant lease transfers pursuant to this subsection if the commissioner determines that:

- (1) The change in lessee does not violate any of the standards in subsection 7;
- (2) The transfer is not intended to circumvent the intent of subsection 8;
- (3) The transfer is not for speculative purposes; and
- (4) Except as provided in subsection 13-A, the transfer will not cause the transferee to be a tenant of any kind in leases covering an aggregate of more than 500 acres.

A decision by the commissioner on an application to transfer a lease must be rendered in writing and must include findings of fact and conclusions of law. The decision by the commissioner on the transfer application is a final decision.

C. A lease transfer application must include a nonrefundable application fee of not more than \$5,000, the amount to be set by the commissioner depending on the type of aquaculture permitted by the lease. The commissioner shall establish by

rule the fee for transferring a lease under this subsection, which may not exceed \$5,000, based on the type of aquaculture conducted and the size of the lease. The transferee must pay the fee prior to the execution of the lease. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 12 MRSA §6072, sub-§13, ¶B, as amended by PL 1987, c. 453, §1, is further amended to read:

B. For procedures to issue, transfer, review, assign or revoke leases;

Sec. 4. 12 MRSA §6072-A, sub-§4, as enacted by PL 1997, c. 231, §6, is amended to read:

4. Size limitation. A limited-purpose lease may not be issued for an area in excess of 2 4 acres.

Sec. 5. 12 MRSA §6072-C, sub-§2, as amended by PL 2003, c. 247, §16, is further amended to read:

2. Licensed activities; criteria. The holder of a limited-purpose aquaculture license may utilize approved aquaculture gear in a site in the coastal waters of the State ~~below the mean low-water mark~~ to engage in certain aquaculture activities that meet the criteria established in this subsection and in rules adopted by the commissioner. The license also authorizes unlicensed individuals to assist the license holder in the licensed activities with the written permission of the license holder. The commissioner, or qualified professional department staff designated in writing by the commissioner, may issue a limited-purpose aquaculture license for certain aquaculture activities ~~if the following criteria are met:~~

A. The proposed activity generates no discharge into coastal waters;

B. The applicant proposes to utilize aquaculture gear and markings approved by the commissioner in rules adopted pursuant to subsection 8;

C. The gear, excluding mooring equipment, does not cover more than 400 square feet of area and the gear does not present an unreasonable impediment to safe navigation;

D. The proposed activity does not unreasonably interfere with the ingress and egress of riparian owners;

E. The proposed activity does not unreasonably interfere with fishing or other uses of the area, taking into consideration the number and density of aquaculture leases and licensed aquaculture activities in that area; ~~and~~

F. The applicant holds no more than 3 other limited-purpose aquaculture licenses issued under this section; ~~and~~

G. The consent of the riparian landowner is obtained if the proposed activity is located above the mean low-water mark.

Sec. 6. 12 MRSA §6072-C, sub-§3, as amended by PL 2007, c. 212, §2, is further amended to read:

3. Eligibility. A limited-purpose aquaculture license may be issued only to an individual or to a municipal shellfish management committee established pursuant to section 6671 ~~and is a resident license.~~

Sec. 7. 12 MRSA §6072-C, sub-§6, as enacted by PL 1999, c. 567, §2, is amended to read:

6. Fee. The application fee for a resident limited-purpose aquaculture license is \$50 and \$300 for a non-resident limited-purpose aquaculture license. The application fee is nonrefundable. All fees collected under this subsection must be deposited in the Aquaculture Research Fund established in section 6081.

Sec. 8. 12 MRSA §6073-D is enacted to read:
§6073-D. Season and size exemption

A person who is in possession of a marine organism raised by means of aquaculture and lawfully obtained under the laws of the State is exempt from any requirement regarding the time of taking or possessing, minimum or maximum length or other minimum or maximum size requirement, except that this section does not apply to the requirements for lobsters, sturgeon and striped bass. This exemption applies to aquaculture products that do not meet the legal size or season requirements for wild-caught marine organisms of the same species.

The person possessing the marine organism must maintain sufficient documentation to prove the aquacultural origin of the marine organism, including, but not limited to, documents indicating the point of origin, quantity and dates of production or purchase of all cultured marine organisms exempted by this section, and the holder must present the documentation for inspection to department personnel upon request. A consumer in possession of such a marine organism may present a valid sales receipt to satisfy this requirement. It is prima facie evidence of possession of a marine organism in violation of the law if the person possessing the marine organism cannot present sufficient evidence to prove its aquacultural origin.

This section does not exempt the possessor of the marine organism from any requirement to hold a lease or license pursuant to section 6072, 6072-A, 6072-B, 6072-C or 6085 to engage in the culture of marine organisms.

Sec. 9. 12 MRSA §6079, as amended by PL 1997, c. 231, §7, is repealed.

Sec. 10. 12 MRSA §6083 is enacted to read:

§6083. Lease option

1. Lease option. A person may apply for a lease option that conveys the right to file an application for an aquaculture lease under section 6072, 6072-A or 6072-B for a particular area of the submerged lands of the State and for a defined period of time. The department may not accept an application for an aquaculture lease pursuant to section 6072, 6072-A or 6072-B or an application for a limited-purpose aquaculture license pursuant to section 6072-C in an area that is under a lease option, except as described in subsection 2.

2. Other claims of preference. A lease option under this section does not supersede the provisions for application preference in section 6072, subsection 8 and section 6072-A, subsection 12. Competing aquaculture lease applications from persons claiming preference under section 6072, subsection 8 or section 6072-A, subsection 12 must be evaluated by the department to determine if the claim of preference is valid and, if it is found to be valid, the holder of the lease option may cancel the lease option and receive a fee refund prorated for the remainder of the term of the lease option.

3. Issuance criteria. The applicant for a lease option under this section must demonstrate that the site is being assessed in good faith for its suitability for aquaculture and that there is a reasonable likelihood that an application for an aquaculture lease will be filed during the term of the lease option. The area proposed for lease option may not contain an existing aquaculture lease or license or include an area that is part of an aquaculture lease or license application under consideration by the department.

4. Fee. The fee for issuance of a lease option under this section may be up to \$500 for the first acre plus up to \$50 for each additional acre, the amount to be established in rules adopted by the commissioner. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 11. 12 MRSA §6084 is enacted to read:

§6084. Nonpayment of aquaculture lease fees

If a holder of an aquaculture lease or license under this subchapter fails to pay any related fees or charges, the commissioner may refuse to renew or issue any marine resources license or permit to the holder of the aquaculture lease or license.

Sec. 12. 12 MRSA §6085 is enacted to read:

§6085. Marine organism aquaculture license

1. License required. The commissioner may require a license for aquaculture of marine organisms in facilities that are not located in the coastal waters of the State but are located in the State.

2. Licensed activities. The holder of a license under this section may possess marine organisms the holder has raised by means of aquaculture. The holder of such a license is exempt from any requirement regarding the time of taking or possessing, minimum or maximum length or other minimum or maximum size requirement for any marine organism the holder has raised by means of aquaculture.

3. Permit denial. The commissioner may refuse to issue a license under this section if the commissioner finds that the aquaculture activity presents an unreasonable risk to indigenous marine life or its environment. In determining whether or not to refuse to issue a license, the commissioner shall consider factors, including, but not limited to:

A. Risk of accidental or intentional introduction of marine organisms or marine organism products into the coastal waters of the State;

B. Risk of the introduction or spread of disease within the State; and

C. Interference with the enforcement of possession, size or season limits for wild marine organisms.

4. Monitoring and revocation. The commissioner shall monitor licensed facilities under this section on an annual basis. If the commissioner determines following an annual review or at any other time that the licensed aquaculture activity presents an unreasonable risk to indigenous marine life or its environment, the commissioner may revoke the license after the licensee has been given an opportunity for a hearing before the department.

5. Reporting. The commissioner may require the holder of a license under this section to file periodic reports regarding the aquaculture practices and production of the facility. Information obtained pursuant to this provision is considered fisheries statistics for the purposes of section 6173, except that information about marine organism health reported pursuant to section 6071 may not be considered fisheries statistics.

6. Fee. The commissioner may charge a fee for a license under this section not to exceed \$1,000, the amount to be established in rules adopted by the commissioner depending on the type and amount of aquaculture. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 13. 12 MRSA §6086 is enacted to read:

§6086. Abandoned aquaculture equipment and stock

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

A. "Abandoned aquaculture equipment" or "equipment" means any equipment associated with the operation of an aquaculture lease or license pursuant to section 6072, 6072-A, 6072-B or 6072-C that has been left by the aquaculture lease or license holder in coastal waters without intention of removal. "Abandoned aquaculture equipment" includes, but is not limited to, rafts, pens, barges, skiffs, nets, lines, mooring systems, cages, trays, racks, upwellers and other equipment used in the operation of an aquaculture site.

B. "Abandoned aquaculture stock" or "stock" means cultured marine organisms, including, but not limited to, fish, shellfish, sea urchins and algae, that have been left by the owner in coastal waters without intention of removal.

2. Eligibility. Abandoned aquaculture equipment or abandoned aquaculture stock is subject to removal under this section only if:

A. The aquaculture lease or license holder has indicated in writing to the department that the holder wishes to terminate the aquaculture lease or license with which the abandoned equipment or stock is associated; the department has revoked the lease pursuant to section 6072, subsection 11 or section 6072-A, subsection 22; or the term of the lease or license has expired;

B. The equipment or stock remains in the area of the lease or license site and the equipment or stock is not legally permitted to remain by another authority, such as a municipal mooring permit; and

C. The aquaculture lease or license holder has not entered into an agreement with the department to accomplish timely removal of the equipment or stock.

3. Responsibility of the department. The department's duties with respect to abandoned aquaculture equipment and abandoned aquaculture stock are as set out in this subsection.

A. The department shall investigate reports of abandoned aquaculture equipment or abandoned aquaculture stock and review terminated, expired or revoked aquaculture leases and licenses to determine if there is abandoned aquaculture equipment or abandoned aquaculture stock and give notice to the aquaculture lease or license holder. The department shall also give notice to any person who has declared to the department, in writing, a property interest in the equipment or stock and to any person the lease or license holder has, in writing, identified as having a property interest in the equipment or stock. The notice must require the lease or license holder and anyone with a property interest to respond within 15 days and to remove the equipment or stock from the coastal

waters within 60 days of notification by the department or, if the equipment or stock is icebound, within 60 days of ice-out in the body of water where the equipment or stock is located. If the persons to whom the department has given notice cannot be contacted or do not respond to the notice and remove the equipment or stock within the time period specified, the department may initiate removal of the equipment or stock.

B. The department may authorize a 3rd party to remove abandoned aquaculture equipment or abandoned aquaculture stock if the department is satisfied that the work will be completed.

C. Notwithstanding the time periods for removal by a lease or license holder or person with a property interest specified in paragraph A, if the department determines at any time that abandoned aquaculture equipment or abandoned aquaculture stock is a human health or safety hazard or is an immediate threat to the marine environment, the department may immediately remove the equipment or stock from the coastal waters.

D. If the department removes abandoned aquaculture equipment or abandoned aquaculture stock from coastal waters under this subsection, the department may sell the equipment or stock. Any proceeds from the sale must first be applied to the costs to the State directly related to the expense of removal of the equipment or stock. Any money that remains may be applied to any liens against the equipment or stock. Money that finally remains must accrue to the Aquaculture Management Fund established under section 6072-D.

E. Abandoned aquaculture equipment or abandoned aquaculture stock located on intertidal land may not be removed by the department without the permission of the landowner unless the department determines that the equipment or stock is a human health or safety hazard or is an immediate threat to the marine environment.

F. The department may adopt rules governing abandoned aquaculture equipment and abandoned aquaculture stock, including, but not limited to, rules requiring the disclosure of property interests in abandoned aquaculture equipment and abandoned aquaculture stock. Rules adopted under this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Civil action. If the State is not compensated for removal costs under the provisions of subsection 3, the State shall first attempt to recover the removal costs by claiming these expenses against any bond the aquaculture lease or license holder held during the term of the aquaculture lease or license. If the department is unsuccessful in recovering the removal costs in that manner, the State may bring a civil action

against the owner of the equipment or stock to cover any cost of removal of the equipment or stock from coastal waters. The court in its discretion may award an additional 50% of the cost of removal. The penalty is payable to the Aquaculture Management Fund established under section 6072-D.

Sec. 14. 12 MRSA §6306, as amended by PL 1989, c. 348, §4, is further amended to read:

§6306. Consent to inspection; violation

1. Consent to inspection. Any person who signs an application for a license or aquaculture lease or receives a license or aquaculture lease under this Part has a duty to submit to inspection and search for violations related to the licensed activities by a marine patrol officer under the following conditions.

A. Watercraft or vehicles and the equipment located on watercraft or vehicles ~~which are~~ used primarily in a trade or business requiring a license or aquaculture lease under this Part may be searched or inspected at any time.

B. Any other location where activities subject to this Part are conducted may be inspected or searched during the hours when those activities occur.

C. A location specified in paragraph B may be inspected at any time if a marine patrol officer has a reasonable suspicion of a violation of this Part.

D. No residential dwelling may be searched without a search warrant unless otherwise allowed by law.

2. Seizure of evidence. Any person who signs an application for a license or aquaculture lease or receives a license or aquaculture lease under this Part has a duty to permit seizure of evidence of a violation of marine resources laws found during an inspection or search.

3. Refusal. Refusal to permit inspection or seizure ~~shall be~~ is a basis for suspension of any or all licenses under this chapter or revocation of aquaculture leases.

Sec. 15. 12 MRSA §6673, sub-§1-A, as enacted by PL 2003, c. 660, Pt. A, §21, is amended to read:

1-A. Application. A municipality shall review an application for a municipal shellfish aquaculture permit on a form supplied by the municipality. The municipality may charge an application fee that reflects the costs of processing an application. The municipality shall publish a summary of the application in a newspaper of general circulation in the area that would be affected by the permit. A person may pro-

vide comments to the municipality on the proposed permit within 30 days of publication of the summary.

Prior to issuing a municipal shellfish aquaculture permit, a municipality shall hold a public hearing if requested in writing by 5 or more persons. The public hearing must be held in accordance with procedures established in ordinances adopted in subsection 3.

Sec. 16. 12 MRSA §6673, sub-§2-A, ¶B, as enacted by PL 2003, c. 660, Pt. A, §21, is amended to read:

B. The permit will not cause the total area under ~~the permit~~ all municipal shellfish aquaculture permits in the municipality to exceed 1/4 of the entire municipal intertidal zone that is open to the taking of shellfish.

Sec. 17. 12 MRSA §6673, sub-§3, as enacted by PL 2003, c. 660, Pt. A, §21, is amended to read:

3. Municipal shellfish aquaculture permit.

Prior to issuing a municipal shellfish aquaculture permit pursuant to this section, a municipality shall adopt ordinances that establish procedures for consideration of permit applications under the decision criteria in subsection 2-A, including but not limited to provisions for a public hearing process. Additionally, the municipality shall adopt ordinances designed to prevent speculative holding of permits. An ordinance proposed by a municipality under this subsection must be approved in writing by the commissioner prior to its adoption.

When approved, a municipal shellfish aquaculture permit must be forwarded to the commissioner. The municipality may charge a municipal shellfish aquaculture permit fee not to exceed ~~\$50~~ \$100 per acre annually. The municipality may establish conditions and limits on the permit. A municipal shellfish aquaculture permit may be granted for a period of up to 10 years and is renewable upon application by the permittee. The municipality shall monitor and enforce the terms and conditions of a permit on an annual basis and submit an annual report on permit activities to the department. Such information is considered landings data.

Sec. 18. 12 MRSA §6674, amended by PL 2003, c. 660, Pt. A, §22, is further amended to read:

§6674. Interference with municipal shellfish aquaculture permit

A person may not knowingly interfere with the ability of a person who holds a municipal shellfish aquaculture permit from carrying out the privileges granted to the permittee under that permit. Except for the permittee, a person may not take shellfish ~~in the intertidal zone~~ in an area that is included in a municipal shellfish aquaculture permit. A person who violates this section commits a civil violation for which a

fine of not less than \$100 nor more than \$500 may be adjudged.

Sec. 19. 12 MRSA §6808, sub-§4, as enacted by PL 2001, c. 186, §1, is amended to read:

4. Exemption. Notwithstanding subsection 1, a license is not required to fish for, take, possess or transport green crabs for personal use. A municipality or the holder of an aquaculture lease or license that harvests green crabs under authorization from the department is not required to have a commercial green crab license as long as the harvesting of green crabs occurs under supervision of the municipality or the holder of an aquaculture lease or license.

See title page for effective date.

CHAPTER 230

S.P. 431 - L.D. 1183

An Act To Prevent Predatory Marketing Practices against Minors

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

Sec. 1. 10 MRSA c. 1055 is enacted to read:

CHAPTER 1055

MARKETING AND DATA COLLECTION PRACTICES

§9551. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Health-related information. "Health-related information" means any information about an individual or a member of the individual's family relating to health, nutrition, drug or medication use, physical or bodily condition, mental health, medical history, medical insurance coverage or claims or other similar data.

2. Marketing purposes. "Marketing purposes," with respect to the use of health-related information or personal information, means the purposes of marketing or advertising products, goods or services to individuals.

3. Person. "Person" includes an individual, firm, partnership, corporation, association, syndicate, organization, society, business trust, attorney-in-fact and every natural or artificial legal entity.

4. Personal information. "Personal information" means individually identifiable information, including:

- A. An individual's first name, or first initial, and last name;
- B. A home or other physical address;
- C. A social security number;
- D. A driver's license number or state identification card number; and
- E. Information concerning a minor that is collected in combination with an identifier described in this subsection.

5. Verifiable parental consent. "Verifiable parental consent" means any reasonable effort, taking into consideration available technology, including a request for authorization for future collection, use and disclosure described in the notice, to ensure that a parent of a minor receives notice of the collection of personal information, use and disclosure practices and authorizes the collection, use and disclosure, as applicable, of personal information and the subsequent use of that information before that information is collected from that minor.

§9552. Unlawful collection and use of data from minors

1. Unlawful collection. It is unlawful for a person to knowingly collect or receive health-related information or personal information for marketing purposes from a minor without first obtaining verifiable parental consent of that minor's parent or legal guardian.

2. Unlawful use. A person may not sell, offer for sale or otherwise transfer to another person health-related information or personal information about a minor if that information:

- A. Was unlawfully collected pursuant to subsection 1;
- B. Individually identifies the minor; or
- C. Will be used in violation of section 9553.

§9553. Predatory marketing against minors prohibited

A person may not use any health-related information or personal information regarding a minor for the purpose of marketing a product or service to that minor or promoting any course of action for the minor relating to a product. Use of information in violation of this section constitutes predatory marketing.

§9554. Enforcement

1. Unfair trade practice. Violation of this chapter is an unfair trade practice as prohibited by Title 5, section 207. Each unlawful collection of data or unlawful predatory marketing event in violation of this chapter constitutes a separate violation. The Attorney General may establish procedures for receiving and

investigating complaints of violations of this chapter. The procedures may include the development of electronic forms, available over the Internet, by which a person may file a complaint with the Attorney General alleging a violation of this chapter.

2. Civil action; injunction and damages. Notwithstanding Title 5, section 213, a person about whom information is unlawfully collected or who is the object of predatory marketing in violation of this chapter may bring an action in an appropriate state court for either or both of the following:

A. An injunction to stop the unlawful collection or predatory marketing; and

B. Recovery of actual damages from each violation or up to \$250 in damages for each violation, whichever is greater.

If the court finds there has been a violation of this chapter, the court shall award the petitioner reasonable attorney's fees and costs incurred in connection with the action.

If the court finds that the defendant willfully or knowingly violated this chapter, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under paragraph B.

3. Civil violation; penalty. Notwithstanding the penalty provisions of Title 5, section 209, each violation of this chapter constitutes a civil violation for which a fine may be assessed of:

A. No less than \$10,000 and no more than \$20,000 for a first violation; and

B. No less than \$20,000 for a 2nd or subsequent violation.

4. Application of federal law. If the Attorney General finds evidence of a violation of the federal Children's Online Privacy Protection Act of 1998, 15 United States Code, Sections 6501 to 6506 (2007), the Attorney General may bring a civil action pursuant to 15 United States Code, Section 6504 (2007).

See title page for effective date.

CHAPTER 231

S.P. 428 - L.D. 1156

An Act To Amend the Laws Governing the Recycling of Televisions

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

Sec. 1. 38 MRSA §1610, sub-§2, ¶D-1 is enacted to read:

D-1. "Market share" means a manufacturer's national sales of a covered electronic device expressed as a percentage of the total of all manufacturers' national sales for that category of covered electronic devices.

Sec. 2. 38 MRSA §1610, sub-§2, ¶G, as allocated by RR 2003, c. 2, §119, is amended to read:

G. "Orphan waste" means a covered electronic device, excluding a television, the manufacturer of which can not be identified or is no longer in business and has no successor in interest.

Sec. 3. 38 MRSA §1610, sub-§5, as amended by PL 2007, c. 292, §43, is further amended to read:

5. Responsibility for recycling. Municipalities, consolidators, manufacturers and the State share responsibility for the disposal of covered electronic devices as provided in this subsection.

A. Each municipality that chooses to participate in the state collection and recycling system shall ensure that computer monitors and televisions generated as waste from households within that municipality's jurisdiction are delivered to a consolidation facility in this State. A municipality may meet this requirement through collection at and transportation from a local or regional solid waste transfer station or recycling facility, by contracting with a disposal facility to accept waste directly from the municipality's residents or through curbside pickup or other convenient collection and transportation system.

B. A consolidator is subject to the requirements of this paragraph.

(1) ~~Beginning January 1, 2006, a A~~ consolidator shall identify the manufacturer of each waste computer monitor ~~and waste television~~ delivered to a consolidation facility and identified as generated by a household in this State and shall maintain an accounting of the number of waste household computer monitors ~~and waste household televisions~~ by manufacturer. By March 1st each year ~~beginning in 2007,~~ a consolidator shall provide this accounting by manufacturer to the department.

(1-A) A consolidator shall maintain a written log of the total weight of televisions delivered each month to the consolidator and identified as generated by a household in the State. By March 1st each year, a consolidator shall provide this accounting to the department.

(2) A consolidator may perform the manufacturer identification required by subparagraph (1) at the consolidation facility or may contract for this identification and accounting

service with the recycling and dismantling facility to which the waste is shipped.

(3) A consolidator shall work cooperatively with manufacturers to ensure implementation of a practical and feasible financing system with costs calculated for televisions on a basis proportional to the manufacturer's national market share of televisions in the State multiplied by the total pounds recycled. At a minimum, a consolidator shall invoice the manufacturers for the handling, transportation and recycling costs for which they are responsible under the provisions of this subsection.

(4) A consolidator shall transport waste computer monitors and waste televisions to a recycling and dismantling facility that provides a sworn certification pursuant to paragraph C. A consolidator shall maintain for a minimum of 3 years a copy of the sworn certification from each recycling and dismantling facility that receives covered electronic devices from the consolidator and shall provide the department with a copy of these records within 24 hours of request by the department.

C. A recycling and dismantling facility shall provide to a consolidator a sworn certification that its handling, processing, refurbishment and recycling of covered electronic devices meet guidelines for environmentally sound management published by the department.

D. Computer monitor manufacturers and television manufacturers are subject to the requirements of this paragraph.

(1) Ninety days after the department adopts rules as provided for in this subparagraph, each computer monitor manufacturer ~~and each television manufacturer~~ is individually responsible for handling and recycling all computer monitors ~~and televisions~~ that are produced by that manufacturer or by any business for which the manufacturer has assumed legal responsibility, that are generated as waste by households in this State and that are received at consolidation facilities in this State. In addition, each computer manufacturer is responsible for a pro rata share of orphan waste computer monitors ~~and each television manufacturer is responsible for a pro rata share of orphan waste televisions~~ generated as waste by households in this State and received at consolidation facilities in this State. The manufacturers shall pay the reasonable operational costs of the consolidator attributable to the handling of all computer monitors and televisions generated as waste

by households in this State, the transportation costs from the consolidation facility to a licensed recycling and dismantling facility and the costs of recycling. The recycling of televisions must be funded by allocating the cost of the program among the manufacturers selling televisions in the State on a basis proportional to the manufacturer's national market share of televisions. The department shall annually determine each television manufacturer's recycling share based on readily available national market share data. If the department determines that a television manufacturer's market share is less than 1/10 of 1%, the department may deem that market share de minimus. A television manufacturer whose market share is deemed de minimus by the department is not responsible for payment of a pro rata share of televisions for the corresponding billing year. The total market shares deemed de minimus by the department must be proportionally allocated to and paid for by the television manufacturers that have 1/10 of 1% or more of the market. The manufacturers shall ensure that consolidation facilities are geographically located to conveniently serve all areas of the State as determined by the department. By November 1, 2005, the department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A that identify the criteria that consolidators must use to determine reasonable operational costs attributable to the handling of computer monitors and televisions.

(2) Each computer monitor manufacturer and television manufacturer shall work cooperatively with consolidators to ensure implementation of a practical and feasible financing system. Within 90 days of receipt of an invoice, a manufacturer shall reimburse a consolidator for allowable costs incurred by that consolidator.

E. Annually, ~~beginning January 1, 2006,~~ the department shall provide manufacturers of computer monitors and consolidators with a listing of each manufacturer's pro rata share of orphan waste computer monitors ~~and televisions~~. The department shall determine each manufacturer's pro rata share based on the best available information, including but not limited to data provided by manufacturers and consolidators and data from electronic waste collection programs in other jurisdictions within the United States. Annually, the department shall also provide manufacturers of televisions and consolidators with a listing of each television manufacturer's proportional market

share responsibility for the recycling of televisions for the subsequent calendar year.

Sec. 4. 38 MRSA §1610, sub-§6, ¶A, as amended by PL 2007, c. 292, §44, is further amended to read:

A. A manufacturer shall develop a plan for the collection and recycling or reuse of computer monitors and televisions as follows.

(1) ~~By March 1, 2005, a~~ A manufacturer of computer monitors and a manufacturer of televisions shall develop and submit to the department a plan for the collection and recycling or reuse of computer monitors and televisions ~~produced by the manufacturer and~~ generated as waste by households in this State. ~~This~~ For manufacturers of computer monitors, this plan must be based on the manufacturer's taking responsibility for its products upon receipt at consolidation facilities in the State. For manufacturers of televisions, this plan must be based on the manufacturer's taking financial responsibility for the allowable costs of its proportional market share of televisions as determined by the department in accordance with subsection 5, paragraph D, subparagraph (1). Following submission of the original plan, manufacturers may revise their plans at any time as they may consider appropriate in response to changing circumstances or needs only if these revisions conform to the provisions of this section and rules adopted pursuant to this section and are submitted to the department in a timely fashion.

(2) Ninety days after the department adopts rules under subsection 5, paragraph D, subparagraph (1), a manufacturer of computer monitors and a manufacturer of televisions shall implement and finance the implementation of this plan for the collection and recycling or reuse of computer monitors and televisions ~~produced by the manufacturer and~~ generated as waste by households in this State.

(3) Notwithstanding subparagraphs (1) and (2), a manufacturer may satisfy the plan requirements of this paragraph by agreeing to participate in a collective recovery plan with other manufacturers. The collective recovery plan must meet the same standards and requirements of the plans submitted by individual manufacturers.

(4) The plan developed by the manufacturer must include, at a minimum:

(a) A description of the collection system, including the methods of convenient collection;

(b) A public education element to inform the public about the collection system, including details about meeting all consumer notification and labeling requirements;

(c) ~~Details~~ For manufacturers of computer monitors, details for implementing and financing the handling of computer monitors and televisions produced by the manufacturer and orphan waste computer monitors and televisions that are generated as waste by households in this State and received by consolidation facilities in this State;

(c-1) For manufacturers of televisions, details for implementing and financing the handling of televisions that are generated as waste by households in this State and received by consolidation facilities in this State;

(d) Details for the method of reimbursing consolidators for the costs of handling and recycling the household computer monitors and televisions;

(g) Descriptions of the performance measures that will be used and reported by the manufacturer to report recovery and recycling rates for computer monitors ~~and or~~ televisions at the end of life of those computer monitors and televisions; and

(i) Annual sales data on the number and type of computer monitors ~~and or~~ televisions sold by the manufacturer in this State over the 5 years preceding the filing of the plan. The department may keep information submitted pursuant to this division confidential as provided under section 1310-B.

(5) A manufacturer is responsible for all costs associated with the development and implementation of the plan. If the costs are passed on to consumers, the costs must be imposed at the time of purchase and not with a fee imposed at the end of life of the computer monitor or television.

Sec. 5. 38 MRSA §1610, sub-§7, as amended by PL 2005, c. 330, §40, is further amended to read:

7. Enforcement; cost recovery. The department must enforce this section in accordance with the provisions of sections 347-A and 349. If a manufacturer fails to pay for the costs allocated to it pursuant to sec-

tion 1610, subsection 5, paragraph D, subparagraph (1), including, for a computer monitor manufacturer, its pro rata share of costs attributable to orphan waste, the department may pay a consolidator its legitimate costs from the Maine Solid Waste Management Fund established in section 2201 and seek cost recovery from the nonpaying manufacturer. Any nonpaying manufacturer is liable to the State for costs incurred by the State in an amount up to 3 times the amount incurred as a result of such failure to comply.

The Attorney General is authorized to commence a civil action against any manufacturer to recover the costs described in this subsection, which are in addition to any fines and penalties established pursuant to section 349. Any money received by the State pursuant to this subsection must be deposited in the Maine Solid Waste Management Fund established in section 2201.

Sec. 6. Cost review and report. The Department of Environmental Protection shall conduct a review of the costs of collection, transportation, handling and recycling of the State's household electronic waste recycling program established in the Maine Revised Statutes, Title 38, section 1610 and of manufacturer responsibility programs implemented in other states for the purpose of identifying opportunities to reduce costs in the State's program. The department shall include the results of the review, along with any recommendations for changes to Title 38, section 1610 and draft legislation to implement the recommended changes, in the report required to be submitted by January 15, 2010 pursuant to Title 38, section 1610, subsection 8.

The department shall convene a working group to assist in the review. The working group must include representation from at least one manufacturer from each product category covered by the electronic waste law, an environmental advocacy organization, a recycling or consolidation business, a statewide municipal association and other interested parties that may have a role in the collection and recycling program. The Joint Standing Committee on Natural Resources is authorized to submit legislation related to the report submitted pursuant to this section to the Second Regular Session of the 124th Legislature.

Sec. 7. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 38, section 1610 take effect January 1, 2010.

See title page for effective date, unless otherwise indicated.

CHAPTER 232 H.P. 692 - L.D. 1004

An Act Relating to Self-insurance

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

Sec. 1. 24-A MRSA §601, sub-§16, as amended by PL 2003, c. 203, §1, is further amended to read:

16. Self-insurance authorization. Fees applicable to each self-insurer, individual or group, seeking authorization or authorized to operate a workers' compensation self-insurance plan, and each self-insurance reinsurance account and each protected cell of a self-insurance reinsurance account, may not exceed:

A. For filing application for initial authorization, including all documents submitted as part of the application, \$1,000;

A-1. For filing application for authority to self-insure under Title 39-A, section 403, subsection 16, including all documents submitted as part of the application, \$500;

B. ~~Authorization~~ For authorization and each annual continuation, \$300; and

C. ~~Filing~~ For filing a yearly report of a self-insurer, \$100.

If a self-insurer terminates the plan or otherwise does not continue to self-insure, the fee applicable to filing of yearly reports must apply to that period in which the making of these reports is mandated.

Sec. 2. 39-A MRSA §403, sub-§4-A, as amended by PL 2003, c. 671, Pt. A, §§11 and 12, is further amended to read:

4-A. Group self-insurance reinsurance account. As an alternative to obtaining a reinsurance contract providing coverage against losses arising out of one occurrence, a an individual or group self-insurer authorized under this section may, with the approval of the Superintendent of Insurance, participate in a group self-insurance reinsurance account, referred to in this subsection as "an account," as provided in this subsection. A group self-insurer authorized under the laws of another state may participate in an account through a protected cell arrangement as provided in paragraph L. More than one account may be established pursuant to this subsection. An account established pursuant to this subsection may be established as either an independent private entity or an instrumentality of the State, but the debts and liabilities of an account established as an instrumentality of the State are not debts and liabilities of the State. An account established as an instrumentality of the State within 24 months of its formation, with the approval of

the ~~superintendent~~ Superintendent of Insurance, may transfer all of its assets and liabilities into an account established as an independent private entity.

A. ~~Any~~ A group self-insurer that is subject to joint and several liability pursuant to subsection 4, paragraph F, a group self-insurer authorized under the laws of another state and that executes an agreement that its members will be jointly and severally liable in accordance with the provisions of paragraph L or an individual self-insurer authorized under this section that executes an agreement to be responsible for contingent assessment liability in accordance with the provisions of paragraph F may apply to reinsure through an account.

(1) Upon the petition of 4 or more authorized group self-insurers, the Superintendent of Insurance may approve an account for the deposit of funds in lieu of reinsurance.

(2) The account must indemnify its participating ~~group~~ self-insurer members for claims incurred during the account's operation. The purpose of the account is to accumulate funds to provide coverage against losses arising out of one occurrence in excess of \$500,000 or such other amounts as may be permitted or required for particular members consistent with the plan of operation established pursuant to paragraph B.

(3) A ~~group~~ self-insurer is deemed to be a member of the account for reinsurance coverage for purposes of a claim if the ~~group~~ self-insurer is a member of the account when an injury occurs or a covered occupational disease loss is incurred.

(4) A ~~group~~ self-insurer that reinsures through an account shall continue to make payments into that account in accordance with the plan of operation established pursuant to paragraph B.

(5) A ~~group~~ self-insurer's participation in an account is considered as a component of the ~~group~~ self-insurer's renewal application. A ~~group~~ self-insurer's membership in an account is considered adequate protection against losses arising out of a single occurrence unless the Superintendent of Insurance determines, after considering the financial condition and catastrophic loss exposure of both the ~~group~~ self-insurer and the account, that it is necessary to maintain additional reinsurance protection, maintain a lower self-insured retention level or provide some other form of additional security, singly or in combination.

B. An account must operate in accordance with a plan of operation established by the group self-insurer members and approved by the Superintendent of Insurance.

(1) Those group self-insurers creating an account shall submit to the Superintendent of Insurance a plan of operation and any amendments to it that are necessary to ensure the fair, reasonable and equitable administration of the account. The plan of operation is effective upon approval by the superintendent. Any amendments subsequent to the plan's initial approval must be submitted to the superintendent by the plan's board of directors and are effective upon approval by the superintendent.

(2) The plan of operation must:

(a) Create a board of directors and initial bylaws, including the terms and conditions of board membership and the manner by which board members are initially appointed and are replaced when vacancies occur;

(b) Establish the procedures by which all the powers and duties of the account are performed, including, but not limited to, defining the date and conditions pursuant to which the account will commence coverage for claims by participating group self-insurer members and establishing provisions for determining limits of exposure for the account;

(c) Establish procedures for handling assets of a fund created pursuant to paragraph C;

(d) Establish underwriting rules and criteria by which rates are to be established;

(e) Establish procedures by which claims may be filed with the account;

(f) Establish an investment policy for a fund created pursuant to paragraph C;

(g) Establish procedures for records to be kept of all financial transactions of the account, its agents and the board of directors;

(h) Establish procedures for withdrawal from the account by a ~~group~~ self-insurer member, which must, at a minimum, require 90 days' notice from the withdrawing ~~group~~ self-insurer member to the board of directors and the Superintendent of Insurance;

(i) Establish, subject to approval by the Superintendent of Insurance, a minimum

level of funding to be achieved by the account; and

(j) Contain additional provisions necessary or proper for the execution of the powers and duties of the board of directors and the ability of the account to meet its obligations.

C. The bylaws of an account established pursuant to this subsection must establish the powers and duties of the board of directors of an account and must include the authority:

(1) To administer a ~~group~~ self-insurance specific reinsurance account fund, to be known in this subsection as "a fund," which must receive payments from participating ~~group~~ self-insurer members of the account as required by paragraph A. The costs of administration by the board of directors and expenses of the account must be borne by the fund;

(2) In its discretion, to secure reinsurance for the fund's exposure and to otherwise invest the assets of the fund to effectuate the purpose of the account, subject to the approval of the Superintendent of Insurance;

(3) To accept or reject applications of ~~group~~ self-insurers to be underwritten by the account, subject to the approval of the Superintendent of Insurance;

(4) To accept or reject applications of a ~~group~~ self-insurer member to self-insure any exposure for one occurrence at a level other than \$500,000, subject to:

(a) Compliance with applicable provisions of the plan of operation established pursuant to paragraph B;

(b) Notice to and approval by the Superintendent of Insurance; and

(c) For higher retention levels, a statement from that member's actuary that the member has adequately funded its additional exposure;

(5) To create a mechanism for assessing participating ~~group~~ self-insurer members if funds are insufficient to pay the claims of the account;

(6) To retain actuarial assistance to be used in the establishment of loss reserves, reinsurance and risk management for the account, and in the development of underwriting criteria and premium rates for ~~group~~ self-insurer members. Rates are subject to approval by the Superintendent of Insurance;

(7) To associate with a participating ~~group~~ self-insurer member in the defense, investigation or settlement of any claim, suit or proceeding that appears to involve indemnity by the account. This authority does not create a duty to investigate, handle, settle or defend any claims, suits or proceedings against a ~~group~~ self-insurer member;

(8) To borrow funds;

(9) To amend the bylaws and plan of operation established pursuant to paragraph B, subject to the approval of the Superintendent of Insurance; and

(10) To exercise such other powers as are established in the plan of operation established pursuant to paragraph B.

D. An account is subject to examination and regulation by the Superintendent of Insurance. The board of directors of an account shall submit, within 120 days after the close of each fiscal year, an audited financial report and an actuarial report for the preceding fiscal year in a form approved by the superintendent. When the superintendent considers it necessary, the superintendent may require an account to maintain specific or aggregate reinsurance at such retention levels as the superintendent determines to be appropriate.

E. The Superintendent of Insurance may address any deficiency in reserves, assets or reinsurance of an account in accordance with this paragraph.

(1) The ~~superintendent~~ Superintendent of Insurance may conduct, upon reasonable notice, an examination to determine the financial condition of an account. An examiner duly qualified by the superintendent may examine the loss reserves, assets, liabilities, excess insurance and working capital of an account. If the superintendent finds that the reserves, excess insurance or assets may be inadequate, or that an account does not have working capital in an amount establishing the financial strength and liquidity of an account to pay claims promptly and showing evidence of the financial ability of an account to meet its obligations to ~~group~~ self-insurer members, the superintendent shall notify an account of the inadequacy. Upon notification, the account within 30 days, or such other time as the superintendent approves, shall file with the superintendent its written plan specifying remedial action to be taken and the time frame for implementation of that plan.

(2) If the ~~superintendent~~ Superintendent of Insurance determines, after reviewing the information filed pursuant to paragraph D, that a hazardous financial condition exists, the su-

perintendent shall notify an account of the condition. Upon notification, an account shall implement within 30 days, or such other time as the superintendent approves, its plan to correct any deficiencies and within 90 days shall file with the superintendent proof of remedial action taken. If the superintendent is satisfied that the plan submitted to improve the inadequate condition of an account is sufficient, the superintendent shall notify the account. The account shall report quarterly to the superintendent until any deficiencies and their causes have been corrected.

(3) The Superior Court may appoint the ~~superintendent~~ Superintendent of Insurance to act as receiver, in the same manner as for a delinquent insurer pursuant to Title 24-A, section 4360, if the superintendent proves by clear and convincing evidence that a hazardous financial condition exists and that an account is unable or unwilling to take meaningful corrective action.

F. A ~~group~~ self-insurer's liability for participating in an account is governed by this paragraph.

(1) Each participating ~~group~~ self-insurer in an account has a contingent assessment liability in accordance with the plan of operation established pursuant to paragraph B for payment of claims and expenses incurred while a member of the account and must execute an agreement acknowledging that it is responsible for the prompt payment of all assessments necessary to ensure that the account is fully funded and that, if any participant in the account fails to pay an assessment when due for any reason, the remaining participants are liable for the shortfall.

(2) Each contract or other document certifying participation in the account, issued by the account, must contain a statement of the contingent liability of participating ~~group~~ self-insurers.

G. An account is exempt from payment of all fees and all taxes levied by this State or any of its subdivisions, except taxes levied on real or personal property.

H. This subsection does not create any liability on the part of, and a cause of action of any nature does not arise against, any ~~group~~ self-insurer member, an account or its agents or employees, the board of directors of an account or its individual members or the Superintendent of Insurance or the superintendent's representatives for any acts or omissions taken by them in the performance of their powers and duties under this subsection. The immunity established by this subsection does

not extend to willful neglect or malfeasance that would otherwise be actionable.

I. Assets of an account's fund may be used exclusively for payment of expenses of the account and payment of claims against the account and for no other purpose, except that an account established as an independent private entity pursuant to this subsection may issue such dividends to its members as are approved by the superintendent.

J. The Superintendent of Insurance shall adopt rules to administer and effectuate the intent of this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

K. In the event of dissolution of an account established as an instrumentality of the State pursuant to this subsection, all assets remaining after the satisfaction of all outstanding claims must be distributed to the Treasurer of State to be included in the Maine Self-Insurance Guarantee Association.

L. With the approval of the Superintendent of Insurance, a self-insurance reinsurance account may create one or more protected cells under its plan of operation for the purpose of reinsuring obligations of group self-insurers that are organized under the laws of another state. Any protected cell and all participating group self-insurers and their member employers are subject to the jurisdiction and oversight of the Superintendent of Insurance with respect to all matters relating to their participation on the account.

(1) Any out-of-state self-insurer that participates in the account may do so only through participation in a protected cell. An employer or group authorized by the Superintendent of Insurance to self-insure its Maine liabilities pursuant to this section is considered an out-of-state insurer to the extent that it is reinsuring out-of-state liabilities beyond the scope of its Maine self-insurance plan.

(2) The establishment of protected cells under this paragraph is a pilot project, limited to at most 2 protected cells, and approval of a protected cell or of a group self-insurer to participate in a protected cell is at the discretion of the Superintendent of Insurance. The Superintendent of Insurance may adopt rules pursuant to paragraph J to establish the terms and conditions of the pilot project, including criteria for the minimum and maximum size of a protected cell.

(3) A separate account must be established for each protected cell. All contributions from participants in a protected cell must be deposited into the protected cell account. Funds in a protected cell account may be used

only for the payment of claims and expenses associated with that protected cell, which may include a reasonable administrative fee paid periodically into the general account. Notwithstanding any other provision of this subsection, participants in a protected cell are not liable for claims or expenses of any other protected cell or of the general account, and the general account is not liable for the claims of any protected cell or any expenses associated with such claims or otherwise specifically attributable to the protected cell.

(4) The minimum funding level for any protected cell may not be lower than the minimum funding level, calculated in accordance with the plan of operation and subject to paragraph E, that would apply to the general account with the same loss exposure and duration of operation. If the protected cell account falls short of the minimum funding level at any time, the reinsurance account must assess all protected cell participants. If a participating group self-insurer fails to pay any assessment in full when due, the reinsurance account must assess the group's member employers. All assessments are enforceable by the Superintendent of Insurance through an adjudicatory proceeding under the Maine Administrative Procedure Act or through an action in the Superior Court.

(5) Each protected cell must have its own board of directors, at least 2/3 of whom must be chosen by the protected cell's participants. The plan of operation shall provide for a reasonable allocation of authority between the reinsurance account's board of directors and the protected cell's board of directors.

(6) No later than April 1st of each year, each reinsurance account with one or more protected cells must pay a regulatory assessment to the Bureau of Insurance from each protected cell account in the amount of 11/100 of 1% of the total standard reinsurance premium for the preceding calendar year for all participants in the protected cell for the level of coverage provided by the reinsurance account.

(7) All groups participating in a protected cell must provide the reinsurance account and the Superintendent of Insurance with financial and actuarial information sufficient to evaluate loss exposure and financial condition. All information provided to the superintendent by protected cell participants and their member employers is confidential pursuant to subsection 15. All protected cell participants and their member employers must

authorize their domiciliary regulator to provide any information requested by the superintendent, which is confidential to the extent provided in Title 24-A, section 216, subsection 5.

(8) In evaluating the risk exposure of an out-of-state group self-insurer and in determining whether groups from different states may participate in the same protected cell, the reinsurance account and the Superintendent of Insurance shall consider any relevant differences in the states' regulatory frameworks for group self-insurance and in their workers' compensation benefit laws.

(9) A group self-insurer may not become a participant in a protected cell unless the group and all of its member employers have provided written acknowledgments to the Superintendent of Insurance that they are jointly and severally liable for the obligations of the protected cell and are subject to the jurisdiction of the superintendent and courts of the State for the enforcement of those obligations.

(10) Any disputes between self-insured members, the self-insurance reinsurance account and any protected cell, including but not limited to any dispute arising out of or relating to any enforcement order or mechanism imposed by the Superintendent of Insurance, must be resolved in this State and pursuant to the laws of this State.

Sec. 3. Appropriations and allocations.

The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Insurance - Bureau of 0092

Initiative: Allocates funds for the costs of one new Senior Insurance Examiner position and other related costs to oversee workers' compensation self-insurance reinsurance accounts that include the participation of group self-insurers authorized under the laws of other states.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNCIL	1,000	1,000
Personal Services	\$60,447	\$85,245
All Other	\$8,388	\$6,897

OTHER SPECIAL	\$68,835	\$92,142
REVENUE FUNDS TOTAL		

See title page for effective date.

**CHAPTER 233
S.P. 268 - L.D. 693**

**An Act To Clarify the Status
and Benefits of Employees of
the Child Development
Services System**

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

Sec. 1. 5 MRSA §285, sub-§1, ¶F-7 is enacted to read:

F-7. Any employee of a regional site of the Child Development Services System under Title 20-A, section 7209, if the group health plan is agreed to in collective bargaining and funds are available.

See title page for effective date.

**CHAPTER 234
H.P. 835 - L.D. 1210**

**An Act Regarding Volunteer
Lobbyists**

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

Sec. 1. 3 MRSA §312-A, sub-§10, as repealed and replaced by PL 1993, c. 691, §5, is amended to read:

10. Lobbyist. "Lobbyist" means any person who is specifically employed by another person for the purpose of and who engages in lobbying in excess of 8 hours in any calendar month, or any individual who, as a regular employee of another person, expends an amount of time in excess of 8 hours in any calendar month in lobbying. "Lobbyist" does not include a lobbyist associate. "Lobbyist" does not include an individual who receives no compensation for lobbying other than reimbursement for lobbying-related travel within the State and reimbursement for other out-of-pocket expenditures made by the individual for printing, postage and food and lodging connected with lobbying activities paid for by the individual. For the purposes of this subsection, "reimbursement for other out-of-pocket expenditures" does not include reimbursement for the individual's time spent lobbying that

would have been otherwise compensated by an employer or in the course of the individual's employment.

See title page for effective date.

**CHAPTER 235
H.P. 763 - L.D. 1108**

**An Act To Amend the Statute
of Limitations under the Maine
Human Rights Act**

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

Sec. 1. 5 MRSA §4611, as amended by PL 1995, c. 393, §28, is further amended to read:

§4611. Complaint

Any person who believes that the person has been subject to unlawful discrimination, or any employee of the commission, may file a complaint under oath with the commission stating the facts concerning the alleged discrimination, ~~provided except that such complaints~~ a complaint must be filed with the commission not more than 6 months 300 days after the alleged act of unlawful discrimination. In addition, any person may file a complaint pursuant to section 4632.

Sec. 2. 5 MRSA §4612, sub-§1, ¶B, as amended by PL 2007, c. 243, §6, is further amended to read:

B. The commission or its delegated commissioner or investigator shall conduct such preliminary investigation as it determines necessary to determine whether there are reasonable grounds to believe that unlawful discrimination has occurred. In conducting an investigation, the commission, or its designated representative, must have access at all reasonable times to premises, records, documents, individuals and other evidence or possible sources of evidence and may examine, record and copy those materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation. The commission may issue subpoenas to compel access to or production of those materials or the appearance of those persons, subject to section 4566, subsections 4-A and 4-B, and may serve interrogatories on a respondent to the same extent as interrogatories served in aid of a civil action in the Superior Court. The commission may administer oaths. The complaint and evidence collected during the investigation of the complaint, other than data identifying persons not parties to the complaint, is a matter of public record at the conclusion of the investigation of the complaint prior to a determination by the commission. An investigation is concluded upon issuance of a let-

ter of dismissal or upon listing of the complaint on a published commission meeting agenda, whichever first occurs. Prior to the conclusion of an investigation, all information possessed by the commission relating to the investigation is confidential and may not be disclosed, except that the commission and its employees have discretion to disclose such information as is reasonably necessary to further the investigation. Notwithstanding any other provision of this section, the complaint and evidence collected during the investigation of the complaint may be used as evidence in any subsequent proceeding, civil or criminal. The commission must conclude an investigation under this paragraph within 2 years after the complaint is filed with the commission.

Sec. 3. 5 MRSA §4613, sub-§2, ¶C, as amended by PL 1975, c. 357, §2, is further amended to read:

C. The action ~~shall~~ must be commenced not more than either 2 years after the act of unlawful discrimination complained of or 90 days after any of the occurrences listed under section 4622, subsection 1, paragraphs A to D, whichever is later.

Sec. 4. 5 MRSA §4622, sub-§1, ¶C, as amended by PL 2003, c. 279, §2, is further amended to read:

C. Issued a right-to-sue letter under section 4612, subsection 6 ~~and the action was brought by the aggrieved person not more than 2 years after the act of unlawful discrimination of which the complaint was made as provided in section 4613, subsection 2, paragraph C; or~~

See title page for effective date.

CHAPTER 236

S.P. 452 - L.D. 1219

An Act To Correct Inequities for Certain Maine Community College System Employees in the Maine Public Employees Retirement 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, it is necessary that this legislation be enacted as soon as possible in order to avoid undue financial hardship for the employees of the Maine Community College System who were denied group life insurance through the Maine Public Employees Retirement System; 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 §18058, sub-§1, as amended by PL 1993, c. 386, §3, is further amended to read:

1. Employees automatically insured. All Except as provided in Title 20-A, section 12722, subsection 8, paragraph D, all employees eligible for basic insurance under this subchapter are automatically insured for the amounts 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 coverage in addition to basic 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 within 31 days of the employee's first becoming eligible, the employee may subsequently apply for supplemental and dependent insurance but must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

Sec. 2. 5 MRSA §18058, sub-§2, as amended by PL 2007, c. 17, §1 and affected by §3, is further amended to read:

2. Employees not wanting to be insured. Any Except as provided in Title 20-A, section 12722, subsection 8, paragraph D, any employee not wanting to be insured under this subchapter, at the time the employee first becomes eligible, shall, on the application form, give written notice to the employee's employing officer and to the retirement system that the employee does not want to be insured.

A. If after being insured, the employee wishes to cancel or reduce coverage, written notice must be given by the employee to the employee's employing officer and to the retirement system.

B. The employee's insurance coverage must cease or be reduced at the end of the month in which the notice is received by the employing office.

C. Any employee who does not want to be insured or who cancels insurance coverage may

subsequently apply for insurance, but must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

D. Any 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. 3. 20-A MRSA §12722, sub-§8, ¶D is enacted to read:

D. A person who participated in the defined contribution plan described in subsection 1 and subsequently resumed participation or commenced participation in the defined benefit plan administered by the Maine Public Employees Retirement System pursuant to paragraph A or B is eligible for coverage under the group life insurance program as of the date of resumption or commencement of participation in the defined benefit plan. A person who elects to participate in the group life insurance program as of the date of resumption or commencement of participation in the defined benefit plan does not need to provide evidence of insurability in order to receive coverage under the group life insurance program provided to employees of the Maine Community College System.

Sec. 4. Application. A confidential employee of the Maine Community College System who joins or rejoins the defined benefit plan administered by the Maine Public Employees Retirement System under the provisions of Public Law 2003, chapter 261 on or before January 1, 2010 is eligible for coverage under the group life insurance program as of the date of commencement or resumption of participation in the defined benefit plan. A person who elects to participate in the group life insurance program as of the date of commencement or resumption of participation in the defined benefit plan pursuant to this section does not need to provide evidence of insurability in order to receive coverage under the group life insurance program.

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

Effective June 2, 2009.

CHAPTER 237

H.P. 950 - L.D. 1349

**An Act To Streamline
Ratemaking for
Consumer-owned Water
Utilities**

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

Sec. 1. 35-A MRSA §310, sub-§3, ¶A, as amended by PL 2007, c. 127, §1, is further amended to read:

A. Municipal or quasi-municipal corporations that are water utilities within the definition of section 102, any provisions in any charter notwithstanding, and that elect to proceed pursuant to the terms of section 6104 or 6104-A, unless by the express terms of section 6104 or 6104-A the provisions of this section are made applicable to those corporations;

Sec. 2. 35-A MRSA §6104-A is enacted to read:

§6104-A. Consumer-owned water utilities; streamlined ratemaking

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

A. "Large consumer-owned water utility" means a consumer-owned water utility with total annual revenues of at least \$750,000 during the most recent fiscal year.

B. "Medium consumer-owned water utility" means a consumer-owned water utility with total annual revenues of less than \$750,000 and at least \$250,000 during the most recent fiscal year.

C. "Small consumer-owned water utility" means a consumer-owned water utility with total annual revenues of less than \$250,000 during the most recent fiscal year.

2. Application of this section; qualification; supporting materials. Notwithstanding section 310 or section 6104, any consumer-owned water utility that meets the requirements of this subsection may elect to increase rates pursuant to this section. To qualify for a rate increase under this section, a

consumer-owned water utility must have negative net income in the 2 consecutive fiscal years immediately preceding the year in which the rate increase is proposed. The consumer-owned water utility must file with the commission supporting documentation demonstrating the 2 years of negative net income as provided in this subsection.

A. A consumer-owned water utility that is required to file balance sheets under section 504, shall file copies for the 3 most recent years of the balance sheet together with other annual financial information the commission may prescribe to be filed pursuant to section 504, subsection 2, including the operating statement or other statements showing annual operating income and expenses.

B. A consumer-owned water utility that is excused from filing balance sheets pursuant to section 504, subsection 3 shall file copies for the 3 most recent years of financial statements from financial audits or reviews of the utility or other information documenting the operating income and expenses of the utility considered acceptable by the commission.

The consumer-owned water utility shall file its proposed rate increase, in accordance with the limits established in subsection 3, along with a copy of the required documentation supporting the proposed rate increase with the commission and the Public Advocate at least 30 days prior to the public meeting required under subsection 4. A copy of the required documentation supporting the proposed rate increase must be made available to customers for examination at the offices of the utility for at least 30 days prior to the public meeting. The utility shall promptly provide any readily available relevant additional material or information requested by a customer, the commission or the Public Advocate.

3. Maximum rate increase. The maximum rate increase that a consumer-owned water utility may propose under this section:

A. Is 2% of current rates if the utility is a large consumer-owned water utility;

B. Is 3.5% of current rates if the utility is a medium consumer-owned water utility; and

C. Is 5% of current rates if the utility is a small consumer-owned water utility.

The cumulative total of rate increases under this section may not exceed 10% over 5 years.

4. Utilities that set rates under this section; public meeting required. Consumer-owned water utilities that qualify to increase rates under this section may not increase any rate, toll or charge without first holding a public meeting at which the Public Advocate and any customer may provide comment and may

question the officials present regarding the proposed rate increase.

5. Notice of proposed rate increase and public meeting. The consumer-owned water utility shall, at least 14 days prior to the public meeting required under subsection 4, publish a notice of the proposed rate increase and the meeting, including the date, time, place and purpose of the meeting, in a newspaper of general circulation in the area encompassed by the consumer-owned water utility and give one notice of the proposed rate change and the date, time, place and purpose of the meeting to each of its customers. The published and individual notices must include a statement describing the amount of the rate increase and the percentage change for each customer class, the customer's right to request information relating to the present and proposed rates and the availability of assistance from the Public Advocate. The published and individual notices must inform customers of the 10-person complaint process under section 1302. Copies of the notice must be sent to the commission and the Public Advocate at least 14 days prior to the meeting.

6. Public meeting; vote of governing body; minutes. At the commencement of each public meeting held pursuant to this section, the consumer-owned water utility shall inform those present of the reason for the rate change. Each public meeting held pursuant to this section must include a public comment period. After the public meeting, the governing body of the consumer-owned water utility shall hold a meeting to deliberate and vote on the proposed rate increase, which may be modified on the basis of the public comment received during the public meeting. The consumer-owned water utility shall take minutes of the public meeting and the subsequent meeting of the governing body.

Within 30 days of the public meeting, the consumer-owned water utility shall file with the commission and the Public Advocate a copy of the minutes of that meeting, which must include a record of the public comment received. Within 30 days of the meeting of the governing body of the consumer-owned water utility held under this subsection, the consumer-owned water utility shall file with the commission and the Public Advocate a copy of the minutes of that meeting, which must include the vote of the governing body, along with responses of the governing body to the public comment received. A copy of the minutes of each meeting must be made available to customers for examination at the offices of the utility.

7. Filing changed rates. The consumer-owned water utility shall file its changed rates with the commission within 30 days of the vote of the governing body of the consumer-owned water utility under subsection 6, but not sooner than 10 days following the vote.

8. Effective date established for rate change. Subject to the notice and waiver requirements of section 307, consumer-owned water utilities electing to set rates under this section may establish an effective date for a rate change of at least one month, but not more than 9 months, from the date the rates are filed with the commission under subsection 7.

9. Review of rates under section 310. Nothing in this section prohibits a consumer-owned water utility from petitioning the commission for review pursuant to section 310 or filing a rate change pursuant to section 6104 in the first instance.

10. Correction of errors. Upon review of a rate filing made pursuant to this section, the commission may order the consumer-owned water utility to correct mathematical or clerical errors.

See title page for effective date.

CHAPTER 238

H.P. 910 - L.D. 1307

An Act To Provide Limited Immunity for Road Association Directors, Commissioners and Volunteers

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

Sec. 1. 23 MRSA §3101, sub-§7 is enacted to read:

7. Immunity from suit. A commissioner, board or owner of a parcel of land who undertakes activities of a road association under this subchapter is immune from civil liability in all actions by owners or lessees of other lots for the following activities:

- A. The determination of repairs and maintenance to be undertaken;
- B. The determination of materials to be furnished or amount of money to be paid by each owner for repairs and maintenance;
- C. The collection of the money from each owner; and
- D. The awarding of a contract authorized under section 3 103.

Sec. 2. 23 MRSA §3101, sub-§8 is enacted to read:

8. Environmental violations. Notwithstanding subsection 7, a commissioner, board or owner of a parcel of land is not immune from an enforcement action for a violation of law under the jurisdiction of

the Department of Environmental Protection or a municipality.

See title page for effective date.

CHAPTER 239

H.P. 918 - L.D. 1315

An Act To Amend the Private Way Laws with Regard to Road Associations

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

Sec. 1. 23 MRSA §3101, sub-§2, as enacted by PL 2007, c. 625, §1, is amended to read:

2. Call of meeting. When 4 or more parcels of land are benefited by a private road, private way or bridge as an easement or by fee ownership of the private road, private way or bridge, the owners of any 3 or more of the parcels, as long as at least 3 of the parcels are owned by different persons, may make written application to a notary public to call a meeting. The notary may issue a warrant or similar written notice setting forth the time, place and purpose of the meeting. Copies of the warrant or similar written notice must be mailed by means of the United States Postal Service to the owners of all the parcels benefited by the private road, private way or bridge at the addresses set forth in the municipal tax records at least 30 days before the date of the meeting. ~~If mailing copies of the warrant or similar written notice to all such owners is not possible, the notary shall post a notice in a public place.~~ The notice must inform the owners of the planned meeting's agenda and specify all items to be voted on. Subsequent meetings may be called in the same manner or by a commissioner or board appointed at a previous meeting pursuant to subsection 5.

Sec. 2. 23 MRSA §3101, sub-§4-A is enacted to read:

4-A. Road associations. A road association through its commissioner or board may address present and future repair and maintenance of a private road, private way or bridge until the association is dissolved by a majority vote of its members.

Sec. 3. 23 MRSA §3101, sub-§5-A is enacted to read:

5-A. Easements. A road association under this section may negotiate an easement for the installation of a ditch, drain, culvert or other storm water management infrastructure to benefit the road. The easement must specify when a ditch, drain, culvert or other storm water management infrastructure must be maintained and include reasonable performance standards

to guide the timing and extent of its upkeep and repair. The easement must also be recorded at the registry of deeds in the county in which the property subject to the easement is located. A ditch, drain, culvert or other storm water management infrastructure subject to an easement under this subsection must be under the control of and maintained by the road association.

Sec. 4. 23 MRSA §3105 is repealed and the following enacted in its place:

§3105. Use of town equipment

1. Fire and police protection; protecting or restoring a great pond. The inhabitants of any town or village corporation at a legal town or village corporation meeting may authorize the municipal officers of the town or assessors of the village corporation to use its highway equipment on private roads, private ways or bridges within the town or village corporation, whenever the municipal officers or assessors consider it advisable in the best interests of the town or village corporation for fire and police protection and for the purposes of protecting or restoring a great pond as defined in Title 38, section 480-B, subsection 5 if:

A. The private road, private way or bridge is within the watershed of the great pond;

B. The great pond:

(1) Is listed on the Department of Environmental Protection's list of bodies of water most at risk pursuant to Title 38, section 420-D, subsection 3;

(2) Has been listed as impaired in an integrated water quality monitoring and assessment report submitted by the Department of Environmental Protection to the United States Environmental Protection Agency pursuant to the federal Clean Water Act, 33 United States Code, Section 1315(b) at least once since 2002; or

(3) Is identified as having threats to water quality in a completed watershed survey that uses a protocol accepted by the Department of Environmental Protection;

C. The Department of Environmental Protection or the municipality determines that the private road, private way or bridge is contributing to the degradation of the water quality of the great pond based upon an evaluation of the road, way or bridge using a protocol accepted by the department;

D. The repair complies with best management practices required by the Department of Environmental Protection; and

E. The private road, private way or bridge is maintained by a road association organized under this subchapter or Title 13-B.

See title page for effective date.

CHAPTER 240

H.P. 823 - L.D. 1199

An Act To Implement the Recommendations of the Right To Know Advisory Committee

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

Whereas, when the Public Access Division and the Public Access Ombudsman were created in statute by Public Law 2007, chapter 603, a sunset of June 30, 2009 was included; and

Whereas, the Public Access Division and the Public Access Ombudsman concept needs to be continued in case funding, other than from the General Fund, is identified; 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. 1 MRSA §403, as repealed and replaced by PL 1975, c. 758, is amended to read:

§403. Meetings to be open to public

Except as otherwise provided by statute or by section 405, all public proceedings ~~shall~~ must be open to the public, any person ~~shall~~ must be permitted to attend any public proceeding and any public record or minutes of such proceedings that is are required by law ~~shall~~ must be made promptly and ~~shall~~ must be open to public inspection.

Sec. 2. 1 MRSA §405, as amended by PL 2003, c. 709, §1, is further amended to read:

§405. Executive sessions

Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions.

1. Not to defeat purposes of subchapter. ~~These sessions shall~~ An executive session may not be used to defeat the purposes of this subchapter as stated in section 401.

2. Final approval of certain items prohibited. ~~No ordinances, orders, rules, resolutions, regulations, contracts, appointments~~ An ordinance, order, rule, resolution, regulation, contract, appointment or other official actions shall action may not be finally approved at an executive sessions session.

3. Procedure for calling of executive session. ~~Executive sessions~~ An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.

4. Motion contents. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

5. Matters not contained in motion prohibited. ~~No Matters other matters than those identified in the motion to go into executive session~~ may not be considered in that particular executive session.

6. Permitted deliberation. Deliberations on only the following matters may be conducted in during an executive sessions on the following matters and no others session:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated ~~shall~~ must be permitted to be present at an executive session if ~~he~~ that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against ~~him~~ that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the indi-

vidual under discussion ~~shall~~ must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, ~~provided that as long as:~~

- (1) The student and legal counsel and, if the student ~~be~~ is a minor, the student's parents or legal guardians ~~shall be~~ are permitted to be present at an executive session if the student, parents or guardians so desire.;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to ~~his~~ the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage.;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the

municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

Sec. 3. 1 MRSA §407, sub-§2, as enacted by PL 1975, c. 758, is amended to read:

2. Dismissal or refusal to renew contract. Every agency shall make a written record of every decision involving the dismissal or the refusal to renew the contract of any public official, employee or appointee. The agency shall, except in case of probationary employees, set forth in the record the reason or reasons for its decision and make findings of fact, in writing, sufficient to ~~appraise~~ apprise the individual concerned and any interested member of the public of the basis for the decision. A written record or a copy thereof ~~shall~~ must be kept by the agency and made available to any interested member of the public who may wish to review it.

Sec. 4. 1 MRSA §408, sub-§6, ¶B, as enacted by PL 2003, c. 709, §2, is amended to read:

B. Release of the public record requested is in the public interest because ~~it doing so~~ is likely to contribute significantly to public understanding of the operations or activities of government and is not primarily in the commercial interest of the requester.

Sec. 5. 1 MRSA §409, sub-§1, as amended by PL 1987, c. 477, §5, is further amended to read:

1. Records. If any body or agency or official, who has custody or control of any public record, ~~shall refuse~~ refuses permission to ~~so~~ inspect or copy or abstract a public record, this denial ~~shall~~ must be made by the body or agency or official in writing, stating the reason for the denial, within 5 working days of the request for inspection by any person. Any person aggrieved by denial may appeal ~~therefrom~~, within 5 working days of the receipt of the written notice of denial, to any Superior Court within the State. If a court, after a trial de novo, determines such denial was not for just and proper cause, it shall enter an order for disclosure. Appeals ~~shall be~~ are privileged in respect to their assignment for trial over all other actions except writs of habeas corpus and actions brought by the State against individuals.

Sec. 6. 1 MRSA §409, sub-§3, as enacted by PL 1975, c. 758, is amended to read:

3. Proceedings not exclusive. The proceedings authorized by this section ~~shall are~~ are not be exclusive of any other civil remedy provided by law.

Sec. 7. 5 MRSA §200-I, sub-§6, as enacted by PL 2007, c. 603, §1, is repealed.

Sec. 8. 12 MRSA §6072, sub-§10, ¶D, as repealed and replaced by PL 2003, c. 247, §6, is amended to read:

D. The lessee shall annually submit to the department a seeding and harvesting report for the past year and a seeding and harvesting plan for the coming year. Upon written request, the department shall provide a copy of the report to the municipality or municipalities in which or adjacent to which the lease is located. The seeding and harvesting reports submitted by a lessee under this paragraph are considered ~~confidential business record~~ proprietary information for the purposes of section ~~6077, subsection 4.~~

Sec. 9. 12 MRSA §6072-A, sub-§17-A, ¶B, as enacted by PL 2003, c. 247, §13, is amended to read:

B. The lessee shall mark the leased area in a manner prescribed by the commissioner; ~~and~~

Sec. 10. 12 MRSA §6072-A, sub-§17-A, ¶C, as enacted by PL 2003, c. 247, §13, is amended to read:

C. The lessee shall annually submit to the commissioner a report for the past year on results of the scientific research or commercial research and development undertaken at the lease site and a plan for the coming year. Results of commercial research and development submitted to the commissioner are confidential records for the purposes of Title 1, section 402, subsection 3, paragraph A. ~~Upon written request, the commissioner shall provide a copy of the public records in the report to the municipality or municipalities in which or adjacent to which the lease is located;~~ and

Sec. 11. 12 MRSA §6072-A, sub-§17-A, ¶D is enacted to read:

D. The lessee shall annually submit to the department a seeding and harvesting report for the past year and a seeding and harvesting plan for the coming year. Upon written request, the commissioner shall provide a copy of the report to the municipality or municipalities in which or adjacent to which the lease is located. The seeding and harvesting reports submitted by a lessee under this paragraph are considered proprietary information for the purposes of section 6077, subsection 4.

Sec. 12. 12 MRSA §6077, sub-§4, ¶A, as amended by PL 2003, c. 247, §17, is further amended to read:

A. Information submitted to the department under this section may be designated by the submitter as proprietary information and being only for the confidential use of the department, its agents

and employees, other agencies of State Government, as authorized by the Governor, employees of the United States Environmental Protection Agency, the United States Army Corps of Engineers, the United States Fish and Wildlife Service, the National Marine Fisheries Services, the United States Department of Agriculture, the Attorney General and employees of the municipality in which the aquaculture facility 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 submitter 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 submitter. Within 15 days after receipt of the notice, the submitter 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 submitter 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 submitter and the person requesting the designated information. A person aggrieved by a decision of the department may appeal to the Superior Court. Information that has been designated by the submitter as proprietary information may not be disclosed in a manner or form that permits identification of any person or vessel, except when required by court order or when specifically permitted under this section. All information provided by the department to the municipality under this paragraph is confidential and not a public record under Title 1, chapter 13. If a request for the 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 paragraph.

Sec. 13. 12 MRSA §6077, sub-§4, ¶E, as enacted by PL 1991, c. 381, §6, is amended to read:

E. It is unlawful to disclose designated information to any person not authorized by this section.

(1) Any person who solicits, accepts or agrees to accept, or who promises, offers or gives any pecuniary benefit in return for the

disclosure of designated information is guilty of a Class D crime.

(2) A person who knowingly discloses designated information, knowing that the disclosure is not authorized, commits a civil violation for which a penalty of not more than \$5,000 may be assessed.

(3) In any action under this paragraph, the court shall first declare that the information is ~~a trade secret or production, commercial or financial proprietary information, the disclosure of which would impair the competitive position of the submitter and would make available information not otherwise publicly available.~~

Sec. 14. 12 MRSA §6077, sub-§4, ¶F is enacted to read:

F. For the purposes of this subsection, "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 submitter and would make available information not otherwise publicly available.

Sec. 15. 12 MRSA §6078-A, sub-§1, as enacted by PL 2003, c. 247, §19, is amended to read:

1. Fund established. The Aquaculture Monitoring, Research and Development Fund, referred to in this section as "the fund," is established. All income received by the commissioner under this section must be deposited with the Treasurer of State, tracked according to its source and credited to the fund. Any balance remaining in the fund at the end of a fiscal year does not lapse but must be carried forward to the next fiscal year. Any interest earned on assets of the fund is credited to the fund. All records related to harvests submitted by aquaculture lease holders are considered ~~confidential business record proprietary~~ information for the purposes of section 6077, subsection 4.

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

Effective June 2, 2009.

CHAPTER 241

S.P. 504 - L.D. 1388

An Act Regarding the Licensing Fees for Certain Professional Programs

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

PART A

Sec. A-1. 10 MRSA §9006-C, sub-§1, as enacted by PL 1993, c. 642, §15, is amended to read:

1. Manufacturer's warranty seal. Before manufactured housing may be installed in this State, the manufacturer shall first obtain from the board a Maine manufacturer's warranty seal ~~and. The warranty seal may be issued upon payment of the fee as set pursuant to section 9021, subsection 2-A. The manufacturer must attach the seal to the manufactured housing. The fee to the manufacturer for the warranty seal may not exceed \$50.~~

Sec. A-2. 10 MRSA §9006-C, sub-§2, as amended by PL 2005, c. 344, §6, is further amended to read:

2. Installer's or mechanic's warranty seal. Before manufactured housing may be installed in this State, the installer or mechanic must obtain from the board a Maine installer's or mechanic's warranty seal ~~and. The warranty seal may be issued upon payment of the fee as set pursuant to section 9021, subsection 2-A. The installer or mechanic must attach the seal to the manufactured housing. The fee to the installer or mechanic for the warranty seal may not exceed \$25.~~

Sec. A-3. 10 MRSA §9009, sub-§1, as enacted by PL 1977, c. 550, §1, is amended to read:

1. Investigations. The board is authorized to conduct any inspections and investigations as may be necessary to carry out its responsibilities under this chapter. ~~Fees for inspection of manufactured housing that must be paid by the manufacturer, dealer, developer dealer, installer or mechanic whose actions or failure to act gave rise to the necessity of the inspection are set pursuant to section 9021, subsection 2-A. The board is authorized to contract with local governments and private inspection organizations to carry out such inspection functions to the extent not prohibited by federal law, rule or regulation.~~

Sec. A-4. 10 MRSA §9021, sub-§2-A, as enacted by PL 2007, c. 402, Pt. D, §7, is amended to read:

2-A. Fees. The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes. The license fee to operate a mobile home park pursuant to subchapter 6 may not exceed a base fee of \$40 ~~\$60~~ plus an additional amount of up to \$4 ~~\$6~~ per mobile home site. This fee must accompany each license application, including applications for mobile home park expansion and license renewal. The review and evaluation fees authorized by section 9083 may not exceed the actual cost of the review or evaluation. The fee for any inspection au-

thorized by this chapter may not exceed the actual cost of the inspection. ~~The fee for each warranty seal required by section 9006-C, subsections 1 and 2 and each new dwelling unit required by section 9045 may not exceed \$200. The fee for any other purpose authorized by this chapter may not exceed \$200 annually. Rules adopted pursuant to this section subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.~~

Sec. A-5. 10 MRSA §9021, sub-§3, as amended by PL 2007, c. 402, Pt. D, §7, is further amended to read:

3. License term. ~~Licenses expire February 28th or at such other times as A license expires on the date set by the Commissioner of Professional and Financial Regulation may designate and are issued on a biennial basis upon payment of the license fee as set under subsection 2-A pursuant to section 8003, subsection 4 for the licensing period for which the license was issued. An additional license fee for each additional business location may be set under subsection 2-A for dealers, developer dealers, installers or mechanics who have more than one business location. A license may be renewed upon receipt of an application for renewal and the payment of the renewal fee as set pursuant to subsection 2-A. A license may be renewed up to 90 calendar days after the date of expiration upon payment of a late fee in addition to the renewal fee. An applicant who submits an application for renewal more than 90 calendar days after the expiration date is subject to all requirements governing new applicants under this chapter.~~

Sec. A-6. 10 MRSA §9065-A is enacted to read:

§9065-A. Preoccupancy inspection fee

The fee for a preoccupancy inspection of manufactured housing, as required pursuant to 24 Code of Federal Regulations, Part 3286, is set pursuant to section 9021, subsection 2-A.

Sec. A-7. 10 MRSA §9084, first ¶, as amended by PL 2007, c. 402, Pt. D, §14, is further amended to read:

The board shall, within 30 days following receipt of application, issue ~~an annual~~ a license to operate any mobile home park that is found to comply with this subchapter and the rules adopted by the board.

Sec. A-8. 10 MRSA §9084, 5th ¶, as amended by PL 2007, c. 402, Pt. D, §14, is further amended to read:

~~All mobile home park licenses expire annually on a date established A license expires on the date set by the Commissioner of Professional and Financial Regulation. Licenses pursuant to section 8003, subsection 4 for the licensing period for which the license was issued. A license may be renewed upon receipt of an~~

application for renewal and upon payment of the renewal fee as set under section 9021, subsection 2-A, subject to compliance with rules of the board and with this subchapter. A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under section 9021, subsection 2-A. ~~If any licensee fails to renew within 90 days after expiration, that licensee is required to make a new application.~~ An applicant who submits an application for renewal more than 90 calendar days after the expiration date is subject to all requirements governing new applicants under this chapter.

PART B

Sec. B-1. 32 MRSA §558, as amended by PL 2007, c. 402, Pt. H, §15, is further amended to read:

§558. Fees

The Director of the Office of Licensing and Registration within the department may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed ~~\$300~~ \$250 annually. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

PART C

Sec. C-1. 32 MRSA §3501-B, as repealed and replaced by PL 2003, c. 250, Pt. B, §5, is amended to read:

§3501-B. Fees

The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation may establish by rule fees authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed ~~\$200~~ \$350 biennially. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. C-2. 32 MRSA §3504, first ¶, as amended by PL 1999, c. 386, Pt. L, §9, is repealed and the following enacted in its place:

A license expires on the date set by the commissioner pursuant to Title 10, section 8003, subsection 4 for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and payment of the renewal fee as set under section 3501-B.

PART D

Sec. D-1. 32 MRSA §14012-A, as enacted by PL 2005, c. 262, Pt. D, §2, is amended to read:

§14012-A. Fees

The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$450 annually. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-2. 32 MRSA §14025, first ¶, as amended by PL 2005, c. 262, Pt. D, §4, is further amended to read:

A license expires on the date set by the Commissioner of Professional and Financial Regulation pursuant to Title 10, section 8003, subsection 4 for the licensing period for which the license was issued. ~~The board shall issue a renewal license for each ensuing licensing period in the absence of any reason or condition that might warrant the refusal to grant a license, upon receipt by the board of the written request of the applicant and the required fee for the license.~~ A license may be renewed upon receipt of an application for renewal and payment of the renewal fee as set under section 14012-A and upon the applicant presenting evidence of compliance with the requirements of section 14027. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee, as set under section 14012-A, in addition to a required renewal fee as set under section 14012-A.

Sec. D-3. 32 MRSA §14027, sub-§1, as amended by PL 2005, c. 518, §1, is further amended to read:

1. Requirement. As a prerequisite to renewal of a license, an applicant must have completed the minimum hour requirements for continuing education in programs or courses approved by the appraiser qualifications board, which must include a 7-hour national uniform standards of professional appraisal practice update course completed in the even-numbered year as part of license renewal. ~~For purposes of this section, the board may establish, by rule, a core educational requirement.~~

Sec. D-4. 32 MRSA §14038, sub-§5, as enacted by PL 2005, c. 518, §9, is amended to read:

5. Limited license term. A trainee real property appraiser license may only be renewed for ~~2 biennial~~ 5 annual terms. After 6 years, the trainee is not eligible for license renewal but must qualify as a new applicant.

See title page for effective date.

CHAPTER 242
H.P. 962 - L.D. 1372

**An Act To Simplify Maine's
Accountancy Laws**

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

Sec. 1. 32 MRSA §12201, sub-§2, as enacted by PL 1987, c. 489, §2, is amended to read:

2. Certificate. "Certificate" means a certificate as "certified public accountant" issued under ~~section 12227 or corresponding provisions of prior law~~, and a certificate as "public accountant" issued under ~~section 12239 or corresponding provisions of prior law~~, or a corresponding certificate as a certified public accountant issued after examination under the law of any other state.

Sec. 2. 32 MRSA §12201, sub-§6, as amended by PL 2007, c. 402, Pt. Z, §1, is further amended to read:

6. Licensee. "Licensee" means a person who holds a license issued by the board under section ~~12251~~ 12230 or 12231 or a corresponding provision of prior law, or a firm that holds a license issued by the board under section 12252.

Sec. 3. 32 MRSA §12213, as amended by PL 2007, c. 402, Pt. Z, §5 and c. 621, §11, is further amended to read:

§12213. Appointment

The Board of Accountancy, as established by Title 5, section 12004-A, subsection 1, within the department consists of 5 members appointed by the Governor. Each member of the board must be a resident of this State. Four members must be holders of ~~certificates issued under section 12227 and licenses issued under section 12251~~ 12230 or 12231 or a corresponding provision of prior law and must have had, as their principal occupation, active practice as certified public accountants for at least the 5 preceding years. One member of the board must be a public member as defined in Title 5, section 12004-A. Appointments are for 3-year terms. Appointments of members must comply with Title 10, section 8009. The Governor may remove a member of the board for cause.

Sec. 4. 32 MRSA §12227, as enacted by PL 1987, c. 489, §2, is amended to read:

§12227. Licenses; certified public accountants

Any person who ~~shall have received~~ receives from the board a ~~certificate of his qualifications~~ license to practice as a certified public accountant, prior to the effective date of this chapter or as provided in ~~section 12228, shall this subchapter may~~ be styled and known as a certified public accountant, and no other persons

may assume that title or use the abbreviation "CPA" or any other words, letters or figures to indicate that the person using the title is a certified public accountant.

Sec. 5. 32 MRSA §12228, sub-§1, as repealed and replaced by PL 2007, c. 695, Pt. A, §37, is repealed.

Sec. 6. 32 MRSA §12228, sub-§1-A is enacted to read:

1-A. Qualifications for licensure. A person who meets the good character, education, examination and experience requirements of this section is eligible to apply for licensure as a certified public accountant pursuant to section 12230.

Sec. 7. 32 MRSA §12228, sub-§3, as repealed and replaced by PL 2007, c. 695, Pt. A, §37, is amended to read:

3. Education requirement. The education requirement for a certificate license is as follows:

B. At least 150 semester hours of education, including a minimum 4-year baccalaureate or higher degree conferred by a college or university acceptable to the board, the total educational program to include basic courses in accounting and auditing determined to be appropriate under board rules. Rules adopted by the board pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A; and

C. An examination applicant who expects to complete a minimum 4-year baccalaureate or higher degree required in paragraph B within 120 days following the examination is eligible to take the examination. Grades may not be released, nor may credit for the examination or any part of the examination be given to the applicant unless the degree required in paragraph B is completed within 120 days following the examination or within such time as the board in its sole discretion may determine.

Sec. 8. 32 MRSA §12228, sub-§10, as repealed and replaced by PL 2007, c. 695, Pt. A, §37, is amended to read:

10. Experience. For initial issuance of a ~~certificate license~~ under this subsection section 12230, an applicant ~~shall~~ must demonstrate 2 years of experience under the direction of a certified public accountant licensed by any state or territory of the United States or equivalent direction, as determined by the board, by a licensed professional in another country and must meet the other requirements prescribed by the board by rule. The applicant's experience must include the use of accounting or auditing skills, including the issuance of reports on financial statements, and at least one of the following: the provision of management advisory, financial advisory or consulting services; the preparation of tax returns; the furnishing of advice on

tax matters; or equivalent activities defined by the board by rule. Board rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. To the extent the applicant's experience is as a revenue agent or in a similar position engaged in the examination of personal and corporate income tax returns for the Bureau of Revenue Services, the applicant receives credit at the rate of 50% toward the experience required by this subsection. To the extent the applicant's experience is as an examiner engaged in financial examinations for the Bureau of Insurance, the applicant receives credit under this subsection if that experience meets the following standards:

- A. Examinations are performed in conformity with the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board;
- B. Working papers prepared by the examiners are in conformity with generally accepted auditing standards and are subject to a review by a supervisor who must be a certified public accountant;
- C. Written reports of examination are prepared in conformity with the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board. All examiners working on the examinations must participate in the preparation of the report;
- D. Reports of examination are prepared in accordance with statutory accounting principles. All examiners working on the examinations must participate in the preparation of the financial statements and corresponding note disclosures; and
- E. All examiners assigned to an examination must participate in the planning of the examination and the planning phase conforms to the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board and generally accepted auditing standards.

Sec. 9. 32 MRSA §12228, sub-§11, as repealed and replaced by PL 2007, c. 695, Pt. A, §37, is amended to read:

11. Board discretion. The members of the board have the full and sole responsibility for the determination of the qualifications of applicants for the ~~certificate~~ license of "certified public accountant." Only persons recommended by the board may be granted the ~~certificate~~ license of "certified public accountant."

Sec. 10. 32 MRSA §12229, as amended by PL 2007, c. 402, Pt. Z, §12, is repealed.

Sec. 11. 32 MRSA §12230 is enacted to read:

§12230. Application for licensure

1. Licensure. The board shall issue a license as a certified public accountant to a person who submits the application required by the board, pays the fee as set under section 12203 and meets the qualifications set forth in section 12228.

2. Timeliness of application. A person who applies for an initial license more than 4 years after the person met the qualifications for licensure set forth in section 12228 must demonstrate completion of 40 hours of continuing professional education that meets the requirements of section 12333 during the year preceding application.

Sec. 12. 32 MRSA §12231 is enacted to read:

§12231. Application for licensure on the basis of an out-of-state license or certificate

1. Substantial equivalency. The holder of a license or certificate issued by another state who establishes that holder's principal place of business in this State shall request the issuance of a license from the board prior to establishing such principal place of business. The board shall issue a license to a person who obtains from a national association of state boards of accountancy verification that the individual's certified public accountancy qualifications are substantially equivalent to the certified public accountant licensure requirements of the American Institute of Certified Public Accountants, National Association of State Boards of Accountancy Uniform Accountancy Act.

2. Nonsubstantial equivalency. For applicants who cannot meet the substantial equivalency requirements of subsection 1, the board shall issue a license to an applicant who holds a certificate or license as a certified public accountant issued by another state and who submits the application required by the board, pays the fee as set under section 12203 and meets the following requirements:

A. The applicant meets all current requirements in this State for issuance of a license at the time the application is made;

B. At the time of the issuance of the applicant's certificate in the other state, the applicant met all the requirements then applicable in this State;

C. The applicant was eligible to take and passed the examination required for issuance of the certificate with grades that would have been passing grades at the time in this State; and

D. If the applicant is applying for a first-time license more than 4 years after the person obtained a certificate in the other state, the applicant:

- (1) Completed 40 hours of continuing professional education that meets the requirements of section 12233 during the 12 months preceding application; or

(2) Has 4 years of experience in the practice of public accountancy, or its equivalent, that meets requirements prescribed by the board by rule after passing the examination upon which the certificate is based and within the 10 years preceding the submission of the application.

Sec. 13. 32 MRSA §12232 is enacted to read:

§12232. Practice without license on the basis of substantial equivalency

1. Substantial equivalency. An individual whose principal place of business is outside the State is presumed to have qualifications substantially equivalent to the State's requirements and has all the privileges of licensees of the State and may provide professional services in the State without the requirement to obtain a license under this section or to otherwise notify or register with the board or pay any fee if the individual:

A. Holds a valid license as a certified public accountant from a state that the board has verified to be in substantial equivalence with the certified public accountant licensure requirements of a national association of state boards of accountancy and standards promulgated by the American Institute of Certified Public Accountants; or

B. Holds a valid license as a certified public accountant from a state that is not in substantial equivalence with the certified public accountant licensure requirements under paragraph A, but the board determines that the individual's certified public accountant qualifications are substantially equivalent to the certified public accountant licensure requirements of a national association of state boards of accountancy and standards promulgated by the American Institute of Certified Public Accountants. For purposes of this subsection, the board may exempt an individual who passed the Uniform Certified Public Accountant Examination and holds a valid license issued by any other state prior to January 1, 2012 from the education requirement in section 12228, subsection 3, paragraph B.

In determining substantial equivalence, the board may consult determinations and verifications from a national qualification appraisal service of a national association of state boards of accountancy.

2. No notice or other submission required.

Notwithstanding any other provision of law, an individual who qualifies for licensure under this section may offer or render professional services in this State, whether in person or by mail, telephone or electronic means, and no notice or other submission may be required of any such individual. Such an individual is subject to subsection 3.

3. Conditions. An individual licensee of another state exercising the practice privilege afforded under this section and the firm that employs that individual must consent, as a condition of the grant of the practice privilege:

A. To the personal and subject matter jurisdiction and disciplinary authority of the board;

B. To comply with the provisions of this chapter and the board's rules;

C. To the stipulation that, in the event the license from the state of the individual's principal place of business is no longer valid, the individual will cease offering or rendering professional services in the State individually and on behalf of a firm; and

D. To the appointment of the state board that issued the individual's license as the individual's agent upon whom process may be served in any action or proceeding by this State's board against the individual.

4. Additional services. An individual who qualifies for the practice privilege under this section may perform any of the services listed in this subsection for any entity with its home office in the State as long as the individual does so through a firm that has obtained a license issued under section 12252:

A. A financial statement audit or other engagement to be performed in accordance with the Statements on Auditing Standards;

B. An examination of prospective financial information to be performed in accordance with Statements on Standards for Attestation Engagements; or

C. An engagement to be performed in accordance with auditing standards of the Public Company Accounting Oversight Board, established in 15 United States Code, Section 7211 (2007).

Sec. 14. 32 MRSA §12233 is enacted to read:

§12233. Continuing education requirements for renewal

An applicant for renewal of a public accountant or certified public accountant license must show that requirements of continuing professional education have been fulfilled. The board shall establish by rule the number of hours of continuing professional education required for renewal, which may be no more than 40 hours and no less than 20 hours annually. That education must consist of the general kinds and in subjects that are specified by the board by rule. The board may provide by rule that fulfillment of continuing professional education requirements of other states is accepted in lieu of the requirements of this subsection. The board may also provide by rule for prorated continuing professional education requirements to be met

by applicants whose initial licenses were issued less than one year prior to the renewal date. The board may prescribe by rule lesser continuing education requirements to be met by applicants for license renewal whose licenses lapsed prior to their applications for renewal. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

The board, in its discretion, may renew a license despite failure to furnish evidence of satisfaction of requirements of continuing professional education only upon condition that the applicant follow a particular program or schedule of continuing professional education. In issuing rules and individual orders regarding the requirements of continuing professional education, the board in its discretion may use and rely upon guidelines and pronouncements of recognized educational and professional organizations; may prescribe the content, duration and organization of courses; may take into account any impediments to interstate practice of public accountancy that result from differences between the requirements and those of other states; and may provide for relaxation or suspension of the requirements for applicants who certify that they do not intend to engage in the practice of public accountancy.

Sec. 15. 32 MRSA §12234 is enacted to read:

§12234. Expiration; renewal

1. Licensing period. A license expires on the date set by the Commissioner of Professional and Financial Regulation pursuant to Title 10, section 8003, subsection 4 for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and payment of the renewal fee as set under section 12203.

2. Late renewals. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee in addition to the renewal fee as set under section 12203. Any person who submits an application for renewal more than 90 days after the expiration date is subject to all requirements governing new applicants under this chapter, in addition to fulfilling any continuing education requirements the board considers necessary under section 12233. The board in its discretion, giving due consideration to the protection of the public, may waive any requirements if that renewal application is made within 2 years from the date of that expiration.

3. Excused from license fee. Any licensee whose employment by any government agency prohibits or precludes the practice of public accountancy in this State, by application to the board, may be excused from paying the annual license fee during the period of that employment.

Sec. 16. 32 MRSA §12239, as enacted by PL 1987, c. 489, §2, is amended to read:

§12239. Licenses issued under prior law; public accountants

Any person who receives received from the board a certificate of his qualifications license to practice as a public accountant, prior to the effective date of this chapter or as provided in section 12240, shall under prior law may be styled and known as a public accountant, and no other persons may assume to use the abbreviation "PA" or any other words, letters or figures to indicate that the person using the abbreviation is the public accountant.

Sec. 17. 32 MRSA §12240, as amended by PL 2007, c. 402, Pt. Z, §§13 and 14, is repealed.

Sec. 18. 32 MRSA §12241, as amended by PL 2007, c. 402, Pt. Z, §15, is repealed.

Sec. 19. 32 MRSA §12242 is enacted to read:

§12242. Discontinuance of initial licensure as public accountant; renewal of existing licenses

No new public accountant licenses may be issued by the board on or after the effective date of this section. Holders of existing public accountant licenses may renew their licenses in the same manner as set forth in section 12233 for certified public accountants. Public accountant licenses expire in the same manner as set forth in section 12234 for certified public accountants.

Sec. 20. 32 MRSA §12251, as amended by PL 2007, c. 384, §§9 and 10 and c. 402, Pt. Z, §16, is repealed.

Sec. 21. 32 MRSA §12252, as amended by PL 2007, c. 384, §§11 to 13 and c. 402, Pt. Z, §17 and repealed and replaced by c. 695, Pt. A, §38, is further amended to read:

§12252. Licenses; accounting firms

1. Licensure. The board shall grant or renew a license to accounting firms that make submit the application required by the board, pay the fee as set under section 12203 and demonstrate their qualifications in accordance with this section.

A. A firm must hold a license issued under this section if it:

- (1) Has an office in this State performing any of the services described in section 12201, subsection 3-A, paragraphs A to D;
- (2) Has an office in this State that uses the title "CPA" or "CPA firm"; or
- (3) Does not have an office in this State but performs any of the services described in section 12201, subsection 3-A, paragraphs A, C or D for a client having its home office in this State.

B. A firm that does not have an office in this State may perform services described in section 12201, subsection 3-A, paragraph B for a client having its home office in this State and may use the title "CPA" or "CPA firm" without a license issued under this section only if:

- (1) It qualifies for a firm license pursuant to subsections 3 and 8; and
- (2) It performs such services through an individual with practice privileges under section ~~12251, subsection 4-B~~ 12232.

C. A firm that is not subject to the requirements of paragraphs A and B may perform professional services other than those described in section 12201, subsection 3-A while using the title "CPA" or "CPA firm" in this State without a license issued under this section only if the firm:

- (1) Performs such services through an individual with practice privileges under section ~~12251, subsection 4-B~~ 12232; and
- (2) Has legal authority to perform such services in the state of that individual's principal place of business.

2. Duration. ~~Licenses are initially issued and renewed for a period of one year, but in any event expire on June 30th following issuance or renewal or on such other date as the commissioner may designate. The board shall grant or deny a license application no later than 60 days after a complete application is filed. In any case when the applicant seeks the opportunity to show that issuance or renewal of a license was mistakenly denied or when the board is not able to determine whether it should be granted or denied, the board may issue to the applicant a provisional license, which expires 90 days after its issuance or when the board determines whether or not to issue or renew the license for which application was made, whichever first occurs. A license expires on the date set by the Commissioner of Professional and Financial Regulation pursuant to Title 10, section 8003, subsection 4 for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and payment of the renewal fee as set under section 12203.~~

Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee in addition to the renewal fee as set under section 12203. Any firm that submits an application for renewal more than 90 days after the expiration date is subject to all requirements governing new applicants under this chapter. The board in its discretion, giving due consideration to the protection of the public, may waive any requirements if that renewal application is made within 2 years from the date of that expiration.

3. Firm licenses. The following provisions apply to the issuance of firm licenses.

A. An applicant for initial issuance or renewal of a license under this section shall show that a simple majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, shareholders, members or managers, belongs to ~~holders of certificates~~ certified public accountants or public accountants who are licensed in a state and that all partners, officers, shareholders, members or managers whose principal place of business is in this State and who perform professional services in this State hold valid individual licenses issued by the board. Firms may include nonlicensee owners in accordance with paragraph B.

B. A certified public accountancy firm or public accountancy firm may include nonlicensee owners as long as:

- (1) All nonlicensee owners are individuals who actively participate in the certified public accountancy firm or public accountancy firm;
- (2) The firm complies with such other requirements as the board may impose by rule; and
- (3) The firm designates an individual who is a licensee of this State or, in the case of a firm that must have a license pursuant to subsection 1, paragraph A, subparagraph (3), designates an individual who is a licensee of another state who meets the requirements set out in section ~~12251~~ 12232, subsection ~~4-B~~, paragraph A 1 who is responsible for the proper registration licensure of the firm and identifies that individual who is a licensee to the board.

4. Office licensed. An applicant for initial issuance or renewal of a license under this section shall ~~register~~ license each office of the firm within this State with the board, pay the fee as set under section 12203 and show that each such office is under the charge of a person holding a valid license issued under section ~~12251~~ 12230 or 12231 or ~~the~~ a corresponding provision of prior law or the laws of another state.

6. Change in composition. ~~Applicants for initial issuance or renewal of licenses under this section~~ A licensed firm shall in their application list all states in which they have applied for, or hold licenses to, practice public accountancy and each holder of, or applicant for, a license under this section shall notify the board in writing, within 30 days after its occurrence, of any change in the identities of partners, officers or shareholders who work regularly within this State, any change in the number or location of offices within this State, or any change in the identity of the persons in

charge of those offices and any issuance, denial, revocation or suspension of a license by any other state.

8. Peer review for certified public accountancy firms. As a condition to the granting or renewal of licenses to certified public accountancy firms, each applicant that provides a defined service other than compilations must successfully participate in an approved peer review program. Participation in such a program is governed by the following.

A. A peer review must be completed within 18 months after the initial granting of the license. The firm must undergo a peer review every 3 years for as long as it provides a defined service other than compilations.

B. A certified public accountancy firm that does not provide a defined service other than compilations is not required to undergo a peer review if the firm annually confirms in writing to the board that it does not provide a defined service other than compilations. A certified public accountancy firm that subsequently provides a defined service other than compilations must undergo a peer review within 18 months after the fiscal year end of the first defined services engagement other than compilations that it accepts.

The board is authorized to adopt rules to carry out the intent of this subsection. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 22. 32 MRSA §12263, as amended by PL 2007, c. 402, Pt. Z, §18, is further amended to read:

§12263. Appointment of commissioner as agent

Application by a person or a firm not a resident of this State for ~~a certificate initial licensure or renewal of a license under section 12228 or 12240 or a license under section 12251 or 12252~~ this chapter constitutes appointment of the commissioner as the applicant's agent upon whom process may be served in any action or proceeding against the applicant arising out of any transaction or operation connected with or incident to the practice of public accountancy by the applicant within this State.

Sec. 23. 32 MRSA §12273-A, sub-§2, as enacted by PL 2007, c. 402, Pt. Z, §20, is amended to read:

2. Failure to maintain compliance. Failure, on the part of an applicant or a licensee ~~under section 12251 or 12252~~ to maintain compliance with the requirements for issuance or renewal of that license or to report the changes to the board under section 12251, subsection 6 or required by section 12252, subsection 6;

Sec. 24. 32 MRSA §12273-A, sub-§5, as enacted by PL 2007, c. 402, Pt. Z, §20, is amended to read:

5. Fraud. Performance of any fraudulent act while holding a ~~certificate or~~ license issued under this chapter or a certificate or license issued under prior law; and

Sec. 25. 32 MRSA §12274, sub-§2, as amended by PL 2007, c. 695, Pt. C, §18, is further amended to read:

2. Review. The board may review the publicly available professional work of licensees on a general and random basis, without any requirement of a formal complaint or suspicion of impropriety on the part of any particular licensee. If, as a result of such review, the board discovers reasonable grounds for a more specific investigation, the board may proceed under section 12273-A or Title 10, section 8003-A, subsection 2.

Sec. 26. 32 MRSA §12274, sub-§3, as amended by PL 2007, c. 695, Pt. B, §15, is further amended to read:

3. Discipline. In any case when the board renders a decision imposing discipline against a licensee ~~under this section and section 12273-A~~, the board shall examine its records to determine whether the licensee holds a certificate or a license in any other state; and, if so, the board shall notify the board of accountancy of that other state of its decision by mail within 45 days of rendering the decision. The board may also furnish information relating to proceedings resulting in disciplinary action to other public authorities and to private professional organizations having a disciplinary interest in the licensee.

Sec. 27. 32 MRSA §12274, sub-§4, ¶A, as amended by PL 2007, c. 402, Pt. Z, §23, is further amended to read:

A. In any case when the board has suspended or revoked ~~a certificate or~~ a license or refused to renew a license, ~~the board may modify the suspension or reissue the certificate or license upon application in writing by the person or firm affected and for good cause shown~~ may apply in writing to the board for relief. For good cause shown, the board may modify the suspension or reissue the license.

Sec. 28. 32 MRSA §12274, sub-§4, ¶C, as amended by PL 2007, c. 402, Pt. Z, §23, is further amended to read:

C. Before reissuing or terminating the suspension of a ~~certificate or~~ license under this section, and as a condition for reissuance or termination of suspension, the board may require the applicant to show successful completion of specified continuing professional education. The board may make

the reinstatement of a ~~certificate~~ or license conditional and subject to satisfactory completion of a quality review conducted in such fashion as the board may specify.

Sec. 29. 32 MRSA §12275, sub-§1, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

1. Issuance of reports. No person or firm not holding a valid license issued under ~~section 12251 or 12252~~ this chapter may issue a report, including reviews and compilations, on financial statements of any other person, firm, organization or governmental unit. This prohibition does not apply to the following:

A. An officer, partner or employee of any firm or organization affixing that person's signature to any statement or report in reference to the financial affairs of that firm or organization with any wording designating the position, title or office that that person holds in the organization;

B. Any act of a public official or employee in the performance of that person's duties as such; or

C. The performance by any person of other services involving the use of accounting skills, including management advisory or consulting services, the preparation of tax returns, the furnishing of advice on tax matters and the preparation of financial statements without the issuance of reports.

Sec. 30. 32 MRSA §12275, sub-§2, as enacted by PL 1987, c. 489, §2, is amended to read:

2. Misuse of title; individual; certified public accountants. No person not holding a valid certificate issued under ~~section 12227~~, shall licensed as a certified public accountant under this chapter may use or assume the title of "certified public accountant," the abbreviation "CPA" or any other title, designation, words, letters, abbreviation, sign, card or device indicating that the person is a certified public accountant.

Sec. 31. 32 MRSA §12275, sub-§3, ¶B, as amended by PL 1999, c. 619, §4, is further amended to read:

B. A simple majority of all partners, officers, shareholders, members or managers of the firm ~~hold certificates~~ are certified public accountants licensed in a state.

Sec. 32. 32 MRSA §12275, sub-§4, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

4. Misuse of title; public accountant. No person may assume or use the title or designation "public accountant," the abbreviation "PA" or any other title, designation, words, letters, abbreviation, sign, card or device indicating that the person is a public accountant unless that person holds a valid public accountant license issued under former section 12251.

Sec. 33. 32 MRSA §12275, sub-§6, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

6. Similar titles prohibited. No person or firm not holding a valid license issued under ~~section 12251 or 12252~~ this chapter may assume or use the title or designation "certified accountant," "chartered accountant," "enrolled accountant," "licensed accountant," "registered accountant," "accredited accountant" or any other title or designation likely to be confused with the titles "certified public accountant," "public accountant" or use any of the abbreviations "CA," "LA," "RA," "AA" or similar abbreviations likely to be confused with the abbreviations "CPA" or "PA," provided that a holder of a certificate who does not also hold a license may use the titles pertaining to that certificate in any manner not prohibited by rules adopted by the board under section 12214, subsection 4.

Sec. 34. 32 MRSA §12275, sub-§7, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

7. Similar designation prohibited. No person or firm not holding a valid license issued under ~~section 12251 or 12252~~ this chapter may assume or use any title or designation that includes the words "auditor" or "auditing" in connection with any other language, including the language of a report, that implies that the person or firm holds such a license or has special competence as an auditor, provided except that this subsection does not prohibit any officer, partner or employee of any firm or organization from affixing that person's signature to any statement in reference to the financial affairs of that firm or organization with any wording designating the position, title or office that that person holds in the firm or organization or prohibit any act of a public official or employee in the performance of that person's duties.

Sec. 35. 32 MRSA §12275, sub-§8, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

8. Unauthorized practice. No person holding a certificate may engage in the practice of public accountancy, unless that person also holds a valid license issued under ~~section 12251~~ this chapter.

Sec. 36. 32 MRSA §12275, sub-§11, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

11. Employees. Nothing in this chapter prohibits any person, not a certified public accountant or public accountant, from serving as an employee of, or an assistant to, a certified public accountant, public accountant, a firm of certified public accountants or of public accountants holding a license issued under ~~section 12251 or 12252~~ this chapter, provided that the employee or assistant may not issue any accounting or

financial statements over the employee's or assistant's name.

Sec. 37. 32 MRSA §12275, sub-§14, as enacted by PL 2007, c. 384, §14, is amended to read:

14. Substantial equivalency. For purposes of this section:

A. ~~As an An individual exercising permit privileges in the State practicing as a certified public accountant without a license on the basis of substantial equivalency pursuant to section 12251, subsection 4-B 12232 and complying with the restrictions on the scope of such privileges under subsection 4-B a practice is equivalent to an individual holding a certificate under section 12227 and to an individual holding a permit to practice licensed as a certified public accountant under section 12251 12230 or 12231 or a corresponding provision of prior law, and each reference in this section to certificate and permit holders a licensed certified public accountant is deemed to include, on an equal basis, individuals exercising such privileges such an individual;~~

B. A firm in compliance with section 12252, subsection 1 must, for the purposes of this section, be deemed to hold a valid ~~permit to practice license~~ issued under section 12252; and

C. Notwithstanding any other provision of this section, it is not a violation of this section if a firm that does not hold a valid ~~permit license~~ under section 12252 and that does not maintain an office in this State provides professional services in this State if the firm complies with the requirements of section 12252, subsection 1, paragraph B or C, whichever is applicable.

Sec. 38. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 32, chapter 113, subchapter 3, in the subchapter headnote, the words "registration of certified public accountants" are amended to read "licensure of certified public accountants" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 39. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 32, chapter 113, subchapter 4, in the subchapter headnote, the words "registration of public accountants" are amended to read "licensure of public accountants" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 40. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 32, chapter 113, subchapter 5, in the subchapter headnote, the word "licenses" is amended to read "licensure of accounting firms" and the Revisor

of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 41. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 32, chapter 113, subchapter 7, in the subchapter headnote, the words "enforcement against holders of certificates and licenses" are amended to read "enforcement against licensees" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 243

H.P. 930 - L.D. 1326

An Act To Amend the Laws Governing Licensed Financial Service 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, this Act will provide financial stability to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection; and

Whereas, this Act more equitably allocates fees paid to the Bureau of Consumer Credit Protection among licensed financial services providers in proportion to the resources needed to regulate those providers; and

Whereas, immediate enactment will authorize the Bureau of Consumer Credit Protection to collect its revenue in accordance with scheduled payments due in July and August 2009; 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. 9-A MRSA §2-302, sub-§1-A, as enacted by PL 2005, c. 164, §2, is amended to read:

1-A. At the time of application for a license to make supervised loans 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. Applications must be filed in a manner prescribed by the administrator, must include the names, addresses and work locations of the loan officers and such additional in-

formation as is reasonably requested by the administrator and must be accompanied by an application fee of up to \$20 for each loan officer, up to a maximum of ~~\$200~~ \$400 in total. 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 subsection.

Sec. 2. 9-A MRSA §2-302, sub-§7, as enacted by PL 2005, c. 274, §2, is amended to read:

7. 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 must be 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 subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 3. 9-A MRSA §10-201, as repealed and replaced by PL 2005, c. 683, Pt. B, §4, is amended to read:

§10-201. Licensing and biennial relicensing

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, 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 initial application for a license as a loan broker must include a fee of ~~\$400~~ \$600. The biennial relicensing application must include a fee of ~~\$200~~ \$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 ~~\$200~~ \$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 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 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 who possesses a current, valid registration. 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. 4. 32 MRSA §6173, sub-§2-A is enacted to read:

2-A. Separate registration required. A separate registration is required for each place of business. An application fee of \$250 must accompany an application for registration for a place of business other than that of the first registered location of the registrant.

Sec. 5. 32 MRSA §6174-B, sub-§2, as enacted by PL 2007, c. 36, §9, is amended to read:

2. Consumer education. A debt management service provider shall offer a consumer education program approved by the administrator. Providers of consumer education programs shall submit each such program to the administrator for approval, and each such submission must be accompanied by a \$100 fee. A debt management service provider may charge consumers a reasonable fee for the program not to exceed \$50.

Sec. 6. 32 MRSA §11031, sub-§2, as amended by PL 1999, c. 184, §24, is further amended to read:

2. Licenses. Licenses granted by the superintendent under this section are for a period of 2 years and expire on July 31st or at such other times as the superintendent may designate. Each license may be renewed biennially as long as the superintendent regards the business as responsible and safe, but in all cases terminate unless renewed by the expiration date. Each license must plainly state the name and business address of the licensee and be posted in a conspicuous place in the office where the business is transacted. The fee for each biennial license is ~~\$400~~ \$600. When the unexpired license term of an applicant is or will be less than one year at a time of licensure, the license fee may not exceed 1/2 the biennial license fee. If a licensee desires to carry on business in more than one place, the licensee shall procure a branch office license for each additional place where the business is to be conducted. The fee for each biennial branch office license is ~~\$200~~ \$300. Notwithstanding other remedies available under this chapter, applications received after the due date are subject to an additional fee of \$100.

Sec. 7. 32 MRSA §11051, as corrected by RR 1995, c. 1, §27 and affected by §28 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80 and amended by PL 2007, c. 273, Pt. B, §§5 and 6 and affected by c. 695, Pt. A, §47, is further amended to read:

§11051. Investigation, suspension and revocation of licenses

The Bureau of Consumer Credit Protection may examine or investigate the records and practices of a licensee any person the superintendent believes has engaged in conduct governed by this chapter in accordance with Title 9-A, section 6-106, may review and approve collection letters proposed for use in this State and may charge for expenses incurred pursuant to Title 9-A, section 6-106, subsection 6. The superintendent may file a complaint with the District Court to suspend or revoke a license issued pursuant to this chapter, if, after investigation or hearing, or both, the superintendent has reason to believe that the licensee has violated any provisions of this chapter or any administrative rules issued pursuant to this chapter, or has failed to maintain its financial condition sufficient to qualify for a license on an original application.

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

Effective June 3, 2009.

**CHAPTER 244
H.P. 821 - L.D. 1180**

**An Act To Clarify and Update
the Laws Related to Life and
Health Insurance**

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 American Recovery and Reinvestment Act of 2009 provides health insurance premium assistance to persons laid off on or after September 1, 2008 and eligible for continuation of health insurance coverage under state law; and

Whereas, persons eligible for continuation of health insurance coverage under state law must be provided a 2nd election period to qualify for premium assistance through the American Recovery and Reinvestment Act of 2009; and

Whereas, this bill provides that 2nd election period to conform to federal law; and

Whereas, immediate enactment of this Act is necessary to allow laid off employees the opportunity to elect to continue coverage and qualify for premium assistance; 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. 24-A MRSA §5002-B, sub-§1, ¶A, as amended by PL 2003, c. 157, §1, is further amended to read:

A. That person, including a person entitled to Medicare benefits due to disability, has been covered under a policy that supplemented benefits under Medicare or has been covered under a Medicare Advantage plan with no gap in coverage greater than 90 days beginning with the person's open enrollment period. A policy supplementing benefits payable under Medicare may include an individual health policy, a group health plan, a Medicare supplement policy or other coverage issued by the same or a different carrier.

PART B

Sec. B-1. 24-A MRSA §2713-A, as enacted by PL 1989, c. 556, Pt. D, §2, is amended to read:

§2713-A. Explanation and notice to parent

If the insured is ~~a minor under 18 years of age covered as a dependent child~~, and if the insurer is so requested by a parent of the insured ~~who is not paying the premiums on the policy~~, the insurer shall provide that parent with:

1. Payment or denial of claim. An explanation of the payment or denial of any claim filed on behalf of the insured ~~minor~~, except to the extent that the insured has the right to withhold consent and does not affirmatively consent to notifying the parent;

2. Change in terms and conditions. An explanation of any proposed change in the terms and conditions of the policy; or

3. Notice of lapse. Reasonable notice that the policy may lapse, but only if the parent has provided the insurer with the address at which the parent may be notified.

In addition, any parent who is able to provide the information necessary for the insurer to process a claim ~~shall~~ must be permitted to authorize the filing of any claims under the policy.

Sec. B-2. 24-A MRSA §2823-A, as enacted by PL 1989, c. 556, Pt. D, §3, is amended to read:

§2823-A. Explanation and notice to parent

If the insured is ~~a minor under 18 years of age covered as a dependent child~~, and if the insurer is so requested by ~~either of the minor's parents~~ a parent of the insured, the insurer shall provide that parent with:

1. Payment or denial of claim. An explanation of the payment or denial of any claim filed on behalf of the insured ~~minor~~, except to the extent that the insured has the right to withhold consent and does not affirmatively consent to notifying the parent;

2. Change in terms and conditions. An explanation of any proposed change in the terms and conditions of the policy; or

3. Notice of lapse. Reasonable notice that the policy may lapse, but only if the parent has provided the insurer with the address at which the parent may be notified.

In addition, any parent who is able to provide the information necessary for the insurer to process a claim ~~shall~~ must be permitted to authorize the filing of any claims under the policy.

Sec. B-3. 24-A MRSA §4222-B, sub-§22 is enacted to read:

22. Sections 2713-A and 2823-A, relating to explanation and notice to parents, apply to health maintenance organizations.

PART C

Sec. C-1. 24 MRSA §2321, sub-§1, as amended by PL 2003, c. 428, Pt. F, §1, is further amended to read:

1. Filing of rate information. Every nonprofit hospital and medical service organization shall file with the superintendent every rate, rating formula and every modification of any of the foregoing that it proposes to use in connection with individual health insurance contracts, group Medicare supplement contracts as defined in Title 24-A, chapter 67, group nursing home or long-term care contracts as defined in Title 24-A, chapter 68 or 68-A, and certain group contracts included within the definition of "individual health plan" in Title 24-A, section 2736-C, subsection 1, paragraph C. Every filing under this subsection must state the effective date of the filing. Every filing under this subsection must be made not less than 60 days in advance of the stated effective date unless the 60-day requirement is waived by the superintendent for a period of time not to exceed 30 days. ~~In the case of a filing that meets the criteria in subsection 4, the superintendent may suspend the effective date for a longer period not to exceed 30 days from the date the organization satisfactorily responds to any reasonable discovery requests.~~

Sec. C-2. 24 MRSA §2321, sub-§4, as amended by PL 2001, c. 432, §2, is repealed.

Sec. C-3. 24 MRSA §2321, sub-§5, as amended by PL 2001, c. 432, §3, is repealed.

Sec. C-4. 24-A MRSA §2735-A, sub-§1, as enacted by PL 2001, c. 432, §4, is amended to read:

1. Notice of rate filing or rate increase on existing policies. An insurer offering individual health plans as defined in section 2736-C must provide written notice by first class mail of a rate filing to all affected policyholders at least 60 days before the effective date of any proposed increase in premium rates or any proposed rating formula, classification of risks or modification of any formula or classification of risks. The notice must also inform policyholders of their right to request a hearing pursuant to section 229 ~~or a special rate hearing pursuant to section 2736, subsection 4 or Title 24, section 2321, subsection 5~~. The notice must show the proposed rate and state that the rate is subject to regulatory approval. The superintendent may not take final action on a rate filing until 40 days after the date notice is mailed by an insurer. An increase in premium rates may not be implemented until 60 days after the notice is provided or until the effective date under section 2736, whichever is later.

Sec. C-5. 24-A MRSA §2736, sub-§3, as amended by PL 2007, c. 629, Pt. M, §1, is repealed.

Sec. C-6. 24-A MRSA §2736, sub-§4, as amended by PL 2007, c. 629, Pt. M, §2, is repealed.

Sec. C-7. 24-A MRSA §2808-B, sub-§2-A, ¶A, as enacted by PL 2003, c. 469, Pt. E, §16, is amended to read:

A. Every filing must state the effective date of the filing. Every filing must be made not less than 60 days in advance of the stated effective date, unless the 60-day requirement is waived by the superintendent. The effective date may be suspended by the superintendent for a period of time not to exceed 30 days. ~~In the case of a filing that meets the criteria in subsection 2-B, paragraph E, the superintendent may suspend the effective date for a longer period not to exceed 30 days from the date the carrier satisfactorily responds to any reasonable discovery requests.~~

Sec. C-8. 24-A MRSA §2808-B, sub-§2-B, ¶E, as enacted by PL 2003, c. 469, Pt. E, §16, is repealed.

Sec. C-9. 24-A MRSA §2808-B, sub-§2-B, ¶F, as amended by PL 2007, c. 629, Pt. M, §9, is repealed.

PART D

Sec. D-1. 24-A MRSA §2159-C, sub-§1, ¶D is enacted to read:

D. "Carrier" means an insurer, nonprofit hospital and medical service organization or health maintenance organization.

Sec. D-2. 24-A MRSA §2159-C, sub-§2, as enacted by PL 1997, c. 677, §2, is repealed and the following enacted in its place:

2. Discrimination in health, hospital and dental insurance. A carrier that issues individual or group hospital, health or dental insurance is subject to the requirements of this subsection. This subsection does not apply to accidental injury, specified disease, hospital indemnity, disability, long-term care and other limited benefit health insurance policies and contracts.

A. A carrier may not discriminate against an individual or eligible dependent on the basis of genetic information or the refusal to submit to a genetic test or make available the results of a genetic test or on the basis that the individual or eligible dependent received a genetic test or genetic counseling in the issuance, withholding, extension or renewal of any hospital confinement or other health insurance, as defined by the superintendent, by rule, or in the fixing of the rates, terms or conditions for insurance, or in the issuance or acceptance of any application for insurance.

B. Except as provided in this paragraph, a carrier may not request or require an individual to undergo a genetic test.

(1) Nothing in this subsection limits the authority of a health care professional who is

providing health care services to an individual to request that that individual undergo a genetic test.

(2) A carrier may request, but not require, that an individual undergo a genetic test if the conditions described in this subparagraph are met:

(a) The request is made pursuant to research that complies with 45 Code of Federal Regulations, Part 46 or equivalent federal regulations and any applicable state or local laws, rules or regulations for the protection of human subjects in research;

(b) The carrier clearly indicates to the individual to whom the request is made, or in the case of a minor child to the legal guardian of the individual, that compliance with the request is voluntary and noncompliance will have no effect on enrollment status or premium or contribution amounts;

(c) Genetic information collected or acquired under this subparagraph is not used for purposes of determining eligibility for benefits, computing premium or contribution amounts, applying any preexisting condition exclusion or any other activities related to the creation, renewal or replacement of a health insurance contract; and

(d) The carrier complies with all applicable federal laws and regulations.

C. A carrier may not request, require or purchase genetic information for purposes of determining eligibility for benefits, computing premium or contribution amounts, applying any preexisting condition exclusion or any other activities related to the creation, renewal or replacement of a health insurance contract.

D. A carrier may not request, require or purchase genetic information with respect to an individual prior to the individual's enrollment under the plan or coverage in connection with the enrollment.

E. If a carrier obtains genetic information incidental to the requesting, requiring or purchasing of other information concerning an individual, the request, requirement or purchase is not considered a violation of paragraph D if the request, requirement or purchase is not in violation of paragraph C.

F. A reference in this subsection to genetic information concerning an individual includes:

(1) With respect to an individual who is a pregnant woman, genetic information of any fetus carried by that individual; and

(2) With respect to an individual using an assisted reproductive technology, genetic information of any embryo legally held by the individual.

PART E

Sec. E-1. 24-A MRSA §2834-C is enacted to read:

§2834-C. Compliance with federal law

1. Application. This section applies to all group and blanket medical insurance policies issued by non-profit hospital or medical service organizations, insurers or health maintenance organizations except hospital indemnity, accidental injury, specified disease and long-term care policies.

2. Requirement. Policies subject to this section must comply with the federal Children's Health Insurance Program Reauthorization Act of 2009, Section 311 concerning special enrollment periods in case of termination of coverage under a Medicaid plan or a state child health plan or eligibility for assistance in the purchase of employment-based coverage.

Sec. E-2. 24-A MRSA §2849, sub-§3, ¶C, as amended by PL 1997, c. 370, Pt. B, §2, is further amended to read:

C. To the extent that benefits would have been payable under a prior contract or policy if the prior contract or policy were still in effect, impose a preexisting condition exclusion period or waiting period on that person, except as provided in this section; or

Sec. E-3. 24-A MRSA §2849, sub-§3-A is enacted to read:

3-A. Persons subject to a preexisting condition exclusion. Notwithstanding subsection 3, paragraph C, an insurer or health maintenance organization may impose a preexisting condition exclusion period on a person who was subject to a preexisting condition exclusion under the replaced contract or policy. The preexisting condition exclusion period under the replacement policy or contract must end no later than the date the preexisting condition exclusion period would have ended under the replaced contract or policy.

Sec. E-4. 24-A MRSA §2849-B, sub-§3-A is enacted to read:

3-A. Prohibition against discontinuity in group policies. Except as provided in this section, in a group policy subject to this section, the insurer or health maintenance organization shall, for any person described in subsection 2, waive any medical underwriting or preexisting conditions exclusion. The succeed-

ing policy is not required to duplicate any benefits covered by the prior contract or policy.

Sec. E-5. 24-A MRSA §2849-B, sub-§3-B is enacted to read:

3-B. Persons subject to a preexisting condition exclusion. Notwithstanding subsection 3-A, an insurer or health maintenance organization may impose a preexisting condition exclusion period on a person who was subject to a preexisting condition exclusion under the prior contract or policy. The preexisting condition exclusion period under the succeeding policy or contract must end no later than the date the preexisting condition exclusion period would have ended under the prior contract or policy.

Sec. E-6. 24-A MRSA §2849-B, sub-§4, as amended by PL 2007, c. 199, Pt. A, §5, is further amended to read:

4. Prohibition against discontinuity in individual and blanket policies. Except as provided in this section, in an individual, ~~group~~ or blanket policy subject to this section, the insurer or health maintenance organization must, for any person described in subsection 2, waive any medical underwriting or preexisting conditions exclusion to the extent that benefits would have been payable under a prior contract or policy if the prior contract or policy were still in effect or to the extent that benefits would have been payable under the prior contract or policy if not for the operation of a lifetime limit on all benefits. The succeeding policy is not required to duplicate any benefits covered by the prior contract or policy.

Sec. E-7. 24-A MRSA §2850, sub-§2, ¶A, as amended by PL 1999, c. 256, Pt. L, §9, is further amended to read:

A. In a group contract, a preexisting condition exclusion may relate only to conditions for which medical advice, diagnosis, care or treatment was recommended or received during the ~~6 months immediately preceding~~ 6-month period ending on the earlier of the date of enrollment in the contract and the date of enrollment in a prior contract covering the same group if there has not been a gap in coverage of greater than 90 days between contracts. An exclusion may not be imposed relating to pregnancy as a preexisting condition.

PART F

Sec. F-1. 24-A MRSA §2701, sub-§2, ¶C, as amended by PL 2005, c. 121, Pt. B, §1, is further amended to read:

C. Sections 2736, 2736-A, 2736-B and 2736-C apply to:

(1) Association groups as defined by section 2805-A, except associations of employers as to any employer subgroups of the association

group when the employer is a member of the group and provides coverage through the group as a bona fide employee benefit;

(1-A) Credit union groups as defined by section 2807-A; and

(2) Other groups as defined by section 2808, ~~except employee leasing companies registered pursuant to Title 32, chapter 125.:~~

(a) Employee leasing companies registered pursuant to Title 32, chapter 125; and

(b) As to any employer subgroups of the other group when the employer provides coverage to its employees through the group as a bona fide employee benefit.

Sec. F-2. 24-A MRSA §2808-B, sub-§1, ~~¶H~~, as amended by PL 1997, c. 445, §13 and affected by §32, is further amended to read:

H. "Subgroup" means an employer with 50 or fewer employees within an association, a multiple employer trust, a private purchasing alliance or any similar subdivision of a larger group covered by a single group health policy or contract. For group policies issued to an employee leasing company as defined in Title 32, chapter 125, each client having 50 or fewer employees is considered a separate subgroup.

PART G

Sec. G-1. 24-A MRSA §2736, sub-§1, as amended by PL 2003, c. 428, Pt. F, §2, is further amended to read:

1. Filing of rate information. Every insurer shall file ~~with~~ for approval by the superintendent every rate, rating formula, classification of risks and every modification of any formula or classification that it proposes to use in connection with individual health insurance policies and certain group policies specified in section 2701. Every such filing must state the effective date of the filing. Every such filing must be made not less than 60 days in advance of the stated effective date, unless the 60-day requirement is waived by the superintendent, and the effective date may be suspended by the superintendent for a period of time not to exceed 30 days. ~~In the case of a filing that meets the criteria in subsection 3, the superintendent may suspend the effective date for a longer period not to exceed 30 days from the date the organization satisfactorily responds to any reasonable discovery requests.~~

Sec. G-2. 24-A MRSA §2808-B, sub-§2-B, ~~¶A~~, as amended by PL 2007, c. 629, Pt. M, §7, is further amended to read:

A. Rates subject to this subsection must be filed for approval by the superintendent. The superin-

endent shall disapprove any premium rates filed by any carrier, whether initial or revised, for a small group health plan unless it is anticipated that the aggregate benefits estimated to be paid under all the small group health plans maintained in force by the carrier for the period for which coverage is to be provided will return to policyholders at least 75% of the aggregate premiums collected for those policies, as determined in accordance with accepted actuarial principles and practices and on the basis of incurred claims experience and earned premiums. For the purposes of this calculation, any payments paid pursuant to former section 6913 must be treated as incurred claims.

PART H

Sec. H-1. 24-A MRSA §2436, sub-§1, as amended by PL 1999, c. 256, Pt. I, §1, is further amended to read:

1. A claim for payment of benefits under a policy or certificate of insurance delivered or issued for delivery in this State is payable within 30 days after proof of loss is received by the insurer and ascertainment of the loss is made either by written agreement between the insurer and the insured or beneficiary or by filing with the insured or beneficiary of an award by arbitrators as provided for in the policy. For purposes of this section, "insured or beneficiary" includes a person to whom benefits have been assigned. A claim that is neither disputed nor paid within 30 days is overdue. If, during the 30 days, the insurer, in writing, notifies the insured or beneficiary that reasonable additional information is required, the undisputed claim is not overdue until 30 days following receipt by the insurer of the additional required information; ~~except that the time period applicable to a standard fire policy and to that portion of a policy providing a combination of coverages, as described in section 3003, insuring against the peril of fire must be 60 days, as provided in section 3002.:~~

A. The time period applicable to a standard fire policy and to that portion of a policy providing a combination of coverages, as described in section 3003, insuring against the peril of fire must be 60 days, as provided in section 3002; and

B. The time period applicable to individual life insurance must be 2 months as provided in section 2513.

PART I

Sec. I-1. 24-A MRSA §2501, as amended by PL 1995, c. 375, Pt. C, §5, is further amended to read:

§2501. Scope of chapter

This chapter applies only to contracts of life insurance and annuities, other than reinsurance, group life insurance and group annuities, except that ~~section~~

2537 (separate accounts) also applies as to group life insurance and group annuity contracts.;

1. Section 2537 also applies as to group life insurance and group annuity contracts; and

2. Sections 2541 to 2551 apply to group annuities other than those exempted by section 2542.

PART J

Sec. J-1. Second election period. A person who was eligible for continuation of coverage under a group health insurance policy pursuant to the Maine Revised Statutes, Title 24-A, section 2809-A, subsection 11 is eligible for a 2nd election period if:

1. The covered employee was temporarily laid off on or after September 1, 2008, but no more than 30 days after the effective date of this Act;

2. The person did not elect to continue coverage or elected to continue coverage but was no longer enrolled as of the date of the notice required by section 2 of this Part; and

3. Election of coverage under this section qualifies the person for premium assistance under the American Recovery and Reinvestment Act of 2009.

The 2nd election period begins on the effective date of this Act and ends 60 days after the notice required by section 2 of this Part is mailed to the employee. Coverage elected under this provision begins on the date of application and terminates 9 months later unless terminated sooner because the person fails to make timely payment of a required premium amount or because the person becomes eligible for coverage under another group policy or under Medicare.

Sec. J-2. Notice requirement. Insurers and health maintenance organizations that provide group health insurance policies subject to the requirements of the Maine Revised Statutes, Title 24-A, section 2809-A, subsection 11 must provide notice, as required by the American Recovery and Reinvestment Act of 2009, Section 3001(a)(7)(A)(ii), by first-class mail in a form specified by the Superintendent of Insurance to eligible employees whose coverage terminated or terminates between September 1, 2008 and December 31, 2009.

Sec. J-3. Preexisting conditions. Coverage issued pursuant to the 2nd election period specified in section 1 of this Part may not exclude coverage for preexisting conditions regardless of whether the break in coverage exceeds the limit specified in the Maine Revised Statutes, Title 24-A, section 2849-B, subsection 2, paragraph B.

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

Effective June 3, 2009.

CHAPTER 245

S.P. 432 - L.D. 1184

An Act To Improve the Process for Recovering Personal Property and for Filing Actions Involving Consumer Credit

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

Sec. 1. 4 MRSA §155, sub-§2 is amended to read:

2. Forcible entry and detainer; trustee process; attachment. An action for forcible entry and detainer ~~or replevin shall~~ must be brought in the division in which the property involved is located. ~~Any~~ Except as otherwise provided in subsection 3-A, an action to recover personal property pursuant to Title 14, section 7071, or for replevin, may be brought either in the division where a plaintiff or defendant resides, where the underlying transaction involving the personal property was made or where any of the personal property is located, or to which the court orders the personal property to be brought or kept pursuant to Title 14, section 7071, subsection 5. An action commenced by trustee process ~~shall~~ must be brought in accordance with Title 14, chapter 501. ~~Any~~ An action involving attachment ~~shall~~ may be brought in the division where the plaintiff resides or where the defendant resides or where the property involved is located.

Sec. 2. 4 MRSA §155, sub-§3-A is enacted to read:

3-A. Consumer transactions. Notwithstanding any other provision of law, an action brought against a consumer arising from a consumer credit transaction or a rental-purchase agreement must be filed in accordance with Title 9-A, section 5-113, except that an action brought pursuant to Title 32, section 11013, subsection 3, paragraph N must be brought where provided for in that paragraph.

Sec. 3. 14 MRSA §509 is enacted to read:

§509. Consumer transactions

Notwithstanding any other provision of this chapter, an action brought against a consumer arising from a consumer credit transaction or a rental-purchase agreement must be brought in accordance with Title 9-A, section 5-113, except that an action brought pursuant to Title 32, section 11013, subsection 3, para-

graph N must be brought where provided for in that paragraph.

Sec. 4. 14 MRSA §510 is enacted to read:

§510. Replevin

Except as otherwise provided in section 509, an action for replevin must be brought either in the division or county where a plaintiff or defendant resides, where the underlying transaction involving the personal property was made or where any of the personal property is located.

Sec. 5. 14 MRSA §6012, as amended by PL 2001, c. 133, §§1 and 2, is repealed.

Sec. 6. 14 MRSA c. 726 is enacted to read:

CHAPTER 726

ALTERNATIVE ACTION FOR THE RECOVERY OF PERSONAL PROPERTY

§7071. Actions to recover personal property

1. Action to resolve dispute. If 2 or more persons claim a right in, title to or possession of personal property, a claimant may bring a civil action in District Court to resolve a dispute among the claimants. The plaintiff may bring the action by way of summary proceeding under subsection 2 or plenary proceeding under subsection 9.

2. Summary proceeding. If an action in subsection 1 is brought as a summary proceeding, the summons must state the day when the action is returnable, which may not be less than 7 days from the date of service of the summons, and must notify the defendant that in case of the defendant's failure to appear and state a defense on the return day, judgment by default will be rendered against the defendant. The defendant may appear and defend against the action without filing a responsive pleading. The action may not be joined with any other action or claim and a defendant may not file a counterclaim. The action may not be removed to Superior Court. At the hearing on the action, the plaintiff must support its claim of an interest in or other right to possession of the personal property at issue by a preponderance of the evidence.

3. Discovery. In a summary proceeding, the court may for cause shown allow discovery, which may be on an expedited schedule.

4. Venue. An action under this section may be brought in accordance with Title 4, section 155. Relocation of the personal property may not be a basis for a change of venue.

5. Court authority. The court has equitable power to make an appropriate order in relation to the personal property and the parties to the action and to compel obedience to its judgment and orders. A court order under this subsection may include an order regarding the location to which the personal property

must be brought or kept or a turnover order under section 3131, subsection 1.

6. Judgment; issuance of writ of possession.

When the defendant defaults or the plaintiff is otherwise entitled to judgment, the court shall render judgment concerning the possession of the personal property in favor of the plaintiff. The judgment must order the turnover of the personal property to the plaintiff on such terms as the court directs. The court may also grant preliminary, interim or other equitable relief upon a sufficient showing that the preliminary, interim or other equitable relief is justified.

Seven calendar days after the judgment is entered, the court shall upon request of the plaintiff issue a writ of possession requiring the sheriff or constable to put the plaintiff into possession of the plaintiff's personal property. This subsection does not preclude the court from granting preliminary, interim or other equitable relief.

7. Service and return of writ of possession; contempt.

A writ of possession is returnable within 3 years from the date of issuance. The writ may be served by a sheriff or a constable. When a writ of possession has been served on the defendant by a constable or sheriff, the defendant must put the sheriff or constable into possession of the property within 2 days of the date on which the writ is served upon that defendant or the plaintiff may file a motion to have the defendant held in contempt. A proceeding upon a motion for contempt under this subsection is subject to the Maine Rules of Civil Procedure, Rule 66(d) and for the purposes of this proceeding the entry of the judgment against the defendant creates a rebuttable presumption that the defendant has the ability to put the sheriff or constable into possession of the property. This presumption shifts the burden of production of evidence to the defendant, but the burden of persuasion remains upon the plaintiff in any contempt proceeding.

8. Appeal. An appeal of a judgment or order under this section is governed by Title 4, section 57 and the Maine Rules of Appellate Procedure, except that any issue triable by right by a jury may be appealed to a trial de novo in Superior Court. A request to District Court for a stay pending appeal is governed by the Maine Rules of Civil Procedure, Rule 62(d).

9. Plenary proceeding. If an action under this section is brought as a plenary proceeding, the Maine Rules of Civil Procedure apply, except that the action may not be joined with any other action or claim and a defendant may not file a counterclaim and the action may not be removed to Superior Court.

10. Equitable Remedy. The remedy provided in this section is a remedy in equity and is in addition to and not in lieu of another remedy.

Sec. 7. 14 MRSA §7302 is repealed and the following enacted in its place:

§7302. Venue

Except as provided in section 509 and in Title 4, section 155, subsection 3-A, an action for replevin may be brought in either District Court or Superior Court in the county or division where a plaintiff or defendant resides or where any of the personal property sought to be replevied is located.

Sec. 8. 32 MRSA §11013, sub-§3, ¶N, as enacted by PL 1985, c. 702, §2, is repealed and the following enacted in its place:

N. Threatening to bring legal action in the debt collector's own name or instituting a suit on behalf of others or furnishing legal advice, except that a debt collector who is also an attorney may bring an action under this paragraph in the name of the creditor in any division or county permitted by 15 United States Code, Section 1692i and may furnish legal advice to the creditor with respect to a debt.

See title page for effective date.

CHAPTER 246

H.P. 528 - L.D. 777

An Act To Provide for an Expiration Date for Certain Harassment Notices

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

Sec. 1. 17-A MRSA §506-A, sub-§1, ¶A, as enacted by PL 2001, c. 383, §66 and affected by §156, is amended to read:

A. The person engages in any course of conduct with the intent to harass, torment or threaten another person after having been forbidden to do so by any sheriff, deputy sheriff, constable, police officer or justice of the peace or by a court in a protective order issued under Title 5, section 4654 or 4655 or Title 19-A, section 4006 or 4007 or, if the person is an adult in the custody or under the supervision of the Department of Corrections, after having been forbidden to engage in such conduct by the Commissioner of Corrections, the chief administrative officer of the facility, the correctional administrator for the region or their designees. Violation of this paragraph is a Class E crime; or:

(1) After having been notified, in writing or otherwise, not to engage in such conduct by:

(a) Any sheriff, deputy sheriff, constable, police officer or justice of the peace. The notification not to engage in such conduct expires one year from the date of issuance; or

(b) A court in a protective order issued under Title 5, section 4654 or 4655 or Title 19-A, section 4006 or 4007; or

(2) If the person is an adult in the custody or under the supervision of the Department of Corrections, after having been forbidden to engage in such conduct by the Commissioner of Corrections, the chief administrative officer of the facility, the correctional administrator for the region or their designees.

Violation of this paragraph is a Class E crime; or

See title page for effective date.

CHAPTER 247

H.P. 673 - L.D. 971

An Act To Amend the Laws Governing Liquor Liability and Licensing

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

Sec. 1. 28-A MRSA §2509, sub-§1, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

1. Limitation on damages for losses other than expenses for medical care and treatment. In actions for damages permitted by this Act, the claim for and award of damages for all losses, except expenses for medical care and treatment, including devices or aids, against both a server and the server's employees and agents, may not exceed \$250,000 \$350,000 for any and all claims arising out of a single accident or occurrence.

See title page for effective date.

CHAPTER 248

H.P. 944 - L.D. 1343

An Act To Promote Consumer Fairness in Tax Refund Anticipation Loans

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

Sec. 1. 9-A MRSA §8-106, sub-§6, as enacted by PL 1991, c. 330, §2, is amended to read:

6. In the case of a tax refund loan, if it is the practice of the creditor to demand repayment upon delivery of the refund, the annual percentage rate is based on the creditor's reasonable estimate of the time the refund will be delivered.

Sec. 2. 9-A MRSA §10-102, sub-§1, ¶A, as amended by PL 2005, c. 274, §4, is further amended to read:

A. "Loan broker" means any person who, with respect to the extension of consumer credit by others, provides or offers to provide, in return for the separate payment of money or other valuable consideration, any of the following services:

- (1) Improving a consumer's credit record, history or rating;
- (2) Arranging for or obtaining an extension of credit for a consumer; or
- (3) Providing advice or assistance to a consumer with respect to subparagraph (1) or (2).

"Loan broker" also means any person who serves as a facilitator of a refund anticipation loan or refund anticipation check, whether or not in return for the separate payment of money or other valuable consideration.

Sec. 3. 9-A MRSA §10-102, sub-§2-A is enacted to read:

2-A. "Facilitator of a refund anticipation loan or refund anticipation check" means a person who individually or in conjunction or cooperation with another person:

- A. Solicits the execution of, processes, receives or accepts application or agreement for a refund anticipation loan or refund anticipation check;
- B. Services or collects upon a refund anticipation loan or refund anticipation check; or
- C. Facilitates the making of a refund anticipation loan or refund anticipation check in any other manner.

If there is no 3rd-party facilitator of a refund anticipation loan or refund anticipation check because a creditor directly solicits the execution of, receives or accepts application or agreement for a refund anticipation loan or refund anticipation check, that creditor is considered a facilitator of a refund anticipation loan or refund anticipation check for purposes of this subsection. For purposes of this subsection, "creditor" means any person who makes a refund anticipation loan or who takes assignment of a refund anticipation loan.

Sec. 4. 9-A MRSA §10-102, sub-§4 is enacted to read:

4. "Refund anticipation check" means a check, stored value card or other payment mechanism repre-

senting the proceeds of the consumer's tax refund that was issued by a depository institution or other person that received a direct deposit of the consumer's tax refund or tax credit and for which the consumer has paid a fee or other consideration.

Sec. 5. 9-A MRSA §10-102, sub-§5 is enacted to read:

5. "Refund anticipation loan" means a loan that is secured by or that the creditor arranges to be repaid directly or indirectly from the proceeds of the consumer's income tax refund or tax credits. A refund anticipation loan also includes any sale, assignment or purchase of a consumer's tax refund at a discount or for a fee, whether or not the consumer is required to repay the buyer or assignee if the federal Internal Revenue Service reduces the consumer's tax refund.

Sec. 6. 9-A MRSA §10-102, sub-§6 is enacted to read:

6. "Refund anticipation loan fee" means the charge, fee or other consideration charged or imposed directly or indirectly by the creditor for the making of or in connection with a refund anticipation loan. "Refund anticipation loan fee" includes any charge, fee or other consideration for a deposit account if the deposit account is used for the receipt of the consumer's tax refund to repay the amount owed on the loan.

Sec. 7. 9-A MRSA §10-102, sub-§7 is enacted 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.

Sec. 8. 9-A MRSA §10-202, as amended by PL 2005, c. 274, §6, is further amended to read:

§10-202. Bond

Each application must be accompanied by evidence of a surety bond, in a form approved by the administrator in the aggregate amount of \$25,000, to run to the State for use by the State and any person or persons who may have a cause of action against a loan broker. Notwithstanding this section, the aggregate amount of a surety bond accompanying the application of a loan broker conducting business solely as a facilitator of a refund anticipation loan or refund anticipation check must be \$10,000. The terms of the bond must run concurrent with the period of time during which the license is in effect.

Sec. 9. 9-A MRSA §10-310 is enacted to read:

§10-310. Requirements related to refund anticipation loan and refund anticipation check

1. A facilitator of a refund anticipation loan or refund anticipation check shall make the following disclosures in accordance with this section.

A. A facilitator of a refund anticipation loan or refund anticipation check shall prominently display a schedule showing the current fees for a refund anticipation loan or refund anticipation check at its place of business. Each fee schedule must include at least 5 examples of refund anticipation loans in different amounts ranging from \$300 to \$5,000.

B. A facilitator of a refund anticipation loan or refund anticipation check shall post the following notice to consumers: "When you take out a refund anticipation loan, you are borrowing money against your tax refund. If your tax refund is less than expected, you will still owe the entire amount of the loan. If your refund is delayed, you may have to pay additional costs. You can get your refund in 8 to 15 days without paying any extra fees and taking out a refund anticipation loan. You can have your tax return filed electronically and your refund deposited directly into your own bank account without obtaining a refund anticipation loan or paying fees for an extra product."

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.

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.

E. If a person applies for a refund anticipation loan, the facilitator of a refund anticipation loan or refund anticipation check shall orally inform the applicant that the product is a loan that lasts only one to 2 weeks, that the applicant is liable for the full amount of the loan if the anticipated tax refund is less than expected, the amount of any loan fees and the interest rate for the loan. If a person applies for a refund anticipation check, the facilitator of a refund anticipation loan or refund anticipation check shall orally inform the applicant of any check fee and that the applicant can receive a refund without a loan or extra fees if the refund is filed electronically and the applicant chooses direct deposit to the applicant's own bank account.

2. A facilitator of a refund anticipation loan or refund anticipation check is prohibited from engaging in any of the following activities.

A. A facilitator of a refund anticipation loan or refund anticipation check may not assess or impose any fee, charge or other consideration in the making of a refund anticipation loan or refund anticipation check unless that fee, charge or other consideration is included in the disclosed refund anticipation loan fee and the refund anticipation loan interest rate charged by the creditor or bank that provides the loan or check. In addition, any such fee, charge or other consideration, from whatever source, must be disclosed on the written agreement required by section 10-302. A facilitator of a refund anticipation loan or refund anticipation check may charge a fee for tax preparation if the same fee in the same amount is charged to customers who do not receive a refund anticipation loan, refund anticipation check or any other tax-related financial product.

B. A facilitator of a refund anticipation loan or refund anticipation check may not engage in unfair or deceptive acts or practices in the facilitating of a refund anticipation loan or refund anticipation check, including making any oral statements contradicting any of the information required to be disclosed under this Article.

C. A facilitator of a refund anticipation loan or refund anticipation check may not threaten to take any action prohibited by this Article in facilitating a refund anticipation loan or refund anticipation check.

D. A facilitator of a refund anticipation loan or refund anticipation check may not directly or indirectly arrange for any 3rd party to charge any interest, fee or charge related to a refund anticipation loan or refund anticipation check, including but not limited to charges for insurance, check cashing or attorney's fees or other collection costs.

E. A facilitator of a refund anticipation loan or refund anticipation check may not include any of the following provisions in a refund anticipation loan application or agreement:

- (1) A hold-harmless clause;
- (2) A confession-of-judgment clause;
- (3) A waiver of the right to a jury trial in any action;
- (4) Any assignment of or order for payment of wages or other compensation for services;
- (5) An agreement that the consumer will not assert any claim or defense arising out of the contract or seek any remedies pursuant to this Title;

(6) A waiver of any requirement of this Article;

(7) A waiver of the right to injunctive, declaratory or other equitable relief or relief on a classwide basis; or

(8) A requirement that any aspect of a resolution of a dispute between the parties to the agreement be kept confidential.

F. A facilitator of a refund anticipation loan or refund anticipation check may not take or arrange for a creditor to take a security interest in any property of the consumer other than the proceeds of the consumer's tax refund to secure payment of a refund anticipation loan.

G. A facilitator of a refund anticipation loan or refund anticipation check may not directly or indirectly engage in the collection of an outstanding or delinquent refund anticipation loan for any creditor or assignee.

H. A facilitator of a refund anticipation loan or refund anticipation check may not refer, facilitate or solicit consumers on behalf of a 3rd party engaged in check cashing for a fee or permit 3rd-party check cashing for a fee in any place of business in which refund anticipation loans or refund anticipation checks are facilitated.

I. A facilitator of a refund anticipation loan or refund anticipation check may not facilitate any refund anticipation loan that is secured by or that the creditor arranges to be repaid directly from the proceeds of the consumer's state tax refund.

J. A facilitator of a refund anticipation loan or refund anticipation check may not make a misrepresentation of fact in obtaining or attempting to obtain a registration as a facilitator.

K. A facilitator of a refund anticipation loan or refund anticipation check may not advertise or market a refund anticipation loan without including in the advertising or marketing materials a disclosure that the product is a loan and that tax refunds can be obtained without a loan or extra fees if tax returns are electronically filed with direct deposit.

L. A facilitator of a refund anticipation loan or refund anticipation check may not advertise or market a refund anticipation check without including in the advertising or marketing materials a disclosure that there is a fee associated with the check and that tax refunds can be obtained without a loan or extra fees if tax returns are electronically filed with direct deposit.

See title page for effective date.

CHAPTER 249 H.P. 252 - L.D. 316

An Act To Allow Eleven Large Game Shooting Areas in the State

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

Sec. 1. 7 MRSA §1332, as amended by PL 2003, c. 386, §5, is further amended to read:

§1332. Animal Industry Fund

The Treasurer of State shall establish a separate account known as the Animal Industry Fund. This fund does not lapse but must be carried forward. Except as provided in section 1346, license fees collected under section 1333, subsection 3 and license and tagging fees collected under section 1342, subsections 3 and 4 and section 1342-A must be deposited in the account. Funds from this account may be used to pay for administrative costs associated with licenses issued under sections 1333 and 1342 and 1342-A, tags issued under section 1342 and other costs associated with administration and enforcement of this chapter and chapter 202-A.

Sec. 2. 7 MRSA §1342, first ¶, as enacted by PL 1999, c. 765, §3, is amended to read:

Beginning October 1, 2000, a person may not establish or operate a commercial large game shooting area unless that person has a valid license issued in accordance with this section or section 1342-A.

Sec. 3. 7 MRSA §1342, 2nd ¶, as enacted by PL 1999, c. 765, §3, is amended to read:

~~The Commissioner~~ Except as provided in section 1342-A, the commissioner may issue a license under this chapter only to a person who operated a commercial large game shooting area during the period beginning October 1, 1999 and ending March 15, 2000 ~~and only for large game offered for harvesting within that area during that time period.~~

Sec. 4. 7 MRSA §1342, sub-§1, as enacted by PL 1999, c. 765, §3, is amended to read:

1. Application. An applicant for a commercial large game shooting area license must submit an application on a form provided by the commissioner along with the required license fee as provided under subsection 3. An application under this subsection must be submitted for a specific parcel of land, and the applicant must demonstrate in accordance with subsection 9 that the applicant has operated a commercial large game shooting area on that parcel of land between October 1, 1999 and March 15, 2000. The application must include the name and address of the person applying for the license and a map locating the proposed site in relation to known or easily identifi-

able terrain features, such as a road junction or a stream and road junction. The map must be a copy of a 7.5 or 15 minute series topographical map produced by the United States Geological Survey or a map of equivalent or superior detail in the location of roads.

Sec. 5. 7 MRSA §1342, sub-§10 is enacted to read:

10. Expansion of licenses. A person issued a license under this section shall notify the commissioner prior to offering a genus or species of large game for harvesting that was not offered for harvesting at the time the initial license was issued. The notification must state the additional genus or species that the license holder is proposing to offer. Upon determining that the license holder can meet the requirements of subsection 2, the commissioner shall issue a revised license.

Sec. 6. 7 MRSA §1342-A is enacted to read:

§1342-A. Issuance of initial licenses after April 1, 2009

The commissioner may issue a license in accordance with this section and section 1342-B to applicants who do not qualify for a license under section 1342.

1. Application. To apply for a license under this section, a person must submit an application on a form provided by the commissioner along with the license fee established under section 1342, subsection 3. The application must include:

A. The name and mailing address of the person applying for the license;

B. A map locating the proposed site in relation to known or easily identifiable terrain features, such as a road junction or a stream and road junction. The map must be a copy of a 7.5 or 15 minute series topographical map produced by the United States Geological Survey or a map of equivalent or superior detail in the location of roads;

C. A statement of the types of large game the applicant is proposing to offer for harvest; and

D. Information sufficient to demonstrate that the land and facilities requirements under section 1342, subsection 2 can be met.

2. Criteria for reviewing applications. Upon receipt of a complete application under subsection 1, the commissioner shall review all materials submitted to determine the proximity of the proposed commercial large game shooting area to other licensed commercial large game shooting areas. If more than 2 applicants qualify for a license under this section, the commissioner shall give preference to a proposal to establish a commercial large game shooting area in Piscataquis County and to other proposals that advance geographic distribution of commercial large

game shooting areas. The commissioner may establish additional criteria for rating applications in rules adopted under section 1342, subsection 8. The commissioner may require inspection of the proposed site prior to issuing a license under this section.

3. Issuance of license; restrictions and requirements. The commissioner may not issue more than one license under this section to a person. The commissioner may not issue a license under this section to a person who received a license under section 1342 whether that license is valid or expired.

A license issued under this section is for a specific parcel of land and only for the genus and species of large game specified in the license. The requirements and restrictions under section 1342, subsections 3, 4, 5, 6 and 7 and rules adopted under subsection 8 apply to licenses issued under this section. A person issued a license under this section shall establish and maintain the licensed commercial large game shooting area in accordance with section 1342, subsection 2, paragraphs A to E.

4. Acceptance of license applications. The commissioner may establish a deadline for accepting applications for commercial large game shooting area licenses under this section and may postpone action on applications received until that deadline has passed.

Sec. 7. 7 MRSA §1342-B is enacted to read:

§1342-B. Limitation on the number of commercial large game shooting areas

The number of commercial large game shooting areas in the State may not exceed 11. The commissioner may not issue a license under section 1342-A if the total number of valid licenses issued under sections 1342 and 1342-A is 11. For purposes of this section, "valid license" means a license that has not expired whether or not the person holding the license has continued to operate a commercial large game shooting area.

Sec. 8. 7 MRSA §1344, sub-§1, as enacted by PL 1999, c. 765, §3, is amended to read:

1. Operating commercial large game shooting area without license. A person who operates a commercial large game shooting area without a license issued under section 1342 or section 1342-A is guilty of a Class E crime.

Sec. 9. 7 MRSA §1344, sub-§3, as amended by PL 2005, c. 81, §1, is further amended to read:

3. Revocation of license. The commissioner may revoke a license issued under section 1342 or under section 1342-A for any violation of this chapter or rule adopted pursuant to this chapter or any violation of chapter 739 or Title 17, chapter 42, subchapter 3.

Sec. 10. 7 MRSA §1346, as amended by PL 2003, c. 386, §11, is further amended to read:

§1346. License fees deposited in General Fund

Notwithstanding section 1332, section 1333, subsection 3 and section 1342, subsections 3 and 4, the first \$1,120 collected each year under those sections and under section 1342-A for license fees for domesticated cervid farms and commercial large game shooting areas and transport tag fees must be deposited in the General Fund.

See title page for effective date.

CHAPTER 250
H.P. 46 - L.D. 53

**An Act To Permit the Use of a
Common Flue for Oil and Solid
Fuel Burning Equipment**

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

Sec. 1. 25 MRSA §2465, sub-§1-A, as enacted by PL 2005, c. 571, §1, is amended to read:

1-A. Routine technical rules. The Commissioner of Public Safety shall adopt rules pertaining to the construction, installation, maintenance and inspection of chimneys, fireplaces, vents and solid fuel burning appliances. Rules adopted pursuant to this subsection may include rules pertaining to maintenance and inspections, except as provided in subsection 1-B. Rules adopted pursuant to this subsection may not prohibit the continued use of an existing connection of a solid fuel burning appliance to a chimney flue to which another appliance burning oil or solid fuel is connected for any chimney existing and in use prior to February 2, 1998 as long as sufficient draft is available for each appliance, the chimney is lined and structurally intact and a carbon monoxide detector is installed in the building near a bedroom. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 32 MRSA §2402-A, as enacted by PL 1999, c. 386, Pt. J, §16, is amended to read:

§2402-A. Rules

The board may adopt reasonable rules for the issuance of various types and classes of licenses to cover oil and solid fuel burner installations and to set forth standards and rules for product approval. Rules adopted pursuant to this section may not prohibit the continued use of an existing connection of a solid fuel burning appliance to a chimney flue to which another appliance burning oil or solid fuel is connected for any chimney existing and in use prior to February 2, 1998 as long as sufficient draft is available for each appli-

ance, the chimney is lined and structurally intact and a carbon monoxide detector is installed in the building near a bedroom. A license may cover one or more types of installations. The board may further adopt reasonable rules concerning the term and type of experience required by candidates for examination.

See title page for effective date.

CHAPTER 251
S.P. 530 - L.D. 1445

**An Act To Clarify and
Strengthen the State's Motor
Vehicle Laws**

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

Sec. 1. 29-A MRSA §555, sub-§2, ¶A-2 is enacted to read:

A-2. The bureau may not adopt any rule that exempts motor carriers, vehicles or drivers transporting hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with 49 Code of Federal Regulations, Part 172 from any federal regulation adopted and incorporated by reference into any rule adopted by the bureau pursuant to this subsection. Notwithstanding paragraph A-1, the Maine Administrative Procedure Act does not apply to the amendment of any rule consistent with the prohibition set forth in this paragraph.

Sec. 2. 29-A MRSA §558, sub-§1-B, ¶A, as amended by PL 2007, c. 703, §15, is further amended to read:

A. Except as provided in paragraphs C and D and E, a person who violates this subchapter or a rule adopted pursuant to this subchapter commits a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

Sec. 3. 29-A MRSA §558, sub-§1-B, ¶B, as amended by PL 2007, c. 703, §15, is further amended to read:

B. Except as provided in paragraphs C and D and E, a person who knowingly permits a violation of this subchapter or a rule adopted pursuant to this subchapter commits a Class E crime.

Sec. 4. 29-A MRSA §558, sub-§1-B, ¶E is enacted to read:

E. A person who violates this subchapter or a rule adopted pursuant to this subchapter commits a civil violation if the violation is discovered during a compliance review as that term is defined in 49 Code of Federal Regulations, Part 385.3, unless

the compliance review occurs during the course or as a result of a criminal investigation. A violation under this paragraph is subject to a civil fine, which must be determined with due consideration of the Federal Motor Carrier Safety Administration's uniform fine assessment program.

Sec. 5. 29-A MRSA §1761, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 6. 29-A MRSA §1916, sub-§2, ¶B, as amended by PL 1997, c. 129, §1, is further amended to read:

B. The provisions of subsection 1, paragraphs C and D do not apply to side windows behind the operator's seat or the rear window of ~~the following motor vehicles a motor vehicle, provided that as long as~~ the vehicle is equipped with 2 outside rear view mirrors, one on each side, adjusted so that the operator has a clear view of the highway behind the vehicle:

- (1) ~~A bus that transports passengers for hire;~~
- (2) ~~A motor vehicle used to transport human remains by a funeral establishment, as described in Title 32, section 1501, or by a medical examiner appointed pursuant to Title 22, section 3022 or 3023;~~
- (3) ~~A limousine that regularly transports passengers for hire and has a carrying capacity of more than 6 passengers and whose owner is required to obtain an operating permit pursuant to section 552; and~~
- (4) ~~A multi-purpose vehicle.~~

Sec. 7. 29-A MRSA §1916, sub-§2-A, as enacted by PL 1997, c. 129, §2, is repealed.

Sec. 8. 29-A MRSA §1917, sub-§2, as amended by PL 2005, c. 66, §1, is further amended to read:

2. Safe tires required. A motor vehicle may not be operated on a public way unless it is equipped with tires in safe operating condition. A tire mounted on a motor vehicle is not considered to be in safe operating condition unless it meets the visual and tread depth requirements set forth in subsections 3 and 4 ~~and the wheel size requirements in subsection 6, the overall diameter of the properly mounted and inflated tire is within 2 inches of the range of sizes recommended by the manufacturer for the model vehicle and the vehicle is in compliance with the frame height requirements provided in section 1920.~~

Sec. 9. 29-A MRSA §1917, sub-§6, as enacted by PL 2003, c. 146, §1, is repealed.

Sec. 10. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2007, c. 11, §1, 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.

(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. 11. 29-A MRSA §2078, last ¶, as amended by PL 1999, c. 183, §11, is further amended to read:

An operator or pedestrian commits a Class E crime if that operator or pedestrian refuses to follow the directions for the movement of vehicles or pedestrians on request or signal of a law enforcement officer or if the operator or pedestrian knowingly refuses to follow the direction of a sign clearly posted by a law enforcement officer to temporarily close a way to vehicular traffic or to vehicles of a certain description or to divert pedestrian or vehicular traffic during a fire, accident, emergency or special event. For the purposes of this section, a posted sign must include language sufficiently describing the restriction or prohibition and must include the fact that a violation is a Class E crime.

Sec. 12. 29-A MRSA §2307, sub-§1, as amended by PL 2003, c. 633, §7, is further amended to read:

1. Biannual inspection. Notwithstanding chapter 15, a school bus must be inspected biannually by an official inspection station designated by the Chief of the State Police as a school bus inspection station; ~~biannually during each of the 2 months designated by the State Police in consultation with the Department of Education.~~ An inspection sticker issued pursuant to this section is valid for no longer than 6 months from the last day of the month the sticker is issued.

Sec. 13. 29-A MRSA §2307, sub-§2, as amended by PL 2003, c. 633, §7, is further amended to read:

2. Additional inspection. In addition to inspections under subsection 1, a school bus inspection must be conducted by the State Police at least annually ~~within 3 months following one of the inspections required by subsection 1.~~ During such an inspection, an officer or employee of the State Police may remove an inspection sticker issued to a school bus and require the bus to be reinspected for a violation of applicable law or the rules adopted pursuant to section 1769.

Sec. 14. 29-A MRSA §2307, sub-§3, as amended by PL 2003, c. 633, §7, is repealed.

Sec. 15. 29-A MRSA §2358, sub-§2, as amended by PL 2001, c. 687, §§18 and 19, is further amended to read:

2. Weighing points. The Chief of the State Police, or a person designated by the chief, may designate weighing points.

A weighing point must have signs:

- A. Not less than 500 feet from approaching traffic;
- B. Bearing the words "State Police ~~Truck~~ Commercial Vehicle Check - All Trucks and Buses Stop";
- C. Displaying flashing yellow lights, which must operate when the weighing station is open; and
- D. Directing operators of vehicles subject to the GVW restrictions to the weighing point if the weighing point is located on a way that intersects the way where the sign is located.

The placement of signs is prima facie evidence that these signs were displayed in accordance with this section.

An operator of a ~~vehicle~~ subject to GVW restrictions bus or truck with a registered weight or gross vehicle weight rating greater than 10,000 pounds or subject to the Federal Motor Carrier Safety Administration regulations who fails to stop at the weighing point when the signs are operating, unless otherwise directed by a state police officer, commits a traffic infraction for

which a forfeiture fine not to exceed \$500 may be adjudged.

See title page for effective date.

CHAPTER 252

S.P. 510 - L.D. 1391

An Act To Amend the Laws Governing Emergency Management

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

Sec. 1. 37-B MRSA §741, sub-§3, ¶G, as repealed and replaced by PL 2003, c. 510, Pt. A, §34, is amended to read:

G. On behalf of the State, enter into mutual aid arrangements with other states and foreign countries, and their political subdivisions, and coordinate mutual aid plans between political subdivisions of the State. If an arrangement is entered into with a jurisdiction that has enacted ~~the Interstate Civil Defense and Disaster Compact, chapter 45,~~ the Emergency Management Assistance Compact, chapter 16, or the International Emergency Management Assistance Compact, chapter 16-A, any resulting agreement or agreements may be considered supplemental agreements pursuant to those compacts. If the other jurisdiction or jurisdictions with which the Governor proposes to cooperate have not enacted one of those compacts, the Governor may negotiate special agreements with the jurisdiction or jurisdictions. Any agreement, if sufficient authority for its making does not otherwise exist, becomes effective only after approval by the Legislature; and

Sec. 2. 37-B MRSA §745, sub-§2, as amended by PL 2005, c. 634, §13, is further amended to read:

2. Sources of fund. The following must be paid into the fund:

- A. All money appropriated for inclusion in the fund;
- B. All interest from investment of the fund; ~~and~~
- C. Any other money deposited in the fund from the Department of Defense, Veterans and Emergency Management, Disaster Assistance Relief, Other Special Revenue Funds account; ~~and~~
- D. Reimbursement received from the Federal Government or other legal entity for disaster relief expenditures made from the fund.

Sec. 3. 37-B MRSA §745, sub-§3, as amended by PL 2005, c. 634, §13, is further amended to read:

3. Use of fund. The fund must be the first resource used when section 742 or 744 is invoked. ~~The fund may also be used for the purpose of matching federal funds in the event of a federally declared disaster. The fund may be used for any of the following at the discretion of the Governor or Governor's designee:~~

A. To provide disaster relief to individuals and families when a federal disaster declaration is not received;

B. To provide disaster relief to local governmental units of the State for infrastructure repair and response when a federal disaster declaration is not received;

C. Emergency response costs for state agencies;

D. To provide low-interest loans to businesses for disaster relief when a federal disaster declaration is not received;

E. Disaster-related unmet needs of individuals and families following a federally declared disaster;

F. Matching funds for assistance to individuals in a federally declared disaster; and

G. Matching funds for assistance to state and local governmental units in a federally declared disaster.

Sec. 4. 37-B MRSA §745, sub-§4, as enacted by PL 2005, c. 634, §13, is amended to read:

4. Fund balance. The fund's balance may not exceed \$3,000,000, ~~except by order of the Governor. Any~~ In the absence of such an order, any amount, including interest, that accrues in excess of \$3,000,000 must be transferred by the State Controller to the Maine Budget Stabilization Fund, established in Title 5, section 1532. Beginning July 1, 2010, the fund's maximum allowable balance must be adjusted annually on July 1st by any percentage change in the Consumer Price Index from January 1st to December 31st of the previous year, but only to a maximum increase of 2%.

Sec. 5. 37-B MRSA §797, as amended by PL 2001, c. 533, §1, is further amended to read:

§797. Maine chemical inventory report

A person required to submit a facility emergency response plan, material safety data sheet or list of hazardous chemicals and extremely hazardous substances must submit a Maine chemical inventory ~~reporting form report~~ to the commission, the local emergency planning committee and the local fire department with jurisdiction over the facility. The inventory ~~reporting form report~~ and fee must be submitted by March 1st

annually for the previous calendar year, except that the inventory ~~reporting form report~~ and fee may be submitted with the registration fee in the year of reporting if the reporting facility can project its inventory levels for the current year. Information on the inventory of extremely hazardous substances and hazardous chemicals for the previous calendar year is required ~~on~~ in the ~~form report~~. ~~These forms~~ This report must state, at a minimum:

- 1. **Chemical name.** The chemical name of each substance listed;
- 2. **Maximum weight.** The maximum number of pounds of each substance present at any time during the preceding year;
- 3. **Average amount.** The average daily amount of each substance present during the preceding year;
- 4. **Chemical storage.** A brief description of the manner of the chemical's storage;
- 5. **Chemical location.** The chemical's location at the facility;
- 6. **Information withholding.** An indication if the person is electing to withhold information from disclosure under section 800;
- 7. **Transportation.** A description of the manner in which the substance is shipped to the facility, including standard and alternate transportation routes taken through the State from point of origin or entry to the facility. Records held by the commission regarding standard and alternate transportation routes are confidential records for the purposes of Title 1, chapter 13, subchapter 1. The commission may provide those records to state, county or local emergency management agencies or public officials, as the commission determines necessary, but shall require those agencies or officials to hold those records as confidential; and

8. **Progress toward toxics use reduction goals.** For those persons required to submit a ~~form report~~ under this section for extremely hazardous substances, a report on the progress made by the facility toward meeting the toxics use reduction goals established in Title 38, section 2303.

Sec. 6. 37-B MRSA §799, as amended by PL 1993, c. 355, §2, is further amended to read:

§799. Toxic chemical release reports

Under this section, the owner or operator of every facility with 10 or more employees and within Standard Industrial Classification Codes 20-39 must file toxic chemical release ~~forms reports~~ for routine releases with the United States Environmental Protection Agency, the Department of Environmental Protection, the commission and the local emergency planning committee by October 1, 1989 and annually thereafter consistent with the Superfund Amendments and Reau-

thorization Act of 1986, Public Law 99-499, Title III, Section 313, and 40 Code of Federal Regulations, Part 372. Those ~~forms reports~~ must be made available to the public by the commission and the local emergency planning committee. The owner or operator of every facility required to report under this section must also submit a report on the progress made by the facility toward meeting the toxics release reduction goals established in Title 38, section 2303.

Sec. 7. 37-B MRSA §805, as enacted by PL 1989, c. 464, §3, is amended to read:

§805. Community right to know

1. **Availability to public.** Each emergency response plan, material safety data sheet, list described in section 796, subsection 2, Maine chemical inventory ~~reporting form report~~, toxic chemical release ~~form report~~ and follow-up emergency notice ~~shall~~ must be made available to the general public, consistent with section 800, during normal working hours at the location or locations designated by the Administrator of the United States Environmental Protection Agency, the Governor, the commission or the local emergency planning committee, as appropriate. Upon request by an owner or operator of a facility subject to the requirements of section 797, the commission and the appropriate local emergency planning committee shall withhold from disclosure under this section the location of any specific chemical required by section 797 to be contained in a Maine chemical inventory ~~reporting form report~~.

2. **Notice of public availability.** Each committee shall annually publish a notice in local newspapers that the emergency response plan, material safety data sheets and Maine chemical inventory ~~reporting forms reports~~ have been submitted under this section. The notice ~~shall~~ must state that follow-up emergency notices may subsequently be issued and announce that members of the public who wish to review any such plan, sheet, ~~form report~~ or follow-up notice may do so at the location designated under subsection 1.

Sec. 8. 37-B MRSA §806, sub-§4, ¶A, as enacted by PL 1989, c. 464, §3, is amended to read:

A. Any person may commence a civil action on that person's own behalf against the owner or operator of a facility for failure to do any of the following:

- (1) Submit a follow-up emergency notice under section 798, subsection 3;
- (2) Submit a material safety data sheet or a list under section 796;
- (3) Complete and submit a Maine chemical inventory ~~reporting form report~~ under section 797; or

(4) Complete and submit a toxic chemical release form report under section 799.

Sec. 9. 37-B MRSA c. 15, as amended, is repealed.

See title page for effective date.

CHAPTER 253

H.P. 808 - L.D. 1169

An Act To Amend the Election Laws

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

Sec. 1. 21-A MRSA §1, sub-§11-A is enacted to read:

11-A. Declared write-in candidate. "Declared write-in candidate" means a write-in candidate who has filed a declaration to be a write-in candidate pursuant to section 722-A.

Sec. 2. 21-A MRSA §1, sub-§20, as amended by PL 2007, c. 122, §2, is further amended to read:

20. Immediate family. "Immediate family" means a person's spouse, parent, grandparent, child, grandchild, sister, half-sister, brother, half-brother, stepparent, stepgrandparent, stepchild, stepgrandchild, stepsister, stepbrother, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, guardian, former guardian or domestic partner, the half-brother or half-sister of a person's spouse, or the spouse of a person's half-brother or half-sister.

Sec. 3. 21-A MRSA §1, sub-§33, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 4. 21-A MRSA §1, sub-§33-A is enacted to read:

33-A. Public counter. "Public counter" means a separate counter built into a voting device that records the total number of ballots cast or tabulated on the voting device for an election.

Sec. 5. 21-A MRSA §1, sub-§45-A is enacted to read:

45-A. Undeclared write-in candidate. "Undeclared write-in candidate" means a write-in candidate who has not filed a declaration pursuant to section 722-A.

Sec. 6. 21-A MRSA §1, sub-§51, as amended by PL 1999, c. 426, §1, is further amended to read:

51. Write-in candidate. "Write-in candidate" means a person whose name does not appear on the ballot under the office designation to which a voter may wish to elect the candidate and who has filed a

declaration to be a write-in candidate pursuant to section 722-A.

Sec. 7. 21-A MRSA §23, sub-§3-A is enacted to read:

3-A. Direct initiative of legislation and people's veto petitions. The Secretary of State shall keep direct initiative of legislation and people's veto petitions in the Office of the Secretary of State for 6 months after any appeal period has passed.

Sec. 8. 21-A MRSA §101, sub-§1, as amended by PL 2007, c. 455, §2, is further amended to read:

1. Qualifications. The registrar must be a citizen of the United States, a resident of the State and at least 18 years of age. The registrar may not hold, or be a candidate or treasurer for a candidate for, any state, local or county office, or be a municipal officer as defined by Title 30-A, section 2001 in the electoral division in which the registrar is appointed or be an officer of a municipal, county or state party committee. The registrar may not be an employee of a party or candidate.

Sec. 9. 21-A MRSA §103, sub-§6, as amended by PL 2007, c. 455, §4, is further amended to read:

6. Appeal hearing. Upon receipt of a complaint by a person aggrieved by the decision of the registrar, the chair of the registration appeals board shall immediately fix a time and place for the board to meet for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the board may affirm, modify or reverse the decision of the registrar of voters. The board shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the board to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

Sec. 10. 21-A MRSA §112, sub-§1, ¶A, as amended by PL 1997, c. 436, §20, is further amended to read:

A. The following factors may be offered by an applicant and considered by a registrar in determining a person's residence under this section. The registrar need not find all of these factors to be present in order to conclude that an applicant qualifies to register to vote in the municipality:

- (1) A direct statement of intention by the person pursuant to section 121, subsection 1;
(2) The location of any dwelling currently occupied by the person;

- (6) The place where any motor vehicle owned by the person is registered;
- (8) The residence address, not a post office box, shown on a current income tax return;
- (9) The residence address, not a post office box, at which the person's mail is received;
- (10) The residence address, not a post office box, shown on any current resident hunting or fishing licenses held by the person;
- (12) The residence address, not a post office box, shown on any motor vehicle operator's license held by the person;
- (14) The receipt of any public benefit conditioned upon residency, defined substantially as provided in this subsection; or
- (16) Any other objective facts tending to indicate a person's place of residence.

Sec. 11. 21-A MRSA §112-A is enacted to read:

§112-A. Proof of identity for voting purposes

Any of the following forms of documentation may be offered by an applicant and considered by a registrar in verifying the identity of an applicant who is registering to vote under this chapter and whose name does not already appear in the central voter registration system as a registered voter. The registrar need not request or consider all of these forms of documentation in order to verify an applicant's identity.

1. Government-issued photograph identification document or credential. A government-issued photograph identification document or credential, including, but not limited to, a current and valid United States passport, military identification, driver's license or state identification;

2. Other government-issued identification document. A government-issued identification document without a photograph, including, but not limited to, a certified birth certificate or a signed social security card;

3. Other official documents. An official document, including, but not limited to, a document confirming eligibility determinations for public benefits, a utility bill, a bank statement, a government check, a paycheck or other government document that shows the name and address of the voter; or

4. Verified unique identifier for new voters. A verified unique identifier for new voters, including the voter's Maine driver's license number, Maine identification number or the last 4 digits of the voter's social security number that are successfully verified through the central voter registration system verification.

Sec. 12. 21-A MRSA §113, as amended by PL 2005, c. 453, §10, is further amended to read:

§113. Right survives change of residence

A registered voter who moves to another state within ~~30~~ 60 days before a presidential election may not be removed from the incoming voting list and the voter's registration may not be cancelled in the central voter registration system until after the election unless the registrar has received confirmation of the voter's registration in another state. The voter may vote at that presidential election in person or by absentee ballot.

Sec. 13. 21-A MRSA §154, as amended by PL 2007, c. 455, §8, is further amended to read:

§154. Registration and enrollment for citizens outside the United States

1. Application. A person qualified to register under section 111, subsections 1 and 2 and who resides outside the United States and does not maintain a fixed and principal home or other address in the State may register at the last residence address immediately before leaving the United States and enroll by filing a federal postcard application or an application designed by the Secretary of State. If a citizen of the United States who resides outside the United States and has never lived in the United States has a parent who is a qualified elector, that person is eligible to register and vote where that parent is a qualified elector. The state application must include, but is not limited to:

- A. First name, middle name or initial and last name, first name or initial, middle name and last name or first name and last name;
- B. Last residence address immediately before departing from the United States, including street, street number, apartment number, town and zip code;
- C. Mailing address;
- D. Date of birth;
- H. Notification that failure to complete the entire application may prevent registration;
- J. Signature of applicant;
- L. Date of application;
- N. Choice of political party if the registrant wishes to enroll in a political party or an indication that the applicant chose not to enroll in a party;
- O. A place for the person's current, valid Maine driver's license number, if applicable; or, if the applicant has no driver's license number, the last 4 digits of the person's social security number, if applicable; or, if the applicant has neither number, a place to put "none" or "not applicable"; and

P. A place for the applicant to respond to the questions concerning the voter's qualifications as required by the federal Help America Vote Act of 2002, Public Law 107-252.

Sec. 14. 21-A MRSA §158, as amended by PL 2001, c. 102, §1, is further amended to read:

§158. Municipal caucus

The During the gubernatorial election year, the registrar shall attend the official party caucuses biennial municipal caucus of each qualified party for at least 30 minutes preceding the commencement of the party caucus at the location where the party caucus is being held to accept registrations and enrollments. During the presidential election year, the registrar shall attend the biennial municipal caucus of each qualified party for at least one hour preceding the commencement of the caucus at the location where the caucus is being held. The registrar shall accept the registrations and enrollments of all qualified voters who attempt to register and enroll, and all persons so registered and enrolled may participate in their party caucus. The registrar shall allow all persons to register or enroll who are present at the caucus at the end of the 30-minute or one-hour registration period.

Sec. 15. 21-A MRSA §163, as amended by PL 2007, c. 455, §10, is further amended to read:

§163. Appeal

In a municipality that does not have a registration appeals board, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's registration application, the person may appeal in writing to the municipal officers by filing a complaint. The municipal officers shall immediately fix a time and place for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the municipal officers may affirm, modify or reverse the decision of the registrar of voters. The municipal officers shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the municipal officers to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

Sec. 16. 21-A MRSA §334, as amended by PL 1995, c. 459, §21, is further amended to read:

§334. Qualification of candidate for primary nomination

A candidate for nomination by primary election must file a primary petition and consent under sections 335 and 336. The candidate must be enrolled, on or before March 15th, in the party named in the petition

and must be eligible to file a petition as a candidate for nomination by primary election under section 144, subsection 3. The registrar in the candidate's municipality of residence must certify to that fact ~~upon the petition~~ on a form designed by the Secretary of State.

Sec. 17. 21-A MRSA §335, sub-§7, ¶A, as amended by PL 2005, c. 196, §4, is further amended to read:

A. The circulator of a primary petition shall verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition were made in the circulator's presence and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be; each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter; and each person is enrolled in the party named in the petition and is a resident of the electoral division named in the petition.

Sec. 18. 21-A MRSA §335, sub-§9, as enacted by PL 1985, c. 161, §6, is repealed and the following enacted in its place:

9. Petition validity. For a candidate to qualify for the ballot, a nomination petition must meet all of the requirements of this section. If the circulator swears an oath or affirmation in accordance with subsection 7, paragraph A that the circulator reasonably believes to be true and accurate at the time the oath or affirmation is sworn and there is no proof of fraud or a knowingly false statement by the circulator, then the voters' signatures that do not meet the requirements of subsection 7, paragraph A may not be counted, but the petition is otherwise valid.

Sec. 19. 21-A MRSA §353, as amended by PL 1999, c. 426, §11, is further amended to read:

§353. Qualification of candidate for nomination by petition

A person who seeks nomination by petition qualifies by filing a nomination petition and consent as provided in sections 354 and 355. If enrolled, the person must also withdraw enrollment in a party on or before March 1st to be eligible to file a petition as a candidate in that election year, as provided in section 145. ~~The registrar, or clerk at the request or upon the absence of the registrar,~~ in the candidate's municipality of residence must certify to that fact ~~on the petition a form designed by the Secretary of State.~~

Sec. 20. 21-A MRSA §354, sub-§7, ¶A, as amended by PL 2005, c. 196, §5, is further amended to read:

A. The circulator of a nomination petition shall verify by oath or affirmation before a notary pub-

lic or other person authorized by law to administer oaths or affirmations that the circulator personally witnessed all of the signatures to the petition were made in the circulator's presence and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be; each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter; and each person is a resident of the electoral division named in the petition.

Sec. 21. 21-A MRSA §354, sub-§9, as enacted by PL 1985, c. 161, §6, is repealed and the following enacted in its place:

9. Petition validity. For a candidate to qualify for the ballot, a nomination petition must meet all of the requirements of this section. If the circulator swears an oath or affirmation in accordance with subsection 7, paragraph A that the circulator reasonably believes to be true and accurate at the time the oath or affirmation is sworn and there is no proof of fraud or a knowingly false statement by the circulator, then the voters' signatures that do not meet the requirements of subsection 7, paragraph A may not be counted, but the petition is otherwise valid.

Sec. 22. 21-A MRSA §356, sub-§2, ¶D, as enacted by PL 1985, c. 161, §6, is amended to read:

D. A challenger or a candidate may appeal the decision of the Secretary of State by commencing an action in the Superior Court. This action shall ~~must~~ be conducted in accordance with the Maine Rules of Civil Procedure, Rule ~~80B~~ 80C, except as modified by this section. This action must be commenced within 5 days of the date of the decision of the Secretary of State and shall ~~must~~ be tried, without a jury, within 10 days of the date of that decision. Upon timely application, anyone may intervene in this action when the applicant claims an interest relating to the subject matter of the petition, unless the applicant's interest is adequately represented by existing parties. The court shall issue its written decision containing its findings of fact and conclusions of law and setting forth the reasons for its decision within 20 days of the date of the decision of the Secretary of State.

Sec. 23. 21-A MRSA §601, sub-§2, ¶B, as amended by PL 2007, c. 455, §18, is further amended to read:

B. The ballot must contain the legal name of each candidate, without any title, and place of residence of each candidate, arranged alphabetically with the last name first, under the proper office designation. Municipality of residence is not required to be printed for candidates for President and Vice President of the United States. The initial letters of the last names of the candidates must

be printed directly beneath each other in a vertical line. The names of candidates for any one office may not be split into more than one column regardless of number. The name of each candidate may be printed on the ballot in only one space. For the general election ballot, the party or political designation of each candidate must be printed with each candidate's name. The party or political designation may be abbreviated.

Sec. 24. 21-A MRSA §601, sub-§2, ¶D, as amended by PL 2007, c. 455, §18, is further amended to read:

D. At the end of the list of candidates for each office, there must be left as many blank spaces as there are vacancies to be filled. These spaces may be used by a voter to write in the name and ~~municipality of residence~~ of a person for whom the voter desires to vote, as provided in section 691, subsection 2 for a primary election or section 692, subsection 2 for a general election.

Sec. 25. 21-A MRSA §651, sub-§2, as repealed and replaced by PL 1997, c. 436, §92, is amended to read:

2. Election materials distributed and posted. At any time after the materials are received and before the polls are open, the clerk may open the packages or boxes of election materials, break the seals on the packages not marked "ballots," and use the materials for instructional purposes. The election officials shall post one instruction poster in each voting booth and at least one instruction posters poster outside the guardrail where ~~they are~~ it is visible to voters before they have voted. The election officials shall also post ~~2 sets one set~~ of sample ballots or ~~2 sets one set~~ of sample ballot labels for each ballot being used in that voting place, along with ~~2 posters one poster~~ of the constitutional resolutions and statewide referenda, outside the guardrail where they are visible to voters. The election officials shall post a list of any declared write-in candidates for that voting district, with the office sought, next to the sample ballot.

Sec. 26. 21-A MRSA §671, sub-§3, as amended by PL 2007, c. 455, §29, is further amended to read:

3. Ballot issued. The election clerk in charge of the ballots shall give the voter one ballot of each kind to which the voter is entitled. The election clerk in charge of the ballots may not give a voter voting with the accessible voting system ~~a an official ballot, but may give the voter a sample ballot to use as a visual aid.~~ Instead, an An election official shall escort the voter to the voting station containing the accessible voting system, instruct the voter on its proper use and provide the voter with access to all ballots to which the voter is entitled. The voter shall cast the voter's ballot using the accessible voting system.

Sec. 27. 21-A MRSA §682, sub-§3, ¶A, as repealed and replaced by PL 2003, c. 447, §22, is amended to read:

A. This subsection does not apply to advertising material on automobiles traveling to and from the voting place for the purposes of voting. ~~It does not prohibit a person from passing out stickers at the voting place to be pasted on the ballot at a primary election.~~ It does not prohibit a person who is at the polls solely for the purpose of voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches.

Sec. 28. 21-A MRSA §682, sub-§6 is enacted to read:

6. Public property limited. For purposes of this section, "public property" does not include a public right-of-way across privately owned property if it is an easement right-of-way.

Sec. 29. 21-A MRSA §691, sub-§2, as amended by PL 2007, c. 455, §36, is further amended to read:

2. Write-in vote. ~~If the voter wishes to vote for a person whose name is not on the ballot and who is not a declared write-in candidate in accordance with section 722-A, the voter must write the name and municipality of residence or paste a sticker containing the name and municipality of residence in the blank space provided at the end of the list of candidates for nomination to the office in question. If the voter wishes to vote for a declared write-in candidate, the voter must write the name of the candidate in the blank space provided at the end of the list of candidates for nomination to the office in question. The voter must then mark the ballot as instructed in the directions on the ballot to indicate a vote for the write-in candidate. A sticker may not be used to vote for a write-in candidate.~~

Sec. 30. 21-A MRSA §692, sub-§2, as amended by PL 1993, c. 473, §22 and affected by §46, is further amended to read:

2. Write-in vote. ~~If the voter wishes to vote for a person whose name is not on the ballot~~ write-in candidate, the voter must write the name and municipality ~~of residence~~ of the candidate in the blank space provided at the end of the list of nominees for the office in question. The voter must then mark the ballot as instructed in the directions on the ballot. A sticker may not be used to vote for a write-in candidate.

Sec. 31. 21-A MRSA §695, sub-§2, as enacted by PL 1985, c. 161, §6 and amended by c. 383, §12, is further amended to read:

2. Separated into lots. In counting the ballots, the election clerks shall form into counting teams of 2 election clerks, each of whom has a different party affiliation. The counting teams shall separate them the

ballots into distinct lots. Each of these lots must consist of 50 ballots, except for one lot, which may have less than 50 ballots. Each counting team shall use one of the approved counting methods prescribed by the Secretary of State to produce 2 tally sheets for each lot that are in complete agreement as to the count for each candidate and question choice. They shall place with each lot a statement of the count in one of the tally sheets for that lot and the names of that is signed by the election clerks who made the count. They shall wrap the statement of the count tally sheet around the outside of each the applicable lot of ballots. The 2nd tally sheet for each lot must be provided to the warden for use in completing a total tally of each office and question and for completing the election return.

Sec. 32. 21-A MRSA §696, sub-§2, as amended by PL 2007, c. 455, §38, is further amended to read:

2. Invalid vote. A vote for an office, candidate or question held to be invalid by the warden, ward clerk or deputy warden may not be counted for that office, candidate or question as follows.

A. If a voter marks more names for an office than there are vacancies to be filled or more choices for a question than are permitted, the voter's vote for that office or question may not be counted.

B. If a voter marks the voter's ballot in such a manner that it is impossible to determine the voter's choice, the voter's vote for the office or question concerned may not be counted.

C. If a voter marks a write-in indicator for an office, but does not write ~~both a name and a municipality of residence~~ the name of a declared write-in candidate in the blank space provided to the right of the write-in indicator, that vote for that office is ~~not~~ may not be counted, unless a determination of choice under subsection 4 is possible.

D. If a voter writes in ~~a name and municipality of residence, or pastes a sticker containing the candidate's name and municipality of residence~~ the name of a declared write-in candidate in the write-in space pursuant to section 691, but does not mark the write-in indicator, that vote for that office may not be counted.

E. If a voter writes in a write-in space ~~a fictitious name, the name of a deceased person, the name of a person who has not filed a declaration of write-in candidacy as provided by section 722-A or the name of a person from outside the State who is not qualified to be a candidate for that office~~, the vote for that office may not be counted except in accordance with section 737-A, subsection 2-A.

F. The warden, ward clerk or deputy warden shall write "Invalid vote" on the ballot and the reason the vote is invalid beside the office, candidate or

question for which it is invalid and shall sign it and replace the ballot with the other ballots, to be counted for other offices or questions.

Sec. 33. 21-A MRSA §696, sub-§6, as enacted by PL 2005, c. 404, §7, is amended to read:

6. Rules. The Secretary of State shall publish uniform guidelines is authorized to adopt rules pursuant to Title 5, chapter 375, subchapter 2-A for determining voter intent based on relevant case law and provisions of this Title. These guidelines rules must be used as a reference by election officials in tabulating the results of state and local elections and in all recounts conducted pursuant to this Title. The guidelines A copy of the rules must be included with the instructional materials provided to the clerk, registrar and election officials in each municipality pursuant to section 605 and must be used by the Secretary of State in the training of election officials pursuant to section 505. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 34. 21-A MRSA §711, first ¶, as amended by PL 2001, c. 516, §12, is further amended to read:

As soon as the results of the election have been declared, the election return must be prepared. The warden at each ward or precinct shall fill out the election return form provided by the Secretary of State, showing the number of votes cast for each candidate or question and recording the total number of state ballots cast in that ward or precinct. The warden and one other election official shall sign the return and immediately deliver it to the municipal clerk. The form provided by the Secretary of State must include the names of all candidates, including declared write-in candidates as determined by section 722-A.

Sec. 35. 21-A MRSA §721, 3rd ¶, as enacted by PL 2005, c. 453, §57, is amended to read:

In a municipality in which a recount has been requested pursuant to section 737-A, the clerk shall update the central voter registration system by entering voter participation history for that election within 10 business days after receiving a copy of the incoming voting list as required by section 737-A, subsection 9 that has been returned by the Secretary of State after the recount. The clerk shall notify the Secretary of State as soon as this task is completed.

Sec. 36. 21-A MRSA §722, as amended by PL 2001, c. 516, §13, is further amended to read:

§722. Secretary of State to tabulate and print results

Within 20 days after an election, the Secretary of State shall tabulate the election returns and submit the tabulation to the Governor.

1. How tabulated. The Secretary of State shall tabulate all votes that appear by an election return to have been cast for each question or candidate whose name appeared on the ballot. All write-in candidates, as defined in section 1, subsection 51, receiving less than 5% of the votes cast for that office must be titled "others" when the tabulation is processed. The Secretary of State shall tabulate the votes that appear by an election return to have been cast for a declared write-in candidate and shall tabulate the votes that appear to have been cast for an undeclared write-in candidate based on a recount requested and conducted pursuant to section 737-A, subsection 2-A.

1-A. Form of tabulation. The tabulation must include the total votes for each question choice or candidate whose name appeared on the ballot. The tabulation also must include the total votes for any write-in candidates who qualified to have their votes tabulated under subsection 1 as follows.

A. For a write-in candidate who receives 5% or more of the votes cast for that office, the Secretary of State shall report the votes under the candidate's name.

B. For a write-in candidate who receives less than 5% of the votes cast for that office, the Secretary of State shall report the votes under the designation "others."

2. Correction of return. If it appears that an election return does not agree with the record of the vote at any voting place, the Secretary of State shall correct the tabulation by obtaining a certified copy of the record from the clerk.

3. Tabulation printed. The Secretary of State shall have copies of the tabulation printed and made available to the public.

Sec. 37. 21-A MRSA §722-A, as amended by PL 2007, c. 455, §40, is further amended to read:

§722-A. Determination of declared write-in candidate

To be considered a valid declared write-in candidate, a person must file a declaration of write-in candidacy with the Secretary of State, on a form approved by the Secretary of State, on or before 5 p.m. on the 3rd business 45th day prior to the election. The candidate must meet all the other qualifications for that office.

Sec. 38. 21-A MRSA §723, sub-§1, as amended by PL 2001, c. 516, §14, is further amended to read:

1. Primary election. In a primary election, the person who receives a plurality of the votes cast for nomination to any office, as long as there is at least one vote cast for that office, is nominated for that of-

office, except for write-in candidates under paragraph A and section 722-A.

A. ~~A person who has not qualified as a candidate for nomination by primary election by filing a petition and consent under sections 335 and 336, but write-in candidate who complies with either section 722-A or section 737-A, subsection 2-A and who fulfills the other qualifications under section 334, may be nominated at the primary election if that person receives a number of valid write-in votes equal to at least twice the minimum number of signatures required under section 335, subsection 5, on a primary petition for a candidate for that office.~~

B. The Secretary of State shall immediately certify by mail the nomination of each person nominated by the primary election.

Sec. 39. 21-A MRSA §723, sub-§2, as amended by PL 2001, c. 516, §15, is further amended to read:

2. **Other elections.** In any other election, the person who receives a plurality of the votes cast for election to any office, as long as there is at least one vote cast for that office, is elected to that office, except that ~~a write-in candidate~~ candidate must also comply with ~~either section 722-A or section 737-A, subsection 2-A.~~

Sec. 40. 21-A MRSA §724, sub-§1, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 41. 21-A MRSA §737-A, first ¶, as amended by PL 2007, c. 515, §7, is repealed.

Sec. 42. 21-A MRSA §737-A, sub-§1, as amended by PL 2003, c. 447, §25, is further amended to read:

1. **Deposit for recount.** All deposits required by this section must be made with the Secretary of State when a recount is requested by a losing candidate or an undeclared write-in candidate. Once the State Police have taken custody of the ballots and other election materials from the municipalities, the deposit made by the candidate requesting the recount is forfeited to the State if the resulting count fails to change the outcome of the election. If the recount reverses the election, the deposit must be returned to the candidate requesting the recount. The amount of the deposit is calculated as follows.

A. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is 2% or less of the total votes cast for that office, a deposit is not required.

B. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 2% and less

than or equal to 4% of the total votes cast for that office, the deposit is \$500.

C. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 4% and less than or equal to 6% of the total votes cast for that office, the deposit is \$1,000.

D. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 6% and less than or equal to 8% of the total votes cast for that office, the deposit is \$2,500.

E. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 8% and less than or equal to 10% of the total votes cast for that office, the deposit is \$5,000.

F. If the percentage difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 10% of the total votes cast for that office, the deposit is \$10,000.

Sec. 43. 21-A MRSA §737-A, sub-§2-A is enacted to read:

2-A. Recount for write-in candidates. For the purposes of this section, a declared write-in candidate who has complied with the requirements of section 722-A is treated the same as any candidate whose name is printed on the ballot. An undeclared write-in candidate also may request a recount and be treated as a designated recount candidate, but only upon first submitting a written request for a recount that must contain a statement signed by the candidate that the candidate will accept the nomination. The consent must contain a declaration of the candidate's place of residence and party designation and a statement that the candidate meets the qualifications of the office the write-in candidate seeks, which the candidate must verify by oath or affirmation before a notary public or other person authorized by law to administer oaths or affirmations that the declaration is true. The undeclared write-in candidate must submit a \$10,000 deposit. If the recount fails to reverse the outcome of the election, the undeclared candidate must also pay the actual cost of the recount, as determined by the Secretary of State.

Sec. 44. 21-A MRSA §737-A, sub-§8, as enacted by PL 1993, c. 473, §31 and affected by §46, is amended to read:

8. **Mistake in ballot count.** If it is found that a mistake was made in counting the ballots on election day, or if the recount results show that an undeclared write-in candidate received votes for a particular office, the Secretary of State shall submit a corrected tabulation to the Governor.

Sec. 45. 21-A MRSA §737-A, sub-§9, as amended by PL 2005, c. 453, §58, is further amended to read:

9. Package resealed and marked. After a recount, if the election remains in dispute, the Secretary of State shall copy the incoming voting list, before proceeding to reseal the packages of ballots and incoming voting lists, noting the fact and date of the recount on the packages. The Secretary of State shall immediately send or deliver the copy of the incoming voting list to the clerk for the purpose of updating voter participation history in the central voter registration system. The clerk shall immediately send a receipt to the Secretary of State noting the date and time of delivery of the copy. All challenged and disputed ballots must be packaged separately. The challenged and disputed ballots must be kept until released to the court or to the Senate or the House of Representatives, if applicable, in case of an appeal.

Sec. 46. 21-A MRSA §737-A, sub-§12 is enacted to read:

12. Authority to adopt rules. The Secretary of State is authorized to adopt rules governing the conduct and procedures for a recount. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 47. 21-A MRSA §753-A, sub-§6, as enacted by PL 2007, c. 515, §10, is amended to read:

6. Application by electronic means. A municipal clerk may opt to accept absentee ballot applications by ~~e-mail~~ electronic means. ~~If the clerk opts to accept absentee ballot applications by e-mail the clerk shall create a specific e-mail account for the purpose of accepting e-mail applications. At least 120 days before any election administered by the State, the clerk shall notify the Secretary of State of the clerk's intention to accept absentee ballot applications by e-mail and of the e-mail address used to accept the absentee ballot applications~~ electronic means. The Secretary of State shall post on its publicly accessible website a list of municipalities that have opted to accept absentee ballot applications by ~~e-mail~~ electronic means along with the ~~e-mail addresses and procedures for requesting an absentee ballot by e-mail~~ electronic means. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by ~~e-mail~~ electronic means.

If the clerk opts to accept absentee ballot applications by ~~e-mail~~ electronic means, a voter may make an application for the voter's own ballot by ~~e-mail~~ electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and birth date

with the information in the voter's record. The clerk shall print the ~~e-mail~~ electronically submitted application and write "~~e-mail request~~" "electronic request" on the application.

Sec. 48. 21-A MRSA §753-B, sub-§8, as amended by PL 2005, c. 568, §19, 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. 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. 49. 21-A MRSA §754-A, sub-§1, ¶C, as amended by PL 1997, c. 436, §112, is further amended to read:

C. After the voter has completed marking the ballot, the voter shall then seal the ballot in its return envelope and complete the affidavit on the envelope. ~~No~~ A notary or witness certification is not required unless the voter is assisted pursuant to subsection 3.

Sec. 50. 21-A MRSA §760-B, sub-§1, as enacted by PL 2007, c. 455, §45, is amended to read:

1. Time for processing. In a municipality that has opted to process absentee ballots on the day immediately prior to election day, the municipal clerk or

the clerk's designees may process absentee ballots at the times designated by the clerk, between the hours of 9:00 a.m. and 9:00 p.m., except that if an inspection is requested pursuant to subsection 3, processing may not begin until after the inspection period has concluded.

Sec. 51. 21-A MRSA §760-B, sub-§2, as enacted by PL 2007, c. 455, §45, is amended to read:

2. Notice of early processing. The clerk must give notice of the municipality's intent to process absentee ballots prior to election day using the notice of election under section 621-A, stating each specific the time that the clerk intends to begin processing absentee ballots and the inspection period provided in subsection 3. At least 7 30 days before election day, the clerk shall notify provide a copy of the notice of election to the Secretary of State and the chairs of each political party of the municipality, in writing, that this procedure is to indicating that early processing of absentee ballots will occur. The notice to the political parties must be considered sufficient as long as it is mailed to the last address of each municipal chair that is known to the clerk. The notice to the Secretary of State may be delivered by mail or facsimile. A copy of the notice of election is considered notice in writing under this subsection. If the notice is not received by the Secretary of State by 5:00 p.m. on the 30th day before election day, the municipality may not process absentee ballots prior to election day.

Sec. 52. 21-A MRSA §791, sub-§3, ¶B, as enacted by PL 1993, c. 473, §38 and affected by §46, is amended to read:

B. Is a candidate who, notwithstanding this subchapter, delivers, receives, accepts, notarizes, assists or witnesses an absentee ballot, other than the candidate's own absentee ballot, furnished by the clerk of a municipality in this State. This paragraph does not apply to an elected municipal clerk in an election when no other name for the office of clerk appears on the ballot who is a candidate for reelection to the office of municipal clerk, where there is no other candidate for that office. In a contested election for the office of clerk, a clerk may not be exempted from the provisions of this paragraph but shall instead appoint a deputy or an assistant to whom the municipality shall pay all associated costs for the duration of the deputy's or assistant's temporary employment in that capacity.

Sec. 53. 21-A MRSA §812-A, sub-§3 is enacted to read:

3. Accessible feature for casting write-in vote. As an accommodation for persons with disabilities, the audio ballot for the accessible voting system under subsection 1 may be programmed to provide an aural presentation of the names of any declared write-in candidates at the end of the list of candidates whose

names were listed on the printed ballot so that the voter may cast a vote for a declared write-in candidate in the same manner as voting for a listed candidate. If there is no declared write-in candidate for an office, the audio ballot may provide aural instructions to that effect.

Sec. 54. 21-A MRSA §822, sub-§1, as enacted by PL 1985, c. 161, §6, is amended to read:

1. Counters exposed. If the number on the seal agrees with the number on the envelope, the warden shall open the doors concealing the counters, inspect the machine and sign a certificate provided by the Secretary of State showing that all counters are set at "000," that the number of the protective public counter agrees with the number on the envelope and that all parts of the machine and the ballot labels are in proper condition for voting.

A. If the machine is provided with a device or devices for printing or photographing candidate and question counters, it is not necessary to open the door concealing the counters. The warden and the election clerk shall proceed to operate the mechanism provided to produce one "before election inspection record" showing whether the candidate and question counters register "000" and sign the certificate as prescribed by the Secretary of State.

Sec. 55. 21-A MRSA §826, sub-§2, as enacted by PL 1985, c. 161, §6, is amended to read:

2. Totals announced. The warden shall announce the total for each candidate in the order shown on the ballot label, for each referendum question and for each declared write-in candidate. As each total is read, it shall must be recorded by an election clerk from a political party other than that of the warden.

Sec. 56. 21-A MRSA §827, sub-§1, as enacted by PL 1985, c. 161, §6, is amended to read:

1. Keys sealed in envelope. In the presence of an election clerk from a political party other than that of the warden, the warden shall enclose the keys to each voting machine in separate envelopes furnished by the municipal clerk. The warden shall write the number of each machine, the location of the voting place in which it was used, the number on the seal and the numbers registered on the protective public counter on the outside of each envelope.

Sec. 57. 21-A MRSA §901, first ¶, as amended by PL 1993, c. 695, §33, is further amended to read:

To initiate proceedings for a people's veto referendum or the direct initiative of legislation, provided in the Constitution of Maine, Article IV, Part Third, Sections 17 and 18, a voter shall submit a written application to the Department of the Secretary of State on a form designed by the Secretary of State. The

application must contain the names, addresses and signatures of 5 voters, in addition to the applicant, who are designated to receive any notices in proceedings under this chapter. For a direct initiative, the application must contain the full text of the proposed law and a summary that explains the purpose and intent of the direct initiative. The voter submitting the application shall sign the application in the presence of the Secretary of State, the Secretary of State's designee or a notary public.

Sec. 58. 21-A MRSA §901, sub-§3-A, as amended by PL 2007, c. 234, §1, is further amended to read:

3-A. Review for proper form. The Secretary of State shall review the proposed law for a direct initiative of legislation within 10 15 business days after receipt of the application and either reject the application or provide a first revised draft of the initiative legislation to the applicant within that time. The Secretary of State may reject the application if the Secretary of State determines that the proposed law:

- A. Does not conform to the form prescribed by the Secretary of State; or
- B. Does not conform to the essential aspects of the drafting conventions established for the Maine Revised Statutes. The drafting conventions include but are not limited to:
 - (1) Correct allocation to the statutes and correct integration with existing statutes;
 - (2) Bill titles and statute section headnotes that objectively reflect the content of the bill, section or sections to which they apply;
 - (3) Conformity to the statutory numbering system; and
 - (4) Ensuring that bills enacting statutes do not contain provisions that describe intent or make testimonial statements without creating a legal requirement or duty.

By consent of the applicant the proposed law may be modified to conform with the requirements of this section. The Secretary of State may request assistance from the Revisor of Statutes in reviewing the proposed law.

The applicant shall submit each subsequent draft of the legislation to the Secretary of State for review following the same process. The Secretary of State shall review each subsequent draft from the applicant and provide a revised draft or written response suggesting how the proposed law may be modified to conform with to the requirements of this section within 10 business days. The applicant must give written consent to the final language of the proposed law to the Secretary of State before the petition form is designed by the Secretary of State.

Sec. 59. 21-A MRSA §906, sub-§2, as enacted by PL 1985, c. 161, §6, is repealed.

See title page for effective date.

CHAPTER 254

S.P. 184 - L.D. 488

**An Act To Address an Inequity
in the Judicial Retirement
System**

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

Sec. 1. 4 MRSA §1201, sub-§9, as amended by PL 2007, c. 449, §1 and affected by §3, is further amended to read:

9. Earnable compensation. "Earnable compensation" means the annual salary as a judge. Any money paid by the State under an annuity contract for the future benefit of a judge must be considered part of the judge's earnable compensation. The earnable compensation of a member retired with a disability retirement allowance under section 1353 must be assumed, for the purposes of determining benefits under this chapter, to be continued after the member's date of termination of service at the same rate as received immediately prior thereto, subject to the same percentage adjustments, if any, that may apply to the amount of retirement allowance of the beneficiary under section 1358. ~~Beginning For a member who served as a judge any time between July 1, 2003 and June 30, 2005, earnable compensation for a sitting judge as of June 30, 2005~~ includes the salary that would have been paid for a judge in the given year if the cost-of-living adjustments in fiscal year 2003-04 and fiscal year 2004-05 had been funded.

Sec. 2. Payment by member. For any judge or justice who retired prior to September 20, 2007, the salary imputed under this Act may be included in the earnable compensation of a member to whom this Act applies only if the member pays the full actuarial costs of including the imputed salary.

Sec. 3. Calculation; implementation. For any judge or justice who elects to make the payment as required by section 2, the Maine Public Employees Retirement System shall recalculate that judge's or justice's retirement benefits based on the effective retirement date of that judge or justice and must include the cost-of-living adjustments as set forth in the Maine Revised Statutes, Title 4, section 1201, subsection 9, as amended by this Act.

Sec. 4. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 4, section 1201, subsection 9 applies retroactively to September 20, 2007.

See title page for effective date.

CHAPTER 255

S.P. 133 - L.D. 391

**An Act To Amend the Law
Concerning Adverse Possession**

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

Sec. 1. 14 MRSA §810-A, as enacted by PL 1993, c. 244, §1, is amended to read:

§810-A. Mistake of boundary line

If a person takes possession of land by mistake as to the location of the true boundary line and possession of the land in dispute is open and notorious, under claim of right, and continuous for the statutory period, the hostile nature of the claim is established and no further evidence of the knowledge or intention of the person in possession is required, the possessor's mistaken belief does not defeat a claim of adverse possession.

See title page for effective date.

CHAPTER 256

H.P. 890 - L.D. 1271

**An Act To Generate Savings by
Changing Public Notice
Requirements**

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

Sec. 1. 5 MRSA §8053, sub-§3, as amended by PL 2007, c. 181, §§2 to 4, is further amended to read:

3. Contents of notice. ~~The notice shall~~ Except for notices governed by subsections 5 and 7, a notice under this section must:

- A. Refer to the statutory authority under which the adoption of the rule is proposed;
- B. State the time and place of any scheduled public hearing or state the manner in which a hearing may be requested;
- C. State the manner and time within which data, views or arguments may be submitted to the

agency for consideration, whether or not a hearing is held;

C-1. State the name, address and phone number of the staff person responsible for providing additional information or a printed version of the proposed rule;

D. If possible, contain the express terms of the proposed rule or otherwise describe the substance of the proposed rule, stating the subjects and issues involved and indicate where a copy of the proposed rule may be obtained;

E. Refer to the substantive state or federal law to be implemented by the rules; and

F. Indicate where a copy of the statement of impact on small business pursuant to section 8052, subsection 5-A may be obtained.

Sec. 2. 5 MRSA §8053, sub-§5, as amended by PL 1991, c. 837, Pt. A, §11, is further amended to read:

5. Publication. ~~The~~ Using the format of notice pursuant to subsection 7, the Secretary of State shall:

A. Arrange for the weekly publication of a consolidated notice of rule making of all state agencies, which shall also include a brief explanation to assist the public in participating in the rule-making process. Notice of each rule-making proceeding shall be published once 17 to 24 days prior to the public hearing on the proposed rule or at least 30 days prior to the last date on which views and arguments may be submitted to the agency for consideration if no public hearing is scheduled;

B. Designate certain newspapers, which together have general circulation throughout the State, as papers of record for the purpose of publishing notice under paragraph A. Notice of proposed rules affecting only a particular locality or region need only be published in the designated newspapers having general circulation in the area affected.;

C. Designate one day as rules day for publication of notices on rulemaking as set forth in this subsection; and

D. Be reimbursed for the cost of publication of rule-making notice by the agencies proposing the rulemaking. The total costs of each consolidated publication will be prorated by the Secretary of State among all agencies submitting notice for a particular week.

Sec. 3. 5 MRSA §8053, sub-§6, as enacted by PL 2007, c. 581, §3, is amended to read:

6. Electronic publication. In addition to the printed publication required in subsection 5, the Secre-

tary of State shall maintain a publicly accessible website for posting the notices of all proposed and adopted rules. ~~The notice must include a brief explanation of the proposed or adopted rule and an e-mail link to the agency liaison. Departments and agencies shall either post proposed and adopted rules in their jurisdictions on publicly accessible agency websites or link to the rules posted on the Secretary of State's website. The contents of the notice for electronic publication are pursuant to subsection 3.~~ Notice of each rule-making proceeding must be published on the Secretary of State's website 17 to 24 days prior to the public hearing on the proposed rule or at least 30 days prior to the last date on which views and arguments may be submitted to the agency for consideration if no public hearing was scheduled.

Sec. 4. 5 MRSA §8053, sub-§7 is enacted to read:

7. Contents of notice for newspaper publication. The notice for publication in the newspaper under subsection 5 is shorter than the notice provided for all other purposes pursuant to subsection 3. The notice for newspaper publication must:

A. State the time and place of any scheduled public hearing or state the manner in which a hearing may be requested;

B. State the manner and time within which data, views or arguments may be submitted to the agency for consideration, whether or not a hearing is held;

C. State the name, address and phone number of the staff person responsible for providing additional information or a printed version of the proposed rule;

D. Include a brief and general summary of the substance of the proposed rule;

E. Provide the website address where the long notice pursuant to subsection 3 is posted;

F. Indicate where a copy of the statement of impact on small business pursuant to section 8052, subsection 5-A may be obtained; and

G. Indicate the impact on municipalities or counties only if there is an expected financial impact on municipalities identified under section 8063.

See title page for effective date.

CHAPTER 257

S.P. 289 - L.D. 742

An Act To Amend the Composition of the Maine Commission on Domestic and Sexual Abuse

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

Sec. 1. 19-A MRSA §4013, sub-§1, ¶A, as amended by PL 2005, c. 397, Pt. A, §14, is further amended to read:

A. The Governor shall name the chair from among the following members:

(1) Two members, appointed by the Governor, who are representatives of the statewide coalition of domestic violence projects;

(1-A) Two members, appointed by the Governor, who are representatives of the statewide coalition of sexual assault centers;

(2) One member, appointed by the Governor, who is a representative of the mental health profession;

(3) One member, appointed by the Governor, who is a representative of victims of domestic violence;

(3-A) One member, appointed by the Governor, who is a representative of victims of sexual assault;

(4) Two members, appointed by the Governor, one of whom has experience representing victims of domestic abuse, who are attorneys with experience in domestic relations cases;

(5) One member, appointed by the Governor, who was a victim of domestic abuse and used the court system;

(5-A) One member, appointed by the Governor, who was a victim of sexual assault and used the court system;

(6) One member, appointed by the Governor, who is a district attorney or assistant district attorney;

(7) One member, appointed by the Governor, who is chief of a municipal police department;

(8) One member, appointed by the Governor, who is a county sheriff;

- (8-A) One member, appointed by the Governor, who is the statewide coordinator of a statewide coalition to end domestic violence;
- (8-B) One member, appointed by the Governor, who is the executive director of a statewide coalition against sexual assault;
- (8-C) The Attorney General or the Attorney General's designee;
- (8-D) The Chief of the Maine State Police or the chief's designee;
- (9) The Commissioner of Public Safety or the commissioner's designee;
- (9-A) The Commissioner of Health and Human Services or the commissioner's designee;
- (9-C) The Commissioner of Education or the commissioner's designee;
- (9-D) The Commissioner of Labor or the commissioner's designee;
- (9-E) The Commissioner of Corrections or the commissioner's designee;
- (9-F) One member, appointed by the Governor, who has experience working in batterers' intervention programs; ~~and~~
- (10) Up to ~~8~~ 6 members-at-large, appointed by the Governor;
- (11) Up to 4 members, appointed by the Governor, representing underserved populations; and
- (12) One member, appointed by the Governor, who is a tribal member and provides services through a tribal program to tribal members who are victims of domestic or sexual violence.

See title page for effective date.

**CHAPTER 258
H.P. 766 - L.D. 1111**

**An Act To Promote
Transparency and
Accountability in Campaigns
and Governmental Ethics**

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

Sec. 1. 1 MRSA §1012, sub-§4, as amended by PL 2007, c. 642, §4, is further amended to read:

4. Gift. "Gift" means anything of value, including forgiveness of an obligation or debt, given to a

person without that person providing equal or greater consideration to the giver. "Gift" does not include:

- A. Gifts received from a single source during the reporting period with an aggregate value of \$300 or less;
- B. A bequest or other form of inheritance;
- C. A gift received from a relative or from an individual on the basis of a personal friendship as long as that individual is not a registered lobbyist or lobbyist associate under Title 3, section 313, unless the Legislator has reason to believe that the gift was provided because of the Legislator's official position and not because of a personal friendship;
- D. A subscription to a newspaper, news magazine or other news publication; ~~or~~
- E. Legal services provided in a matter of legislative ethics;
- F. A meal, if the meal is a prayer breakfast or a meal served during a meeting to establish a prayer breakfast; or
- G. A meal, if the meal is provided by industry or special interest organizations as part of the informational program presented to a group of public servants.

Sec. 2. 1 MRSA §1014, sub-§2, as amended by PL 2007, c. 642, §7, is repealed.

Sec. 3. 1 MRSA §1014, sub-§2-A is enacted to read:

2-A. Undue influence. It is a violation of legislative ethics for a Legislator to engage in conduct that constitutes the exertion of undue influence, including, but not limited to:

- A. Appearing for, representing or advocating for another person in a matter before a state agency or authority, for compensation other than compensation as a Legislator, if the Legislator makes reference to that Legislator's legislative capacity, communicates with the agency or authority on legislative stationery or makes threats or implications relating to legislative action;
- B. Appearing for, representing or advocating for another person in a matter before a state agency or authority if the Legislator oversees the policies of the agency or authority as a result of the Legislator's committee responsibilities, unless:

- (1) The appearance, representation or advocacy is provided without compensation and for the benefit of a constituent;
- (2) The Legislator is engaged in the conduct of the Legislator's profession and is in good

standing with a licensing board, if any, that oversees the Legislator's profession;

(3) The appearance, representation or advocacy is provided before a court or office of the judicial branch; or

(4) The representation consists of filing records or reports or performing other routine tasks that do not involve the exercise of discretion on the part of the agency or authority; and

C. Representing or assisting another person in the sale of goods or services to the State, a state agency or a state authority, unless the transaction occurs after public notice and competitive bidding.

See title page for effective date.

CHAPTER 259

H.P. 478 - L.D. 695

An Act To Streamline Health Care Services in Maine by Allowing Certified Nurse Practitioners and Certified Nurse Midwives To Verify Medical Papers and Records

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

Sec. 1. 32 MRSA §2205-B, sub-§5 is enacted to read:

5. Global signature authority of a certified nurse practitioner or certified nurse midwife. When a provision of law or rule requires a signature, certification, stamp, verification, affidavit or endorsement by a physician, that requirement may be fulfilled by a certified nurse practitioner or a certified nurse midwife. This subsection may not be construed to expand the scope of practice of a certified nurse practitioner or a certified nurse midwife.

See title page for effective date.

CHAPTER 260

H.P. 336 - L.D. 448

An Act To Modify the Informed Growth Act

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

Sec. 1. 30-A MRSA §4371, as enacted by PL 2007, c. 347, §1, is repealed and the following enacted in its place:

§4371. Exemption

1. Ordinance. The provisions of this subchapter do not apply to a municipality that has adopted an ordinance that contains requirements for determining the impacts of a proposed large-scale retail development as defined in section 4366, subsection 6 and requires an independent study of the community economic impacts for each individual large-scale retail development. The ordinance must include a requirement to consider the findings of the study, among other evidence, when reviewing a land use application and must contain standards for determining when an impact of a large-scale retail development is detrimental to the municipality.

2. Community economic impact study. The study pursuant to subsection 1 may include an examination of job creation; retail wages; sales revenue retained and reinvested in the community; municipal revenues generated; municipal services and maintenance costs caused by the development's construction and operation; public subsidies including tax increment financing; impacts on utilities; and any other factors the municipality identifies.

3. Qualified preparer. The study pursuant to subsection 1 must be prepared by a preparer qualified by education, training and experience pursuant to section 4367 who is chosen by the municipality.

4. Public presentation. The study pursuant to subsection 1 must be presented to the public consistent with section 4368.

See title page for effective date.

CHAPTER 261

H.P. 466 - L.D. 652

An Act To Clarify the Maine Uniform Building and Energy Code

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

PART A

Sec. A-1. 10 MRSA §1415-C, sub-§7, as enacted by PL 2007, c. 699, §2, is amended to read:

7. Repeal. This section is repealed ~~July~~ December 1, 2010.

Sec. A-2. 10 MRSA §1415-D, sub-§2, as enacted by PL 2007, c. 699, §3, is amended to read:

2. Repeal. This section is repealed ~~July~~ December 1, 2010.

Sec. A-3. 10 MRSA §1420, sub-§4, as enacted by PL 2007, c. 699, §4, is amended to read:

4. Repeal. This section is repealed ~~July~~ December 1, 2010.

Sec. A-4. 10 MRSA §9707, as enacted by PL 2007, c. 699, §5, is amended to read:

§9707. Repeal

This chapter is repealed ~~July~~ December 1, 2010.

Sec. A-5. 10 MRSA §9721, sub-§1-A is enacted to read:

1-A. Building code. "Building code" means any part or portion of any edition of a code that regulates the construction of a building, including codes published by the International Code Council or Building Officials and Code Administrators International, Inc., or the Maine Model Building Code or the International Existing Building Code adopted pursuant to Title 10, section 9702, but does not include the fire and life safety codes in Title 25, section 2452.

Sec. A-6. 10 MRSA §9722, sub-§6, ¶E, as enacted by PL 2007, c. 699, §6, is amended to read:

E. On ~~December~~ January 31st of each calendar year beginning in ~~2010~~ 2011, report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters any proposals for proposed conflict resolutions for codes and standards referenced in section 9725, subsections 2 to 7; proposals to improve the efficiency and effectiveness of those codes and standards; and alternative methods of funding for the board to create an equitable source of revenue;

Sec. A-7. 10 MRSA §9724, sub-§1, as enacted by PL 2007, c. 699, §6, is amended to read:

1. Limitations on home rule authority. This chapter provides express limitations on municipal home rule authority. Beginning ~~July~~ December 1, 2010, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 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 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. A-8. 10 MRSA §9724, sub-§2, as enacted by PL 2007, c. 699, §6, is amended to read:

2. Prior statewide codes and standards. Effective ~~July~~ December 1, 2010, the Maine Uniform Build-

ing and Energy Code adopted pursuant to this chapter replaces, and is intended to be the successor to, the Model Energy Code established in Title 35-A, section 121 and the Maine model radon standard for new residential construction set forth in Title 25, section 2466.

Sec. A-9. 10 MRSA §9724, sub-§3, as enacted by PL 2007, c. 699, §6, is amended to read:

3. Ordinances. Effective ~~July~~ December 1, 2010, except as provided in subsection 4 and section 9725, any ordinance regarding a building code of any political subdivision of the State that is inconsistent with the Maine Uniform Building and Energy Code is void.

Sec. A-10. 25 MRSA §2353, as amended by PL 2007, c. 699, §8 and affected by §26, is repealed and the following enacted in its place:

§2353. Duty to inspect buildings under construction

Unless the municipality is enforcing the Maine Uniform Building and Energy Code by means of 3rd-party inspectors pursuant to section 2373, subsection 4, the building official shall inspect each new building during the process of construction, so far as may be necessary, to see that all proper safeguards against the catching or spreading of fire are used, that the chimneys and flues are made safe and that proper cutoffs are placed between the timbers in the walls and floorings where fire would be likely to spread, and may give such directions in writing to the owner or contractor as the building official considers necessary concerning the construction of such building so as to render the same safe from the catching and spreading of fire.

This section is repealed December 1, 2010.

Sec. A-11. 25 MRSA §2357, as amended by PL 1999, c. 725, §5 and PL 2007, c. 699, §9 and affected by §26, is repealed and the following enacted in its place:

§2357. No occupancy without certificate; appeal

Subject to the provisions of Title 10, chapter 951, a new building may not be occupied until the building official has given a certificate that the same has been built in accordance with section 2353, and so as to be safe from fire. The inspector of buildings may issue the certificate of occupancy upon receipt of an inspection report by a certified 3rd-party inspector pursuant to section 2373, subsection 4. The municipality has no obligation to review a report from a 3rd-party inspector for accuracy prior to issuing the certificate of occupancy. If the owner permits it to be so occupied without such certificate, the owner must be penalized in accordance with Title 30-A, section 4452. In case the building official for any cause declines to give that certificate and the builder has in the builder's own judgment complied with section 2353, an appeal may be taken to the municipal officers and, if on such ap-

peal it is decided by them that the section has been complied with, the owner of the building is not liable to a fine for want of the certificate of the building official.

This section is repealed December 1, 2010.

Sec. A-12. 25 MRSA §2373, first ¶, as enacted by PL 2007, c. 699, §11, is amended to read:

Beginning July December 1, 2010, the code must be enforced in a municipality that has more than 2,000 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 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:

Sec. A-13. 25 MRSA §2466, sub-§5, as enacted by PL 2007, c. 699, §14, is amended to read:

5. Repeal. This section is repealed July December 1, 2010.

Sec. A-14. 30-A MRSA §4451, sub-§2-A, ¶E, as amended by PL 2007, c. 699, §15, is further amended to read:

E. Building standards under chapter 141; chapter 185, subchapter 1; beginning January June 1, 2010, Title 10, chapter 1103; and Title 25, chapters 313 and 331.

Sec. A-15. 35-A MRSA §121, sub-§3, as enacted by PL 2007, c. 699, §19, is amended to read:

3. Repeal. This section is repealed January December 1, 2010.

Sec. A-16. PL 2007, c. 699, §21, sub-§3 is amended to read:

3. The board shall adopt the Maine Uniform Building and Energy Code no later than January June 1, 2010.

A. Between January June 1, 2010 and July December 1, 2010, building construction and renovation projects may utilize either the Maine Uniform Building and Energy Code or existing building and energy codes adopted by any political subdivision of the State.

B. The board shall maintain an adoption cycle for future versions of the Maine Uniform Building and Energy Code that is coordinated with the State Fire Marshal's adoption cycle and that does not lapse more than 5 years or one national model code version cycle.

Sec. A-17. PL 2007, c. 699, §27 is amended to read:

Sec. 27. Staggered effective date for enforcement of Maine Uniform Building and Energy Code. A municipality that has more than 2,000 residents that has adopted any building code by August 1, 2008 shall begin enforcement of the Maine Uniform Building and Energy Code adopted pursuant to the Maine Revised Statutes, Title 10, chapter 1103 by ~~June~~ December 1, 2010. Any municipality with more than 2,000 residents that has not adopted any building code by August 1, 2008 shall begin enforcement of the Maine Uniform Building and Energy Code by January 1, 2012.

Sec. A-18. Resolve 2007, c. 219, §1 is amended to read:

Sec. 1. Study. Resolved: That the Department of Professional and Financial Regulation shall study the issue of residential contractor licensing. The department shall include in its study a review of the various building and energy codes in existence throughout the State. The department shall report its recommendations for residential contractor licensing to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters no later than January 4, December 1, 2010. The joint standing committee of the Legislature having jurisdiction over business, research and economic development matters may submit legislation regarding residential contractor licensing to the ~~Second~~ First Regular Session of the ~~124th~~ 125th Legislature.

Sec. A-19. Review. The Technical Building Codes and Standards Board established under the Maine Revised Statutes, Title 10, section 9722 shall review issues regarding 3rd-party inspectors and inspections, including, but not limited to, tort claims protection, and make any recommendations for changes to the law, including any necessary implementing legislation, to the Joint Standing Committee on Business, Research and Economic Development no later than December 1, 2010.

Sec. A-20. Retroactivity. That section of this Act that amends Public Law 2007, chapter 699, section 23 applies retroactively to March 1, 2009.

PART B

Sec. B-1. 25 MRSA §2351, as corrected by RR 1995, c. 2, §56 and amended by PL 2007, c. 699, §7 and affected by §26, is repealed and the following enacted in its place:

§2351. Building official; compensation; jurisdiction; deputy

In every town and city of more than 2,000 inhabitants, and in every town of 2,000 inhabitants or less, if such a town so votes at a town meeting, and in each village corporation, if such a corporation so votes at the annual meeting of the corporation, the municipal

officers shall annually in the month of April appoint a building official, who must be a person skilled in the construction of buildings, and shall determine the building official's compensation. The municipal officers shall define the limits within which the building official has jurisdiction, which includes the thickly settled portion of each such city or of each village in each such city or town. Whenever the building official becomes incapacitated, the municipal officers may appoint or authorize the building official to appoint a deputy building official, who shall serve until removed by the municipal officers, but in no event beyond the term for which the building official was appointed. The deputy building official shall perform such duties as may be required of the deputy building official by the building official. The compensation of the deputy building official is determined by the municipal officers.

This section is repealed December 1, 2010.

Sec. B-2. 25 MRSA §2351-A is enacted to read:

§2351-A. Building official; compensation; deputy

In every town and city of more than 2,000 inhabitants, and in every town of 2,000 inhabitants or less, if such a town so votes at a town meeting, and in each village corporation, if such a corporation so votes at the annual meeting of the corporation, the municipal officers shall annually in the month of April appoint a building official, who must be a person certified in building standards pursuant to Title 30-A, section 4451, subsection 2-A, paragraph E, and shall determine the building official's compensation. Whenever the building official becomes incapacitated, the municipal officers may appoint or authorize the building official to appoint a deputy building official, who shall serve until removed by the municipal officers, but in no event beyond the term for which the building official was appointed. The deputy building official shall perform such duties as may be required of the deputy building official by the building official. The compensation of the deputy building official is determined by the municipal officers.

This section takes effect December 1, 2010.

Sec. B-3. 25 MRSA §2352, as amended by PL 1975, c. 623, §34, is further amended to read:

§2352. Right to enter buildings

An ~~inspector of buildings~~ A building official in the performance of his the building official's official duty may enter any building for the purpose of making the inspection required by chapters 313 to 321.

Sec. B-4. 25 MRSA §2353-A is enacted to read:

§2353-A. Duty to inspect buildings under construction

Unless the municipality is enforcing the Maine Uniform Building and Energy Code by means of 3rd-party inspectors pursuant to section 2373, subsection 4, the building official shall inspect each building during the process of construction for compliance with the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103 and so far as may be necessary to see that all proper safeguards against the catching or spreading of fire are used, that the chimneys and flues are made safe and that proper cutoffs are placed between the timbers in the walls and floorings where fire would be likely to spread, and may give such directions in writing to the owner or contractor as the building official considers necessary concerning the construction of the building so as to render the building safe from the catching and spreading of fire.

This section takes effect December 1, 2010.

Sec. B-5. 25 MRSA §2354, as amended by PL 1991, c. 714, §6, is further amended to read:

§2354. Inspection of buildings being repaired

Subject to Title 32, chapter 33, the ~~inspector of~~ buildings building official shall inspect all buildings while in process of being repaired and see that all reasonable safeguards are used against the catching and spreading of fire and that the chimneys and flues are made safe. The ~~inspector~~ building official may give directions in writing to the owner as necessary concerning such repairs to render the building safe from the catching and spreading of fire.

Sec. B-6. 25 MRSA §2356 is amended to read:

§2356. Appeals

An appeal in writing may be taken from any order or direction of the ~~inspector of buildings~~ building official to the municipal officers, whose order thereon ~~shall be~~ is final.

Sec. B-7. 25 MRSA §2357-A is enacted to read:

§2357-A. No occupancy without certificate; appeal

Subject to the provisions of Title 10, chapter 951, a building may not be occupied until the building official has given a certificate of occupancy for compliance with the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103, pursuant to the required inspections in section 2373 that the building has been built in accordance with section 2353-A, and so as to be safe from fire. The inspector of buildings may issue the certificate of occupancy upon receipt of an inspection report by a certified 3rd-party inspector pursuant to section 2373, subsection 4. The municipality has no obligation to review a report

from a 3rd-party inspector for accuracy prior to issuing the certificate of occupancy. If the owner permits it to be so occupied without such certificate, the owner must be penalized in accordance with Title 30-A, section 4452. In case the building official for any cause declines to give that certificate and the builder has in the builder's own judgment complied with section 2353-A, an appeal may be taken to the municipal officers and, if on such appeal it is decided by them that the section has been complied with, the owner of the building is not liable to a fine for want of the certificate of the building official.

This section takes effect December 1, 2010.

Sec. B-8. 25 MRSA §2358, as amended by PL 1989, c. 502, Pt. A, §102, is further amended to read:

§2358. Failure to comply with order of building official

If the owner of any building neglects or refuses for more than 30 days to comply with any direction of the inspector of buildings building official concerning the repairs on any building as provided in section 2354, the owner shall must be penalized in accordance with Title 30-A, section 4452.

Sec. B-9. 25 MRSA §2359, as repealed and replaced by PL 1995, c. 462, Pt. A, §48, is amended to read:

§2359. Refusing admission to building official

An owner or occupant of a building, who refuses to permit an inspector of buildings a building official to enter the buildings building or willfully obstructs the inspector building official in the inspection of such the building as required by chapters 313 to 321, must be penalized in accordance with Title 30-A, section 4452.

Sec. B-10. 25 MRSA §2360, as amended by PL 1987, c. 35, §3, is further amended to read:

§2360. Authority to enter buildings; remedy of conditions appeals

The inspector of buildings building official, the fire inspector and the municipal officers of any city or town may at all reasonable hours, for the purpose of examination, enter into and upon all buildings and premises within their jurisdiction. Whenever any of said those officers shall find in any building or upon any premises combustible material, inflammable conditions or heating fixtures or apparatus so situated or constructed as to be dangerous to the safety of such buildings or premises, they shall order the same to be removed or remedied, and such order shall must be forthwith complied with by the owner or occupant of said those buildings or premises. If the said An owner or occupant shall deem himself aggrieved by such order when made by the inspector of buildings building official or the fire inspector, he may within 24

hours appeal to the municipal officers, and the cause of the complaint shall must be at once investigated by the direction of the latter and, unless by their authority the that order above named is revoked, such that order shall remain remains in force and must be forthwith complied with by said the owner or occupant. The inspector of buildings building official, the fire inspector or the municipal officers shall make, or cause to be made, an immediate investigation as to the presence of combustible material or the existence of inflammable conditions in any building or upon any premises under their jurisdiction, upon complaint of any person having an interest in said those buildings or premises or property adjacent thereto. Any owner or occupant of buildings or premises, failing to comply with the orders of the authorities above specified, shall must be punished by a fine of not less than \$5 for each day's neglect.

Sec. B-11. 25 MRSA §2361, sub-§1, as enacted by PL 1985, c. 101 and amended by PL 2007, c. 699, §10 and affected by §26, is repealed and the following enacted in its place:

1. Municipal enforcement. Duly appointed fire chiefs or their designees, municipal building officials and code enforcement officers may bring a civil action in the name of the municipality to enforce any of the state laws, duly adopted state rules or local ordinances enacted pursuant to chapters 313 to 321. This subsection is repealed December 1, 2010; and

Sec. B-12. 25 MRSA §2361, sub-§1-A is enacted to read:

1-A. Municipal enforcement. Effective December 1, 2010, duly appointed fire chiefs or their designees, municipal building officials and code enforcement officers may bring a civil action in the name of the municipality to enforce any of the state laws, duly adopted state rules or local ordinances enacted pursuant to this Part and Title 10, chapter 1103; and

Sec. B-13. 30-A MRSA §7060, sub-§1, ¶B, 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, is further amended to read:

B. Establishing adequate standards for all features of means of exit, fire protection, fire prevention, accident prevention and structural safety of buildings which that are used occasionally or regularly for public assembly; compelling the owners to make improvements to bring these buildings up to the established standards; requiring the owner or lessee of a building used for public assembly which that is regulated by an ordinance authorized by this section and operated with the intent of financial gain to obtain a permit for which a fee may be imposed commensurate with its size or capacity; and requiring the owner or lessee of such a building to file a plan showing all safety features as a condition precedent to the is-

sue of a permit or the further use of one already issued.

(1) The building ~~inspector~~ official shall send a written order to the owner or lessee of a building used for public assembly requiring any conditions ~~which that~~ exist in violation of an ordinance to be corrected within 30 days after the order is sent.

(2) After the 30-day period expires, the owner or lessee is strictly liable for all injury caused by the failure to correct the violations and the building ~~inspector~~ official shall order the building vacated.

(3) As used in this section, "building used for public assembly" means a room or space in or on any structure ~~which that~~ is used for the gathering of 100 or more persons for any purpose and includes any room or space on the same level, above or below, ~~which that~~ has a common entrance; and

Sec. B-14. 30-A MRSA §7060, sub-§2, 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. A, §56 and Pt. C, §§8 and 10, is further amended to read:

2. Additional provisions. The provisions of this subsection apply to subsection 1.

A. The provisions pertaining to buildings apply equally to all structures and parts of them, including mobile and modular homes.

B. The building ~~inspector~~ official is the licensing authority, unless otherwise provided by the plantation.

C. Ordinances defining the duties of the building ~~inspector~~ official and other enforcement officers, not contrary to Title 25, chapter 313, may be enacted. All enforcement officers designated by ordinance ~~shall~~ must be given free access at reasonable hours to all parts of buildings regulated by ordinance.

D. An application for a permit must be in writing and must be signed by the applicant and directed to the building ~~inspector~~ official. The failure of the building ~~inspector~~ official to issue a written notice of the decision, directed to the applicant within 30 days from the filing of the application, constitutes a refusal of the permit. The building ~~inspector~~ official ~~shall~~ may not issue any permit:

(1) For a building or use for which the applicant is required to obtain a license under Title 38, section 413, until the applicant has obtained that license; ~~nor~~ or

(2) For a building or use within a land subdivision, as defined in section ~~4554~~ 4401,

unless that subdivision has been approved in accordance with that section.

E. An appeal may be taken from any order issued by the building ~~inspector~~ official or from the licensing authority's refusal to grant a permit.

(1) A person aggrieved by an order of the building ~~inspector~~ official or a permit applicant may appeal in writing to the plantation assessors. At their next meeting following receipt of the appeal, the plantation assessors shall affirm, modify or set aside the decision of the building ~~inspector~~ official according to the terms of the pertinent ordinance. They may permit a variation from the terms of an ordinance when necessary to avoid undue hardship, ~~provided that as long as~~ there is no substantial departure from the intent of the ordinance. They may permit an exception to an ordinance only when the terms of the exception have been specifically set forth by the plantation. The failure of the plantation assessors to issue a written notice of their decision, directed to the applicant, within 30 days from the filing of the appeal constitutes a denial of the appeal. If a plantation has by ordinance required that all such appeals be taken to a board of appeals, the procedure ~~shall~~ must be the same as in appeals directed to the plantation assessors, unless the plantation has provided otherwise.

(2) An appeal may be taken from the decision of the plantation assessors or the board of appeals as provided in section 2691, subsection 3, paragraph G.

Sec. B-15. 33 MRSA §592, sub-§7, ¶A, as enacted by PL 1999, c. 478, §1, is amended to read:

A. The escrow agreement must provide that the funds or other consideration may be released only as provided in this paragraph.

(1) If the purchaser gives a valid notice of cancellation pursuant to this section or is otherwise entitled to cancel the sale, the funds or other consideration received from or on behalf of the purchaser must be returned to the purchaser.

(2) If the purchaser defaults in the performance of any obligation relating to the purchase or ownership of the time-share following the expiration of the cancellation period set out in subsection 1, the developer shall provide an affidavit to the escrow agent requesting release of the escrowed funds or other consideration and shall provide a copy of the affidavit to the purchaser who has defaulted. If, within 7 calendar days of mailing the affidavit, the developer has not received

from the purchaser a written notice of a dispute between the purchaser and the developer or a claim to the escrowed funds or other consideration, the funds or other consideration received from or on behalf of the purchaser must be immediately released to the developer.

(3) If no cancellation or default has occurred, the escrow agent may release the funds or other consideration upon presentation of an affidavit by the developer that:

- (a) The cancellation period has expired; and
- (b) A certificate or statement of substantial completion has been executed by an engineer or architect or a certificate of occupancy has been issued by the municipal inspector of buildings building official for the time-share unit containing the time-share.

Sec. B-16. 33 MRSA §1602-101, sub-§(b), as enacted by PL 1981, c. 699, is amended to read:

(b) No interest in any unit may be conveyed to a purchaser until the unit is substantially completed as evidenced by a certificate or statement of substantial completion executed by an engineer or architect, or until a certificate of occupancy is issued by the municipal inspector of buildings building official; ~~provided except that this limitation shall~~ does not apply to contracts, options or reservations for sale of units later to be so completed ~~nor~~ or to mortgages or transfers of units as security for an obligation, deeds in lieu of foreclosure, foreclosures and foreclosure sales, conveyances to successor declarants or to any person in the business of selling real estate for ~~his~~ that person's own account, or to financial institutions.

See title page for effective date.

CHAPTER 262

H.P. 694 - L.D. 1006

An Act To Create the Probate and Trust Law Advisory Commission

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

Sec. 1. 5 MRSA §12004-I, sub-§73-B is enacted to read:

73-B.

<u>Probate and Trust Law</u>	<u>Probate and Trust Law Advisory Commission</u>	<u>Not Authorized</u>	<u>18-A MRSA §1-801</u>
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Sec. 2. 18-A MRSA Art. 1, Pt. 8 is enacted to read:

PART 8

PROBATE AND TRUST LAW ADVISORY COMMISSION

§1-801. Commission established

The Probate and Trust Law Advisory Commission, established in Title 5, section 12004-I, subsection 73-B and referred to in this Part as "the commission," is created for the purpose of conducting a continuing study of the probate and trust laws of the State.

1. Membership. The commission is composed of 10 members who have experience in practicing probate and trust law or are knowledgeable about probate and trust law. The membership of the commission must include:

- A. Two Probate Court Judges, appointed by the Chief Justice of the Supreme Judicial Court;
- B. One Superior Court Justice, appointed by the Chief Justice of the Supreme Judicial Court;
- C. Five members of the trusts and estates law section of the Maine State Bar Association, appointed by the Chief Justice of the Supreme Judicial Court;
- D. One member representing the interests of older people, appointed by the Governor; and
- E. The Attorney General, or the Attorney General's designee.

2. Terms. A member is appointed for a term of 3 years and may be reappointed.

3. Vacancies. In the event of the death or resignation of a member, the appointing authority under subsection 1 shall appoint a qualified person for the remainder of the term.

§1-802. Consultants; experts

Whenever it considers appropriate, the commission shall seek the advice of consultants or experts, including representatives of the legislative and executive branches, in fields related to the commission's duties.

§1-803. Duties

1. Examine, evaluate and recommend. The commission shall:

A. Examine this Title and Title 18-B and draft amendments that the commission considers advisable;

B. Evaluate the operation of this Title and Title 18-B and recommend amendments based on the evaluation;

C. Examine current laws pertaining to probate and trust laws and recommend changes based on the examination; and

D. Examine any other aspects of the State's probate and trust laws, including substantive, procedural and administrative matters, that the commission considers relevant.

2. Propose changes. The commission may propose to the Legislature, at the start of each session, changes in the probate and trust laws and in related provisions that the commission considers appropriate.

§1-804. Organization

The Chief Justice of the Supreme Judicial Court shall notify all members of the commission of the time and place of the first meeting of the commission. At that time the commission shall organize, elect a chair, vice-chair and secretary-treasurer from its membership and adopt rules governing the administration of the commission and its affairs. The commission shall maintain financial records as required by the State Auditor.

§1-805. Federal funds

The commission may accept federal funds on behalf of the State.

Sec. 3. Report. On or before January 15, 2010 and January 15, 2011, the Probate and Trust Law Advisory Commission shall report on the activities of the commission to the joint standing committee of the Legislature having jurisdiction over judiciary matters.

See title page for effective date.

CHAPTER 263

H.P. 471 - L.D. 657

An Act To Allow the Award of Court Costs or Attorney's Fees in Protection from Harassment Actions

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

Sec. 1. 5 MRSA §4655, sub-§1-A is enacted to read:

1-A. Judgment against plaintiff. If a judgment is entered against the plaintiff and the court finds that the complaint is frivolous, the court may order the

plaintiff to pay court costs, reasonable attorney's fees or both.

See title page for effective date.

CHAPTER 264

H.P. 983 - L.D. 1407

An Act To Assess the Physical Education Capacity of Elementary Schools in Maine and To Establish the Obesity and Chronic Disease Fund within the Department of Education

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

Sec. 1. 20-A MRSA c. 223, sub-c. 7-C is enacted to read:

SUBCHAPTER 7-C

ELEMENTARY SCHOOL PHYSICAL EDUCATION

§6631. Obesity and Chronic Disease Fund

1. Fund established. The Obesity and Chronic Disease Fund, referred to in this section as "the fund," is established as an interest-bearing account administered by the department.

2. Revenue. Any private or public funds appropriated, allocated or dedicated to the fund must be deposited into the fund as well as income from any other source directed to the fund. All interest earned by the fund becomes part of the fund. Any balance remaining in the fund at the end of the fiscal year does not lapse but is carried forward into subsequent fiscal years.

3. Use of fund; physical education. Balances in the fund may be used for the necessary expenses of the department in the administration of the fund. Balances in the fund may be used to pay for new equipment, new staff training, new personnel, new administrative costs and other expenses not related to an existing physical education program and for the implementation of a new physical education program for elementary schools.

Sec. 2. Assessment. The Commissioner of Education shall conduct a statewide assessment, using a survey or sampling methodology, of the current physical education capacities of elementary schools in the State. The assessment must include:

1. The average teacher-to-student ratio for academic classes and the average teacher-to-student ratio for physical education classes;

2. The average minutes of physical education per week per student by grade;

3. The average minutes of recess or other opportunity for physical activity during school hours per week per student by grade;

4. The physical plant, infrastructure and equipment in place to support the physical education program;

5. The methods being used to evaluate the physical education of students; and

6. The capacity to conduct baseline fitness assessments and monitor achievement of elementary students.

The commissioner shall work with the elementary schools selected for the assessment to obtain the data required for this assessment in a manner that allows the assessment to be reported by grade, school, school administrative unit and region.

The commissioner shall submit a report on the findings of the assessment to the Joint Standing Committee on Education and Cultural Affairs by February 1, 2010. The report must include a description of the physical education programs in existence for the 2009-2010 school year for elementary schools in the State.

Sec. 3. Use of the Obesity and Chronic Disease Fund. The Commissioner of Education may accept any private or public funds or other income allocated, dedicated or directed to the Obesity and Chronic Disease Fund established in the Maine Revised Statutes, Title 20-A, section 6631 at any time after the effective date of this Act. Notwithstanding Title 20-A, section 6631, subsection 3, the commissioner may not authorize any expenditures from that fund prior to July 1, 2010.

Sec. 4. Authority to submit legislation. After receipt of the assessment required in section 2 of this Act, the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 124th Legislature pertaining to physical education in elementary schools in the State.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Obesity and Chronic Disease Fund N075**

Initiative: Provides a base allocation in the event that funds are received to fund the implementation of a physical education program for elementary schools, new equipment, new staff training, new personnel, administrative costs and other expenses not related to an existing physical education program.

OTHER SPECIAL	2009-10	2010-11
REVENUE FUNDS		

All Other	\$500	\$500
<hr/>		
OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 265

S.P. 524 - L.D. 1440

**An Act To Clarify the Purpose
of the Notice Requirement of
Land Taking by the
Department of Transportation**

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

Sec. 1. 23 MRSA §156, 4th ¶, as repealed and replaced by PL 1991, c. 684, §2, is repealed and the following enacted in its place:

An attested copy of each award must be sent immediately to the Department of Transportation and to the party or parties named in the award. The State Claims Commission shall state by letter sent to all parties the date it issues its decision of the award. If no appeal is taken within 30 days of the date of issuance of the commission award pursuant to section 157, the Department of Transportation shall, within 60 days from the date of issuance of the commission award, pay the awarded amount to the party or parties named in the award.

Sec. 2. 23 MRSA §157, first ¶, as repealed and replaced by PL 1991, c. 684, §8, is amended to read:

The Department of Transportation or any party or parties aggrieved by an award by the State Claims Commission may appeal to the Superior Court in the county where the land is situated within 30 days from the date of issuance of the commission award ~~was forwarded by the commission.~~ This appeal is de novo and is taken by filing a complaint setting forth substantially the facts upon which the case will be tried like other civil cases. The party appealing must provide a copy of the complaint to be filed in the Superior Court to the other party or parties within the same 30 days.

Sec. 3. Application. This Act applies to appeals from an award of the State Claims Commission that were pending on or after January 1, 2009, except that an appeal pending on or after January 1, 2009 but prior to the effective date of this Act for which notice was provided in accordance with the law in effect prior to this Act may not be dismissed for failure by a party to provide a copy of the complaint to the other

party or parties within 30 days of the date of issuance of the commission award.

See title page for effective date.

CHAPTER 266
S.P. 346 - L.D. 924

**An Act To Clarify the
Taxability of Promotional
Credits in the State
Gaming 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, tourism is a significant segment of the State's economy; and

Whereas, any promotion or encouragement that will bring tourists to the State is of benefit to that segment of the State's economy; 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. 8 MRSA §1001, sub-§36-A is enacted to read:

36-A. Promotional credit. "Promotional credit" means any noncashable electronic thing of value used solely to play a slot machine that is provided by a slot machine operator to customers and approved by the Gambling Control Board. Promotional credits played by slot machine customers have no value attributed to their use for purposes of calculating gross slot machine income, net slot machine income and payback percentage.

Sec. 2. 8 MRSA §1003, sub-§3, ¶J, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

J. Gambling-related advertising and marketing programs, including the use of a promotional credit; and

Sec. 3. 8 MRSA §1032-A is enacted to read:

§1032-A. Promotional credit calculation

Cash prizes, winnings or credits that are received as a result of redeeming promotional credits and are used to play a slot machine are considered gross slot

machine income for the purposes of allocation under section 1036.

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

Effective June 4, 2009.

CHAPTER 267
H.P. 650 - L.D. 947

**An Act To Amend the Laws To
Ensure Equity in the Judicial
Retirement Program**

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

Sec. 1. 4 MRSA §1302, sub-§3, as amended by PL 2007, c. 491, §45, is further amended to read:

3. State Employee and Teacher Retirement Program and Legislative Retirement Program service. Creditable service as a member of the State Employee and Teacher Retirement Program or the Legislative Retirement Program must be allowed as creditable service of the Judicial Retirement Program as follows.

A. Any member who has not withdrawn that member's accumulated contributions with the State Employee and Teacher Retirement Program may, upon appointment as a judge, have that member's State Employee and Teacher Retirement Program contributions and membership service transferred to that member's account with the Judicial Retirement Program and all creditable service resulting from membership in the State Employee and Teacher Retirement Program is creditable service in the Judicial Retirement Program.

All funds in the State Employee and Teacher Retirement Program contributed by the employer on account of employment are transferred to the Judicial Retirement Program and must be used to liquidate the liability incurred by reason of that member's previous employment. The State shall make such contributions, from time to time, as may be necessary to provide the benefits under the Judicial Retirement Program for the member as have accrued to the member by reason of the member's previous employment and may accrue to the member by reason of membership in the Judicial Retirement Program.

A-1. Any member who has not withdrawn that member's accumulated contributions with the Legislative Retirement Program may, upon appointment as a judge, elect to have that member's Legislative Retirement Program contributions and

membership service transferred to that member's account with the Judicial Retirement Program and have all creditable service resulting from membership in the Legislative Retirement Program count as creditable service in the Judicial Retirement Program. The member must pay an amount that, together with regular interest on that amount, is the actuarial equivalent, at the effective date of the retirement benefit, of the portion of the retirement benefit that results from inclusion of the creditable service in the Legislative Retirement Program as creditable service in the Judicial Retirement Program.

All funds in the Legislative Retirement Program contributed by the employer on account of the member's previous membership in the Legislative Retirement Program are transferred to the Judicial Retirement Program and must be used to liquidate the liability incurred by reason of that member's previous membership.

B. Any member who has withdrawn that member's accumulated contributions from the State Employee and Teacher Retirement Program or the Legislative Retirement Program may, subsequent to appointment as a judge and prior to the date any retirement allowance becomes effective for that member, deposit in the fund by a single payment or by an increased rate of contribution an amount equal to the accumulated contributions withdrawn by that member together with interest at 2% greater than regular interest from the date of withdrawal to the date of repayment. If repayment is made in installments, interest continues to accrue on the outstanding balance. The member is entitled to all creditable service that the member acquired during previous membership. In the event any retirement allowance becomes effective before repayment is completed, the member is entitled to credit for that portion of the total of the previous creditable service which the total amount of payments actually made bears to the total amount, including interest at 2% greater than regular interest from the date of withdrawal to the date the retirement allowance becomes effective.

D. A person may not receive benefits under both the Judicial Retirement Program and the State Employee and Teacher Retirement Program or the Legislative Retirement Program based upon the same period of service.

See title page for effective date.

CHAPTER 268 H.P. 824 - L.D. 1200

An Act To Streamline the Process for Court-ordered Mental Health Examinations in Criminal Cases

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

Sec. 1. 15 MRSA §101-B, as amended by PL 2001, c. 634, §1 and PL 2003, c. 689, Pt. B, §§6 and 7, is repealed.

Sec. 2. 15 MRSA §101-C, sub-§1, as enacted by PL 1987, c. 402, Pt. A, §109, is amended to read:

1. Written demand for records. When a person or entity has been ordered to perform an examination or evaluation pursuant to section ~~101-B~~ 101-D, and the person to be examined has sought the examination, joined in a request or order for the examination or has entered a plea of not criminally responsible by reason of insanity, that person may make written demand upon any individual, partnership, association, corporation, institution or governmental entity to produce the records or copies of the records, in whatever medium preserved, of the subject of the examination or evaluation.

Sec. 3. 15 MRSA §101-D is enacted to read:

§101-D. Mental examination of persons accused of crime

1. Competency to proceed. The court may for cause shown order that the defendant be examined to evaluate the defendant's competency to proceed as provided in this subsection.

A. Upon motion by the defendant or by the State, or upon its own motion, a court having jurisdiction in any criminal case may for cause shown order that the defendant be examined by the State Forensic Service for evaluation of the defendant's competency to proceed. When ordered to evaluate a defendant under this paragraph, the State Forensic Service shall promptly examine the defendant and report its initial determination regarding the defendant's competency to proceed to the court. If, based upon its examination, the State Forensic Service concludes that further examination is necessary to fully evaluate the defendant's competency to proceed, the report must so state and must set forth recommendations as to the nature and scope of any further examination. The court shall forward any report filed by the State Forensic Service to the defendant or the defendant's attorney and to the attorney for the State.

B. If the defendant is incarcerated, the examination ordered pursuant to paragraph A must take

place within 21 days of the court's order, and the report of that examination must be filed within 30 days of the court's order. If further examination is ordered pursuant to paragraph C, the report of that examination must be filed within 60 days of the court's order. If the State Forensic Service requires an extension of the deadlines set forth above, it shall communicate its request and the reasons for that request to the court and to counsel for the parties. The court shall accommodate any party's request to be heard on the issue of whether an extension should be granted and may grant any extension of time that is reasonable under the circumstances. The examination may take place at the correctional facility where the defendant is incarcerated if the State Forensic Service determines that the correctional facility can provide an appropriate setting for the examination. If the State Forensic Service determines otherwise, the examination will be conducted at a time and place designated by the State Forensic Service. For examinations that take place outside the correctional facility, the correctional facility shall provide transportation and security for the examination.

C. If the report submitted pursuant to paragraph A recommends further evaluation of the defendant or upon motion by the defendant or by the State for good cause shown, the court may order further evaluation of the defendant by the State Forensic Service. Any order for further evaluation may designate the specialty of the person to perform the evaluation. In addition, if at any time during a criminal proceeding an issue of competency to proceed arises with respect to a defendant initially determined to be competent, the court may order such further examination by the State Forensic Service as the court finds necessary and appropriate. The court shall forward any further report filed by the State Forensic Service to the defendant or the defendant's attorney and to the attorney for the State.

2. Insanity; abnormal condition of the mind.

The court may for cause shown order that the defendant be evaluated with reference to insanity or abnormal condition of the mind as provided in this subsection.

A. Upon motion by the defendant or by the State, a court having jurisdiction in any criminal case may for cause shown order that the defendant be examined by the State Forensic Service for evaluation of the defendant's mental state at the time of the crime with reference to criminal responsibility under Title 17-A, section 39 and abnormal condition of the mind under Title 17-A, section 38.

(1) When ordered to evaluate a defendant under this paragraph, the State Forensic Ser-

vice shall promptly examine the defendant and the circumstances of the crime and provide a report of its evaluation to the court. If, based upon its examination, the State Forensic Service concludes that further examination is necessary to fully evaluate the defendant's mental state at the time of the crime, the report must so state and must set forth recommendations as to the nature and scope of any further examination.

(2) The court shall forward any report filed by the State Forensic Service to the defendant or the defendant's attorney and, unless the defendant had objected to the order for examination or unless the attorney for the State has agreed that the report need not be forwarded to the State except as set forth in subparagraph (3), to the attorney for the State.

(3) If the court orders an examination under this paragraph over the objection of the defendant, any report filed by the State Forensic Service may not be shared with the attorney for the State, unless with reference to criminal responsibility the defendant enters a plea of not criminally responsible by reason of insanity or with reference to an abnormal condition of mind the defendant provides notice to the attorney for the State of the intention to introduce testimony as to the defendant's abnormal condition of mind pursuant to the Maine Rules of Criminal Procedure, Rule 16A(a).

B. If the defendant enters a plea of not criminally responsible by reason of insanity, the court shall order evaluation under paragraph A.

C. If the defendant is incarcerated, the examination ordered pursuant to paragraph A must take place within 45 days of the court's order and the report of that examination must be filed within 60 days of the court's order. If further examination is ordered pursuant to paragraph D, the report of that examination must be filed within 90 days of the court's order. If the State Forensic Service requires an extension of the deadlines set forth above, it shall communicate its request and the reasons for that request to the court and to counsel for the parties. The court shall accommodate a party's request to be heard on the issue of whether an extension should be granted and may grant any extension of time that is reasonable under the circumstances. The examination may take place at the correctional facility where the defendant is incarcerated if the State Forensic Service determines that the correctional facility can provide an appropriate setting for the examination. If the State Forensic Service determines otherwise, the examination must be conducted at a time and place desig-

nated by the State Forensic Service. For examinations that take place outside the correctional facility, the correctional facility shall provide transportation and security for the examination.

D. If the report submitted pursuant to paragraph A recommends further evaluation of the defendant or upon motion by the defendant or by the State for good cause shown, the court may order further evaluation of the defendant by the State Forensic Service. An order for further evaluation may designate the specialty of the person to perform the evaluation. The court shall forward any further report filed by the State Forensic Service to the defendant or the defendant's attorney and, unless the defendant had objected to the order for examination, to the attorney for the State.

The court may order an examination under this paragraph over the objection of the defendant, but any report filed by the State Forensic Service must be impounded and may not be shared with the attorney for the State, unless with reference to criminal responsibility the defendant enters a plea of not criminally responsible by reason of insanity or with reference to an abnormal condition of mind the defendant provides notice to the attorney for the State of the intention to introduce testimony as to the defendant's abnormal condition of mind pursuant to the Maine Rules of Criminal Procedure, Rule 16A(a).

3. Mental condition relevant to other issues.

The court may for good cause shown order that the defendant be examined to evaluate the defendant's mental condition with reference to issues other than competency, insanity or abnormal condition of the mind as provided in this subsection.

A. Upon motion by the defendant or by the State or upon its own motion a court having jurisdiction in any criminal case may for cause shown order that the defendant be examined by the State Forensic Service for evaluation with respect to any issue necessary for determination in the case, including the appropriate sentence. The court's order shall set forth the issue or issues to be addressed by the State Forensic Service. When ordered to evaluate a defendant under this paragraph, the State Forensic Service shall promptly examine the defendant and the circumstances relevant to the issues identified in the court's order and report to the court regarding the defendant's mental condition as it pertains to those issues. Prior to a verdict or finding of guilty or prior to acceptance of a plea of guilty or nolo contendere, the court may not order examination under this subsection over the objection of the defendant unless the defendant has asserted, or intends to assert, the defendant's mental condition as a basis for an objection, a defense or for mitigation at

sentencing. The court shall forward any report filed by the State Forensic Service to the defendant or the defendant's attorney and to the attorney for the State.

B. If the defendant is incarcerated the examination ordered pursuant to paragraph A must take place within 45 days of the court's order and the report of that examination must be filed within 60 days of the court's order. If the State Forensic Service requires an extension of the deadlines set forth above it shall communicate its request and the reasons for that request to the court and to counsel for the parties. The court shall accommodate a party's request to be heard on the issue of whether an extension should be granted and may grant an extension of time that is reasonable under the circumstances. The examination may take place at the correctional facility where the defendant is incarcerated if the State Forensic Service determines that the correctional facility can provide an appropriate setting for the examination. If the State Forensic Service determines otherwise, the examination must be conducted at a time and place designated by the State Forensic Service. For examinations that take place outside the correctional facility, the correctional facility shall provide transportation and security for the examination.

4. Commitment for observation. The court may commit the defendant to the custody of the Commissioner of Health and Human Services for placement in an appropriate institution for the care and treatment of people with mental illness or mental retardation as set forth in this subsection.

A. If the State Forensic Service determines that observation of the defendant in an appropriate institution for the care of people with mental illness or mental retardation will materially enhance its ability to perform an evaluation ordered pursuant to subsection 1, 2, 3 or 9 the State Forensic Service shall so advise the court. The State Forensic Service may make this determination based upon consultation with the defendant's attorney and the attorney for the State and the court and upon such other information as it determines appropriate. In addition, the State Forensic Service may include such a determination in a report to the court that recommends further evaluation of the defendant.

B. Upon a determination by the State Forensic Service under paragraph A, a court having jurisdiction in a criminal case may commit the defendant to the custody of the Commissioner of Health and Human Services for placement in an appropriate institution for the care and treatment of people with mental illness or mental retardation for observation for a period not to exceed 60 days. If the State Forensic Service requires additional

time for observation, it shall communicate its request and the reasons for that request to the court and to counsel for the parties. The court shall accommodate a party's request to be heard on the issue of whether an extension should be granted and may extend the commitment for up to an additional 90 days. Unless the defendant objects, an order under this paragraph must authorize the institution where the defendant is placed by the Commissioner of Health and Human Services to provide treatment to the defendant. When further observation of the defendant is determined no longer necessary by the State Forensic Service, the commissioner shall report that determination to the court and the court shall terminate the commitment.

C. If the court has provided for remand to a correctional facility following the commitment under paragraph B, the correctional facility shall execute the remand order upon advice from the Commissioner of Health and Human Services that commitment is determined no longer necessary.

5. Finding of incompetence; custody; bail. If, after hearing upon motion of the attorney for the defendant or upon the court's own motion, the court finds that any defendant is incompetent to stand trial, the court shall continue the case until such time as the defendant is determined by the court to be competent to stand trial and may either:

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 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 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 notify the appropriate authorities who may institute civil commitment procedures for the individual; or

B. Issue a bail order in accordance with chapter 105-A, with or without the further order that the defendant undergo observation at a state mental hospital or mental health facility approved by the Department of Health and Human Services or by arrangement with a private psychiatrist or licensed clinical psychologist and treatment when it is determined appropriate by the State Forensic Service. When outpatient observation and treatment is ordered an examination must take place within 45 days of the court's order and the State Forensic Service shall file its report of that examination within 60 days of the court's order. The State Forensic Service's report to the court must contain the opinion of the State Forensic Service concerning the defendant's competency to stand trial and its reasons. The court shall without delay set a date for and hold a hearing on the question of the defendant's competence to stand trial, which must be held pursuant to and consistent with the standards set out in paragraph A.

6. Examiners. Evaluation of a defendant by the State Forensic Service pursuant to this section must be performed by a licensed psychologist or a psychiatrist. The State Forensic Service may determine whether an examination will be performed by a licensed psychologist or a psychiatrist unless the court has designated the specialty of the examiner in its order.

7. Competence; proceedings. Upon a determination that the defendant is competent to stand trial, proceedings with respect to the defendant must be in accordance with the rules of criminal procedure.

8. No release during commitment period; violation. A person ordered or committed for examination, observation, care or treatment pursuant to this section may not be released from the designated institution during the period of examination. An individual responsible for or permitting the release of a person ordered committed pursuant to this section for examination, observation, care or treatment from the designated institution commits a civil violation for which a fine of not more than \$1,000 may be adjudged.

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.

Sec. 4. 15 MRSA §103, as amended by PL 2005, c. 263, §1, is further amended to read:

§103. Commitment following acceptance of negotiated insanity plea or following verdict or finding of insanity

When a court accepts a negotiated plea of not criminally responsible by reason of insanity or when a defendant is found not criminally responsible by reason of insanity by jury verdict or court finding, the judgment must so state. In those cases the court shall order the person committed to the custody of the Commissioner of Health and Human Services to be placed in an appropriate institution for the ~~mentally ill or the mentally retarded~~ care and treatment of persons with mental illness or mental retardation for care and treatment. Upon placement in the appropriate institution and in the event of transfer from one institution to another of persons committed under this section, notice of the placement or transfer must be given by the commissioner to the committing court.

When a person who has been evaluated on behalf of a court by the State Forensic Service is committed into the custody of the Commissioner of Health and Human Services pursuant to this section, the court shall order that the State Forensic Service share any information it has collected or generated with respect to the person with the institution in which the person is placed.

As used in this section, "not criminally responsible by reason of insanity" has the same meaning as in Title 17-A, section 39 and includes any comparable plea, finding or verdict in this State under former section 102; under a former version of Title 17-A, section 39; under former Title 17-A, section 58; or under former section 17-B, chapter 149 of the Revised Statutes of 1954.

Sec. 5. 15 MRSA §2211-A, sub-§8, as enacted by PL 1995, c. 431, §1, is amended to read:

8. Competency hearing. Admission to a hospital under this section may not be used to examine or observe a person for the purpose of a criminal proceeding pending in court. Before the trial of a defendant admitted for hospitalization under this section, the court may, at any time upon motion of the defendant's attorney or the attorney for the State or upon the court's own motion, hold a hearing with respect to the competence of that person to stand trial as provided in section ~~401-B~~ 101-D and appropriate disposition may be made. The court's order following a hearing may terminate an admission effected under this section.

Sec. 6. 15 MRSA §3318, sub-§1, ¶B, as amended by PL 2001, c. 471, Pt. F, §3, is further amended to read:

B. Order that the juvenile be examined by a physician or psychologist and refer the juvenile to a suitable facility or program for the purpose of examination, the costs of that examination to be paid by the court. If the report of that examination is that the juvenile is mentally ill or incapacitated to the extent that short-term or long-term hospitalization or institutional confinement is required, the Juvenile Court shall initiate proceedings for voluntary or involuntary commitment as provided in section ~~401-B~~ 101-D and in Title 34-B, chapter 3, subchapter ~~IV~~ 4. The court shall continue the proceedings when a juvenile is voluntarily or involuntarily committed.

Sec. 7. 15 MRSA §3318, sub-§2, ¶B, as amended by PL 2001, c. 471, Pt. F, §3, is further amended to read:

B. The child is not found by the appropriate court to be a mentally ill person or an incapacitated person as defined in section ~~401-B~~ 101-D and in Title 34-B, section 5001.

Sec. 8. 17-A MRSA §1175, first ¶, as amended by PL 2005, c. 527, §14, is further amended to read:

Upon complying with subsection 1, a victim of a crime of murder or stalking or of a Class A, Class B or Class C crime for which the defendant is committed to the Department of Corrections or to a county jail or is committed to the custody of the Commissioner of Health and Human Services either under Title 15, section 103 after having been found not criminally responsible by reason of insanity or under Title 15, section ~~401-B~~ 101-D after having been found incompetent to stand trial must receive notice of the defendant's unconditional release and discharge from institutional confinement upon the expiration of the sentence or upon release from commitment under Title 15, section ~~401-B~~ 101-D or upon discharge under Title 15, section 104-A and must receive notice of any con-

ditional release of the defendant from institutional confinement, including probation, supervised release for sex offenders, parole, furlough, work release, intensive supervision, supervised community confinement, home release monitoring or similar program, administrative release or release under Title 15, section 104-A.

Sec. 9. 17-A MRSA §1175, sub-§3, ¶B, as amended by PL 2005, c. 527, §15, is further amended to read:

B. The nature of the release authorized, whether it is a conditional release, including probation, supervised release for sex offenders, parole, furlough, work release, intensive supervision, supervised community confinement, home release monitoring or a similar program, administrative release or release under Title 15, section 104-A, or an unconditional release and discharge upon release from commitment under Title 15, section ~~101-B~~ 101-D or upon the expiration of a sentence or upon discharge under Title 15, section 104-A;

Sec. 10. 17-A MRSA §1175, sub-§4, ¶A, as amended by PL 2005, c. 527, §16, is further amended to read:

A. Notice has been provided of an unconditional release or discharge upon the expiration of the sentence or upon release under Title 15, section ~~101-B~~ 101-D or upon discharge under Title 15, section 104-A; or

Sec. 11. 34-B MRSA §1212, sub-§2, ¶A, as amended by PL 1989, c. 621, §9, is further amended to read:

A. To perform examinations of the mental condition of a defendant pursuant to Title 15, section ~~101-B~~ 101-D and to do the evaluations or examinations on behalf of any court of record, pursuant to agreement between the commissioner and the jurisdiction requesting that the evaluation be performed;

See title page for effective date.

CHAPTER 269

H.P. 961 - L.D. 1371

An Act To Restore Game Sanctuary Status for Certain Lands in the Town of Orrington

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

Sec. 1. 12 MRSA §12706, sub-§1, ¶U, as repealed by PL 2009, c. 4, §1, is reenacted to read:

U. Orrington Game Sanctuary: The following described territory beginning at a point on the state aid road No. 4, in Orrington, at the East Bucksport turn, extending in a southerly and southeasterly direction to the county line; on the road leading to Thurston Pond, to the Hancock County line; thence southwesterly along said county line to the land of Harry Byard; north along said line to the land of E. F. Bowden; west on said line to the land of Frank Betts; northerly on line of E. F. Bowden to land of Fred Bowden; west on Fred Bowden's line to land of J. Betts; northerly on line of Fred Bowden and J. Betts to line of H. Byard; westerly on Byard's line and line of Mary Gray to land of P. W. Gray; northerly on Gray's line to land of J. Bowden heirs; northerly across said land to the line of E. F. Bowden and J. W. Bowden heirs; easterly on J. W. Bowden heirs' line to the first mentioned bound. The commissioner may add adjacent property to said game sanctuary upon application of said adjacent property owners;

See title page for effective date.

CHAPTER 270

S.P. 545 - L.D. 1465

An Act To Facilitate Testing and Demonstration of Renewable Ocean Energy Technology

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 Gulf of Maine contains vast, untapped renewable ocean energy resources, including a globally significant offshore wind energy resource estimated at over 100 gigawatts, and tidal and wave power resources with significant potential to contribute to the State's renewable energy mix and create related business opportunities; and

Whereas, promising technologies exist and others are being developed to harness these renewable ocean energy resources for transportation and home heating needs; and

Whereas, these significant renewable ocean energy resources will help address the economic and environmental challenges we face as a result of over-reliance on oil and natural gas to meet energy needs; and

Whereas, Governor John E. Baldacci created the Ocean Energy Task Force to develop strategies to promote the State's renewable ocean energy resources,

including research and testing of new technologies to harness those resources; and

Whereas, the Ocean Energy Task Force has identified the need to streamline and coordinate state permitting and submerged lands leasing requirements for renewable ocean energy demonstration projects so that the State can become an international proving ground for testing promising new technologies in state waters in specific locations along the coast in an environmentally responsible manner; and

Whereas, the Legislature finds that it is in the public interest to use state-owned submerged lands for temporary demonstration projects to test offshore wind energy and other renewable ocean energy technologies; and

Whereas, designation of one of the offshore testing areas as the Maine Offshore Wind Energy Research Center will support the significant research and development initiatives of the University of Maine System and make the State more competitive for federal and private sector investments needed to jumpstart the State's renewable ocean energy industry; 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. 38 MRSA §344-A, first ¶, as amended by PL 2007, c. 661, Pt. B, §6, is further amended to read:

The commissioner may enter into agreements with individuals, partnerships, firms and corporations outside the department, referred to throughout this section as "outside reviewers," to review applications or portions of applications submitted to the department. The commissioner has sole authority to determine the applications or portions of applications to be reviewed by outside reviewers and to determine which outside reviewer is to perform the review. When selecting an outside reviewer, all other factors being equal, the commissioner shall give preference to an outside reviewer who is a public or quasi-public entity, such as state agencies, the University of Maine System or the soil and water conservation districts. Except for an agreement for outside review regarding review of an application for a wind energy development as defined in Title 35-A, section 3451, subsection 11 or, a certification pursuant to Title 35-A, section 3456; or a general permit pursuant to section 480-HH or section 636-A, the commissioner may enter into an agreement with an outside reviewer only with the consent of the

applicant and only if the applicant agrees in writing to pay all costs associated with the outside review.

Sec. A-2. 38 MRSA §480-HH is enacted to read:

§480-HH. General permit for offshore wind energy demonstration project

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

A. "Coastal area" has the same meaning as in section 1802, subsection 1.

B. "Generating facilities" has the same meaning as in Title 35-A, section 3451, subsection 5.

C. "Maine Offshore Wind Energy Research Center" means the offshore wind energy test area designated pursuant to Title 12, section 1868, subsection 2.

D. "Meteorological tower" means an elevated structure or other support platform with attached equipment, such as an anemometer, a wind direction vane and temperature and pressure sensors and other measurement devices, to measure and assess the wind resource in the project area.

E. "Net project removal cost" means the total cost of removal of an offshore wind energy demonstration project, estimated in accordance with the plan required under subsection 3, paragraph G, minus the net salvage value of the project equipment.

F. "Ocean energy generating unit" means a wind turbine that converts wind energy to electrical energy that may be employed pursuant to a general permit under this section, a wave energy converter that may be employed pursuant to a general permit issued under this section or a tidal energy demonstration project that may be employed pursuant to a permit issued under section 636-A.

G. "Ocean sensor package" means a floating, submerged or seabed-mounted instrument that measures currents over the full range of site depths, wave data, seawater temperature and seawater salinity and other measurement devices to assess the wave resources in the project area.

H. "Offshore wind energy demonstration project" or "project" means a wind energy development that uses a wind turbine to convert wind energy to electrical energy and that employs no more than 2 wind energy turbines, each of which may use different technology, for the primary purpose of testing and validating a turbine blade design, floating platform or other support structure, mooring or anchoring system or other offshore wind energy technology that the applicant certifies is designed for use in ocean waters and is not in use elsewhere

in the Gulf of Maine for commercial production of electricity and that may also include:

- (1) Up to 3 meteorological towers per wind energy turbine proposed;
- (2) One submerged utility line that is sized to transmit:
 - (a) An amount of electricity less than or equal to that produced by the offshore wind energy demonstration project; or
 - (b) Up to 25 megawatts of electricity if the line is intended to serve multiple offshore wind energy demonstration projects located within the Maine Offshore Wind Energy Research Center and the department has not previously granted approval for such a submerged utility line pursuant to this section; and
- (3) A wave energy test project.

I. "Offshore wind energy test area" means a specific geographic area located on state-owned submerged lands in the coastal area identified as suitable for construction and operation of an offshore wind energy demonstration project pursuant to Title 12, section 1868, including the Maine Offshore Wind Energy Research Center.

J. "Wave energy converter" means a device that uses the motion of ocean surface waves to generate electricity.

K. "Wave energy test project" means a hydro-power project, as defined by section 632, subsection 3, that uses ocean wave action to produce electricity and that:

- (1) Is proposed as part of an offshore wind energy demonstration project and is designed and sited to test production of electricity from wave energy in conjunction with and in a manner that complements electricity produced by an offshore wind energy turbine;
- (2) Employs up to 2 wave energy converters, each of which may use different technology, that the applicant certifies are designed for use in the ocean and are not in use elsewhere in the Gulf of Maine for commercial production, for the primary purpose of testing and validating the overall design of the converter and its related systems, subsystems or components; and
- (3) May include one or more of the following additional elements:
 - (a) A mooring or anchoring system; and
 - (b) An ocean sensor package.

2. General permit. A person may apply for a general permit for an offshore wind energy demonstration project in accordance with this section. If a general permit is granted pursuant to this section, a permit is not required under section 480-C for the construction and operation of an offshore wind energy demonstration project.

3. Application requirements. An applicant for a general permit must file with the department an application that contains:

- A. Written certification that the offshore wind energy demonstration project, other than any submerged utility line, will be located wholly within an offshore wind energy test area;
- B. A site plan that includes the following elements:

(1) A plan view drawing of the entire project area that shows, with geographic positioning system references, the proposed location of the generating facilities and all other project elements, including but not limited to any submerged utility line or meteorological tower;

(2) A narrative description of the proposed activities and methods for construction, operation and removal of the offshore wind energy demonstration project that addresses on-site management of fuels, lubricants and other materials used for project operations or maintenance;

(3) A scale drawing that shows the design and location of the proposed mooring or anchoring system;

(4) A drawing showing the location of the submerged utility line, if any, and plans for its construction in compliance with the permit by rule standards regarding construction of a submerged utility line established in rules adopted by the board; and

(5) A drawing showing the proposed location of each wind turbine in relation to any other offshore wind energy demonstration project within 10 kilometers of the proposed project and written verification that the project will not interfere with the operation of any such previously approved project.

C. A report, prepared following consultation with the Department of Marine Resources, that:

(1) Describes existing information regarding commercial fishing and other existing uses in the project area; and

(2) Describes, based on a field investigation, the marine resources, including benthic communities, in the marine waters and on the

submerged lands and immediately adjacent areas in, on or over which the applicant proposes to locate any mooring, anchoring system, meteorological tower, ocean sensor package, submerged utility line or other project element that is secured to the seabed;

D. Written acknowledgement that, in accordance with this section, the department may require the applicant to take remedial action, at the applicant's expense, pursuant to subsection 13, including but not limited to removal of the generating facilities and submerged utility line and termination of the project;

E. A fish and wildlife monitoring plan that includes provisions for conducting monitoring, throughout the term of the general permit, of the behavior and interaction of species listed as threatened or endangered in Title 12, section 6975 or Title 12, section 12803, subsection 3; avian species, including seabirds, passerines, raptors, shorebirds, water birds and waterfowl; bats; and marine mammals and other marine resources with the project, including but not limited to the generating facilities and mooring or anchoring systems employed, and identifying potential adverse effects. The plan, at a minimum, must include:

(1) A detailed description of the methods and equipment that will be used for monitoring fish and wildlife behavior and activity in the vicinity of the project;

(2) A detailed description of how the fish and wildlife monitoring data will be analyzed and provided to the department in electronic format, with specific criteria by which to evaluate adverse effects;

(3) A detailed implementation schedule, including the frequency and timing of data recovery, maintenance of the monitoring equipment and quarterly reporting to the department;

(4) A detailed monitoring schedule that considers ocean conditions, seasonal variations in species' presence or absence and other pertinent biological factors;

(5) Provisions for identifying and implementing remedial measures if monitoring identifies any adverse changes in fish or wildlife behavior or use of ocean habitats;

(6) A detailed description of the methods and equipment that will be used to determine and monitor ambient noise levels, electromagnetic fields and noise associated with project construction and subsequent operations and the effectiveness of any devices that are proposed

to avoid and minimize the potential for related foreseeable adverse effects, if any; and

(7) Provisions for filing an annual report with the department describing the monitoring results and any recommendations for modifying the generating facilities or other project elements, or commencing the approved project removal plan, if necessary to minimize adverse effects on natural resources identified pursuant to plans required under this section. Thirty days prior to submission of the report to the department, the applicant shall provide a draft of the report to the Department of Marine Resources, the Department of Inland Fisheries and Wildlife, the Department of Conservation, the United States Fish and Wildlife Service and the National Marine Fisheries Service and shall include in the annual report any comments from those agencies and the applicant's responses to them;

F. A navigation safety plan to protect the public and project facilities from such events as: collisions between commercial and recreational vessels and project facilities; entanglement of fishing gear, anchors, dredging equipment or other underwater devices that may damage or become entangled with project transmission, anchoring and mooring lines; release of or damage to the project's submerged utility line, anchoring system or other project elements in, on or over the seabed; and electrocution. The plan must, at a minimum, consider the need and provide for as appropriate:

(1) A boundary defining an exclusion zone around the proposed generating facilities, anchoring system, submerged utility line and other project elements, if any, in which specified types of navigation and underwater activities incompatible with project operations may not be conducted. Any such exclusion zone must be specified with global positioning system coordinates and be designed to minimize potential conflicts with other existing uses in the area and may be no larger than the applicant demonstrates is necessary to achieve the purposes of the offshore wind energy demonstration project;

(2) Marking the extreme corners of the exclusion zone, specified pursuant to subparagraph (1), with lights, buoys or other indicators sufficient to warn vessels of the above-water and underwater project elements and the boundaries of the exclusion zone during both day and night;

(3) Marking the generating facilities with fog signals, low-intensity navigation lights, haz-

ard marking lights or other aids to navigation and painting and lighting the generating facilities in a way that considers the aesthetic resources of the project area as well as the safety of the public and project facilities and meets applicable Federal Aviation Administration guidelines and United States Coast Guard requirements;

(4) Procedures to ensure the safety of the public near the project area; and

(5) A description of monitoring for and actions the applicant will take to prevent and address an emergency that specifies: procedures the applicant will take during an emergency, including but not limited to immediate shutdown; a protocol for coordination with and reporting an emergency to local, state and federal agencies; contingency measures to modify operations to address reasonably foreseeable emergency conditions; and a schedule for annual testing of emergency equipment, including the project's emergency shutdown system;

G. A project removal plan that the applicant will, at its expense, initiate within 60 days of expiration or termination of a general permit granted pursuant to this section and that provides for:

(1) Removal of the project in its entirety from all project lands and waters, except for any part of the project regarding which the applicant provides the department substantial evidence of plans for continued beneficial use, including but not limited to an executed lease of state-owned submerged lands, as applicable, or for partial removal or other modification adequate to avoid foreseeable adverse effects on natural resources and existing uses;

(2) Minimizing seabed disturbances and suspended sediments during removal of any underwater facilities;

(3) Monitoring the effects of the removal activities on species listed as threatened or endangered species in Title 12, section 6975 or Title 12, section 12803, subsection 3 and marine resources both during and subsequent to completion of removal activities;

(4) An implementation schedule that provides for all removal and restoration activities to be completed within one year of the expiration date of the general permit pursuant to subsection 9;

(5) An estimate of the total project removal cost, without regard to salvage value of the equipment, and the net project removal cost,

prepared by a licensed professional engineer; and

(6) Written evidence and certification that the applicant has posted and will maintain funds for project removal in an amount equal to the net project removal cost, except that at no point may such funds be less than 25% of the total project removal cost. The applicant shall post and maintain project removal funds with a bonding company or federal-chartered or state-chartered lending institution that is authorized to do business in the State and chosen by the applicant and considered acceptable by the department posting the financial security. Project removal funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance that the department considers adequate to ensure funds posted pursuant to this paragraph will remain inviolate and available for project removal if the applicant ceases to exist, declares bankruptcy or becomes insolvent or otherwise unable to finance the project removal plan required under this paragraph;

H. Documentation that, in developing each plan required under paragraphs E to G, the applicant consulted with: the Department of Marine Resources, the Department of Inland Fisheries and Wildlife and the Department of Conservation; the Maine Land Use Regulation Commission and the Executive Department, State Planning Office; the United States Army Corps of Engineers, the United States Coast Guard, the National Marine Fisheries Service, the National Park Service and the United States Fish and Wildlife Service; the lobster management policy council established under Title 12, section 6447 for the lobster management zone in which the offshore wind energy demonstration project is proposed; each municipality in which or adjacent to which the project is proposed; and any other local, state or federal agency the applicant considers appropriate. This documentation must include copies of these agencies' comments and recommendations on the plan, if any, and specific descriptions of how the agencies' comments are accommodated by the plan, including the applicant's reasons, based on project-specific information, for any agency recommendation not adopted. The applicant shall allow a minimum of 60 days for the agencies to review and make comments and recommendations on each draft plan before it is filed with the department. No more than 30 days prior to its initiation, the applicant shall notify each municipality within or adjacent to which it intends to site and operate an offshore wind energy demonstration

project and invite its participation in the consultation required under this paragraph;

I. Documentation, including certificates of insurance, that the applicant has and will maintain a current general liability policy for the project that covers bodily injury, property damages and environmental damages in an amount considered reasonable by the department in consideration of the scope, scale and location of the project;

J. Documentation that the applicant has the financial and technical capacity to construct and operate the project as proposed;

K. Certification that neither the applicant nor any corporation, partnership, person or other legal entity with an ownership, leasehold or other direct financial interest in the proposed project holds or has an application pending for approval of a general permit under this section for any other offshore wind energy demonstration project located in the offshore wind energy test area in which the project is proposed. This paragraph does not apply to an application by the University of Maine System for a project, funded in whole or part with state or federal funds and proposed for location in the Maine Offshore Wind Energy Research Center, that employs offshore wind energy technology for which the department has not previously granted a general permit under this section; and

L. For an offshore wind energy demonstration project proposed for location within the Maine Offshore Wind Energy Research Center, written evidence that the proposed development will be undertaken by or in cooperation with the University of Maine System and on terms and in a manner that the University of Maine System determines consistent with and in furtherance of its offshore wind energy research and development-related objectives, including but not limited to any such objectives to be supported with state bond revenues.

4. Review period. There is a 60-day review period for applications for a general permit for an offshore wind energy demonstration project under this section. The review period begins on the date that the department has accepted an application for processing. This review period may be extended pursuant to section 344-B with the consent of the applicant.

5. Notification. Except as otherwise provided by subsection 13, the department shall notify an applicant in writing within the review period pursuant to subsection 4 if the department determines that the requirements of this section have not been met. The notification must specifically cite the requirements of this section that have not been met. If the department has not notified the applicant under this subsection within the review period, a general permit is deemed to have

been granted as of the date immediately following the final day of the review period specified in subsection 4.

6. Fees. The department shall assess a fee for review of applications filed pursuant to this section, including a request for modification under subsection 13. Except as otherwise provided by section 344-A, the fee must be commensurate with the amount assessed, pursuant to section 352, to activities requiring an individual permit for coastal wetland alterations.

7. Violation. Any action taken by a person receiving a general permit under this section that is not in compliance with the plans submitted under subsection 3 or as subsequently modified with the approval of the department in consultation with agencies and other entities with whom the applicant consulted in accordance with subsection 3 is a violation of the general permit.

8. General permit term. Except as otherwise provided in subsections 9 to 12, a general permit granted under this section authorizes conduct of the approved offshore wind energy demonstration project in accordance with this subsection:

A. If the offshore wind energy demonstration project is not located in the Maine Offshore Wind Energy Research Center, conduct of the project is authorized for 3 years from the date that construction of a permitted structure on submerged lands is initiated or 5 years from the date on which the general permit has been granted pursuant to subsection 5, whichever first occurs; or

B. If the offshore wind energy demonstration project is located in the Maine Offshore Wind Energy Research Center, conduct of the project is authorized for 5 years from the date that construction of a permitted structure on submerged lands is initiated or 7 years from the date on which the permit has been granted pursuant to subsection 5, whichever first occurs.

The applicant must provide the department written notice of the date of initiation of construction within 7 days of its commencement. Except as otherwise provided by subsection 9, the department may not extend the term of a general permit granted under this section.

9. Extensions to permit term. The department may grant one or more extensions of the general permit term in accordance with this subsection.

A. The department may grant one or more extensions of the general permit term, each for a period of 6 months or less, if, prior to expiration of the general permit term, the applicant has filed completed applications for all requisite state license and permit approvals for a wind energy development, as defined by Title 35-A, section 3451, subsection 11, located wholly or partly where the off-

shore wind energy demonstration project is located. The department may not grant an extension under this paragraph for a project located in the Maine Offshore Wind Energy Research Center.

B. The department shall grant one or more extensions, each of which may not exceed 3 years, of the general permit term for an offshore wind energy demonstration project that is funded in whole or in part with state or federal funds and is located in the Maine Offshore Wind Energy Research Center if the applicant provides written evidence that the University of Maine System has determined that the extension is necessary to fulfill the research and development objectives of the project.

10. Surrender; demonstrated progress required. If the department determines that the applicant has not completed or made substantial and ongoing progress to complete construction of all project elements within one year of the date on which the general permit has been granted pursuant to subsection 5, the applicant must surrender its general permit, subject to conditions regarding project removal pursuant to subsection 11. An applicant may surrender to the department a general permit granted pursuant to this section prior to its expiration pursuant to subsection 8 or 9. Subject to conditions regarding project removal under subsection 11, the general permit terminates on the date of its surrender pursuant to this subsection.

11. Project removal. Within 60 days of expiration or termination of a general permit pursuant to subsection 8, 9, 10 or 12, the applicant shall initiate implementation of the project removal plan provided for under subsection 3, paragraph G. If the applicant fails to begin implementing the plan within this 60-day period, the department may take such measures as it considers necessary to initiate and fully implement the plan by drawing on the financial surety provided pursuant to the project removal plan. The applicant's acceptance of the general permit constitutes agreement and consent by the applicant and its heirs, successors and assigns that the department may take such action as necessary to initiate and fully implement the project removal plan. The holder of the project removal funds shall release the project removal funds when the applicant has demonstrated and the department concurs that the project removal plan has been satisfactorily completed or upon written authorization by the department in the event the department implements the plan pursuant to this subsection.

12. Remedial action. If the department determines, based on information provided in annual or periodic reports provided pursuant to subsection 3 or other information, that there is substantial evidence that the project is having a significant adverse effect on a protected natural resource, wildlife, including avian wildlife, bat species, marine mammals, fish or

other marine resources or public health or safety, the department shall order the applicant to take action that the department considers necessary to address that adverse effect. Remedial action required by the department may include, but is not limited to:

A. Suspension or modification of project operations; or

B. Cessation of operations and removal of some or all elements of the project, including but not limited to the generating facilities, if there is no practicable alternative to address the adverse effect.

13. Permit modification; relocation. Following the granting of a general permit under this section, the department may authorize an applicant to move the generating facilities to another location within the same offshore wind energy test area, as long as the applicant provides an amended site plan that meets the requirements of subsection 3, paragraphs B, C, E, F and H. The department shall notify the applicant in writing within 30 days of acceptance for processing if the department determines that the requirements of this section have not been met. Any such notification must specifically cite the requirements of this section that have not been met. If the department has not notified the applicant under this subsection within the specified time period, a permit modification is deemed to have been granted.

14. Relationship to other laws. Notwithstanding any other provision of law to the contrary, an offshore wind energy demonstration project that has been granted a general permit under this section is not subject to review by or required to obtain a development permit, rezoning authorization or other approval or authorization from the Maine Land Use Regulation Commission and is not otherwise subject to review or approval by the department pursuant to this subchapter.

A municipality may not enact or enforce any land use, zoning or other standard, conditions or requirement regarding an offshore wind energy demonstration project located within the municipality that is stricter than standards, conditions or requirements of this section. The municipality has the burden of proof regarding the location of the project in relation to its boundaries. Any action by the municipality regarding its authorization to site, construct or operate an offshore wind energy demonstration project must be taken within 60 days of the grant of a general permit under this section or within 30 days of the granting of a permit modification pursuant to subsection 13.

15. Number of projects in the Maine Offshore Wind Energy Research Center. Notwithstanding any provision of law to the contrary, a general permit may not be granted under this section for an offshore wind energy demonstration project that is proposed for

location within the Maine Offshore Wind Energy Research Center if grant of that general permit would authorize more than 6 ocean energy generating units to be sited and in operation at any one time within the Maine Offshore Wind Energy Research Center.

PART B

Sec. B-1. 12 MRSA §1862, sub-§2, ¶F is enacted to read:

F. Within 15 days of receipt of a copy of an application submitted to the Department of Environmental Protection for a general permit under Title 38, section 480-HH or Title 38, section 636-A, the director shall, if requested by the applicant, provide the applicant a lease option, to be effective on the date of receipt of the application, for use of state-owned submerged lands that are necessary to fulfill the project purposes as identified in the application. Within 30 days of receiving notice and a copy of a general permit granted pursuant to Title 38, section 480-HH or Title 38, section 636-A, the director shall waive the review procedures and standards under this section and issue a submerged lands lease for the permitted activity. The term of the lease must be consistent with that of the permit, including any extension of the permit, and the period of time needed to fully implement the project removal plan approved pursuant to Title 38, section 480-HH or Title 38, section 636-A, as applicable. The director may include lease conditions that the director determines reasonable, except that the conditions may not impose any requirement more stringent than those in a permit granted under Title 38, section 480-HH or Title 38, section 636-A, as applicable, and may not frustrate achievement of the purpose of the project.

PART C

Sec. C-1. 12 MRSA §1868 is enacted to read:
§1868. Identification of offshore wind energy test areas

1. Site identification process. No later than December 15, 2009, following consultation with the Department of Environmental Protection, the Public Utilities Commission, the Department of Inland Fisheries and Wildlife, the Maine Land Use Regulation Commission, the Department of Marine Resources, the Maine Historic Preservation Commission and the University of Maine System and opportunity for public comment, the department, in conjunction with the Executive Department, State Planning Office, shall identify and map up to 5 specific offshore wind energy test areas. An offshore wind energy test area identified under this subsection must be a geographic area on state-owned submerged lands suitable for offshore wind energy demonstration projects constructed and

operated in accordance with Title 38, section 480-HH. In identifying each such area, the department must consider existing information regarding pertinent ecological, environmental, social and development-related factors, including but not limited to:

- A. Potential adverse effects on a protected natural resource, as defined by Title 38, section 480-B, subsection 8, or a scenic resource of state or national significance, as defined by Title 35-A, section 3451, subsection 9;
- B. Potential adverse effects on species listed as threatened or endangered under section 6975 or section 12803, subsection 3; avian species, including seabirds, passerines, raptors, shorebirds, water birds and waterfowl; bats; and marine mammals;
- C. Potential adverse effects on commercial fishing, recreation, navigation, existing public access ways to intertidal and subtidal areas and other existing uses;
- D. Proximity to deep water port facilities, rail transportation, transmission infrastructure facilities and existing ocean-based environmental monitoring devices;
- E. Data regarding wind speed, ocean wave height and period, ocean currents and water depth;
- F. Geology, including substrate type and other seafloor characteristics;
- G. Public support in pertinent coastal communities; and
- H. Historic sites and archaeological resources of state or national significance.

2. Maine Offshore Wind Energy Research Center. The department shall designate one of the areas identified under subsection 1 as the Maine Offshore Wind Energy Research Center for use by offshore wind energy demonstration projects conducted by or in cooperation with the University of Maine System and on terms and in a manner that the University of Maine System considers consistent with and in furtherance of its offshore wind energy research and development-related objectives, including but not limited to any such objectives to be supported with state bond revenues.

3. Modification of identified offshore wind energy test areas. Following the identification of offshore wind energy test areas under subsection 1, the department may, following notice and opportunity for public comment, add to, remove or otherwise modify the list of offshore wind energy test areas identified under subsection 1. In making modifications under this subsection, the department is subject to the site identification criteria under subsection 1, except that modifications under this subsection may result in more than 5 identified areas.

4. Judicial review. The identification of an offshore wind energy test area or areas under subsection 1 or subsection 3 constitutes final agency action.

PART D

Sec. D-1. 12 MRSA §685-B, sub-§1-A, ¶B, as amended by PL 2001, c. 402, §4, is further amended to read:

B. A permit is not required for those aspects of a project approved by the Department of Environmental Protection under Title 38 if the commission determines that the project is an allowed use within the subdistrict or subdistricts for which it is proposed. Notice of the intent to develop and a map indicating the location of the proposed development must be filed with the commission prior to or concurrently with submission of a development application to the Department of Environmental Protection; and

Sec. D-2. 12 MRSA §685-B, sub-§1-A, ¶C, as enacted by PL 2001, c. 402, §5, is amended to read:

C. A permit is not required for a campsite in a management district;

Sec. D-3. 12 MRSA §685-B, sub-§1-A, ¶D is enacted to read:

D. A permit is not required for an offshore wind energy demonstration project approved by the Department of Environmental Protection pursuant to Title 38, section 480-HH. Notice of the intent to develop and a map indicating the location of the proposed development must be filed with the commission prior to or concurrently with submission of an application to the Department of Environmental Protection pursuant to Title 38, section 480-HH; and

Sec. D-4. 12 MRSA §685-B, sub-§1-A, ¶E is enacted to read:

E. A permit or other approval by the commission is not required for a hydropower project that uses tidal action as a source of electrical or mechanical power or is located partly within an organized municipality and partly within an unorganized territory.

Sec. D-5. 38 MRSA §634-A is enacted to read:

§634-A. Administering agency

1. Department. The department shall administer the permit process for a hydropower project that:

A. Is located wholly or partly within an organized municipality; or

B. Uses tidal action as a source of electrical or mechanical power, regardless of the hydropower project's location.

2. Maine Land Use Regulation Commission.

The Maine Land Use Regulation Commission shall administer the permit process for a hydropower project that is located wholly within the State's unorganized and deorganized areas as defined by Title 12, section 682, subsection 1 and that does not use tidal action as a source of electrical or mechanical power.

Sec. D-6. 38 MRSA §635-B, as amended by PL 1989, c. 890, Pt. A, §40 and Pt. B, §186, is further amended to read:

§635-B. Procedures for water quality certification

Issuance of a water quality certificate required under the ~~United States Federal~~ Water Pollution Control Act, Section 401, is coordinated for the applicant under this subarticle by the Commissioner of Environmental Protection. The issuance of a water quality certificate is mandatory in every case where the department approves an application for a permit or general permit under this subarticle. An application for a tidal energy demonstration project under section 636-A that is accepted as complete by the department serves as an application for water quality certification for the proposed project pursuant to the Federal Water Pollution Control Act, Section 401, 33 United States Code, Section 1341. The department shall issue or deny certification at the same time it approves or disapproves the proposed project. If issued, the certification must state that there is a reasonable assurance that the project will not violate applicable water quality standards. The coordination function of the department with respect to water quality certification does not include any proceedings or substantive criteria in addition to those otherwise required by this subarticle.

Sec. D-7. 38 MRSA §636, sub-§5, as enacted by PL 1983, c. 458, §18, is amended to read:

5. Maine Land Use Regulation Commission. Within the jurisdiction of the Maine Land Use Regulation Commission, the project is consistent with zoning adopted by the commission. This criterion does not apply to any project that uses tidal action as a source of electrical or mechanical power.

Sec. D-8. 38 MRSA §636-A is enacted to read:

§636-A. General permit for tidal energy demonstration project

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

A. "Tidal energy demonstration project" or "project" means a hydropower project that uses tidal action as a source of electrical power and that:

(1) Has a total installed generating capacity of 5 megawatts or less; and

(2) Is proposed for the primary purpose of testing tidal energy generation technology, which may include a mooring or anchoring system and transmission line, and collecting and assessing information on the environmental and other effects of the technology.

2. General permit. A person may apply for a general permit for a tidal energy demonstration project in accordance with this section. If a general permit is granted pursuant to this section, an individual permit under section 633 is not required for the construction and operation of a tidal energy demonstration project.

3. Application requirements. An applicant for a general permit must file with the department an application that contains the following:

A. Written certification that the applicant has filed an application with the Federal Energy Regulatory Commission for a pilot project license for a proposed tidal energy demonstration project, along with a copy of that application as filed with the commission. The application must contain such information as is required by the Federal Energy Regulatory Commission, including, but not limited to:

(1) A description of the waters of the State in which the proposed project will be located;

(2) A description of proposed project facilities and operation;

(3) Site-specific information regarding the physical environment in which the project is proposed to be located and the anticipated environmental effects of the proposed project;

(4) A plan for monitoring the environmental effects of the project through the term of the general permit;

(5) A plan for safeguarding the public and environmental resources through the term of the general permit;

(6) A plan for removing the project after the termination of the general permit unless the applicant is pursuing a license for a commercial tidal power project at the site; and

(7) Documentation that, in developing the application, the applicant has consulted with the appropriate local, state and federal resource agencies, as well as local governments, Indian tribes, nongovernmental organizations and members of the public likely to be interested in the project;

B. Documentation, including certificates of insurance, that the applicant has and will maintain a current general liability policy for the project that covers bodily injury, property damages and environmental damages in an amount considered rea-

sonable by the department in consideration of the scope, scale and location of the project;

C. Documentation that the applicant has the financial and technical capacity to construct and operate the project as proposed;

D. A copy of an environmental assessment issued by the Federal Energy Regulatory Commission for the proposed tidal energy demonstration project that includes a finding of "no significant environmental impact" pursuant to the National Environmental Policy Act of 1969, Public Law 91-190, 42 United States Code, Chapter 55; and

E. Written acknowledgement that, in accordance with this section, the department may require the applicant to take remedial action, at the applicant's expense, pursuant to subsection 9, including but not limited to removal of the generating facilities and submerged utility line and termination of the project.

4. Notification. The department shall notify an applicant in writing within 60 days of its acceptance of the application for processing if the department determines that the requirements of this section have not been met. The notification must specifically cite the requirements of this section that have not been met. If the department has not notified the applicant under this subsection within the specified time period, a general permit is deemed to have been granted.

5. Fees. Except as otherwise provided by section 344-A, the department shall assess a fee for review of applications filed pursuant to this section as provided by section 352.

6. Violation. Any action taken by a person receiving a general permit under this section that is not in compliance with the plans submitted under subsection 3 or as subsequently modified with the approval of the department in consultation with agencies and other entities with whom the applicant consulted in accordance with subsection 3, paragraph A, subparagraph (7) is a violation of the general permit.

7. General permit term. Except as otherwise provided in subsections 8 and 9, a general permit granted under this section is valid for the term of the pilot project license, including any related annual license, issued by the Federal Energy Regulatory Commission for the tidal energy demonstration project that is the subject of the general permit. The department may grant one or more extensions of the general permit term to coincide with any approved extension of the term of the pilot project license or any related annual license issued by the Federal Energy Regulatory Commission.

8. Surrender. A general permit granted pursuant to this section is deemed to have been surrendered and terminates on the date of approval by the Federal En-

ergy Regulatory Commission of the surrender and termination of the pilot project license or any related annual license for the tidal energy demonstration project that is the subject of the general permit. An applicant may surrender to the department a general permit granted pursuant to this section prior to its expiration pursuant to subsection 7. Subject to conditions regarding project removal under subsection 10, the general permit terminates on the date of its surrender pursuant to this subsection.

9. Remedial action. If the department determines, based on the results of monitoring conducted by the applicant or other information, that there is substantial evidence that the project is having a significant adverse effect on a protected natural resource as defined by section 480-B, subsection 8, wildlife, including avian wildlife, bat species, marine mammals, fish or other marine resources or public health or safety, the department shall order the applicant to take action that the department considers necessary to address that adverse effect. Remedial action required by the department may include, but is not limited to:

A. Suspension or modification of project operations; or

B. Cessation of operations and removal of some or all elements of the project, including but not limited to the generating facilities, if there is no practicable alternative to address the adverse effect.

10. Project removal. Within 60 days of termination of the project pursuant to subsection 7 or 8, unless the applicant is pursuing a license for a commercial tidal power project at the site, and within 60 days of termination of the project pursuant to subsection 9, the applicant shall initiate implementation of the project removal plan provided for under subsection 3, paragraph A, subparagraph (6). If the applicant fails to begin implementing the plan within this 60-day period, the department may take such measures as it considers necessary to initiate and fully implement the plan by drawing on the financial surety provided pursuant to the project removal plan. The applicant's acceptance of the general permit constitutes agreement and consent by the applicant and its heirs, successors and assigns that the department may take such action as necessary to initiate and fully implement the project removal plan. The holder of the project removal funds shall release the project removal funds when the applicant has demonstrated and the department concurs that the project removal plan has been satisfactorily completed or upon written authorization by the department in the event the department implements the plan pursuant to this subsection.

11. Local review. A municipality may not enact or enforce any land use, zoning or other standard, conditions or requirement regarding a tidal energy demonstration project located within the municipality that is

stricter than the standards, conditions or requirements of this section. The municipality has the burden of proof regarding the location of the project in relation to its boundaries. Any action by the municipality regarding its authorization to site, construct or operate a tidal energy demonstration project must be taken within 60 days of the granting of a general permit under this section.

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

Effective June 4, 2009.

CHAPTER 271

H.P. 1025 - L.D. 1474

An Act To Assist Maine Workers and Businesses in Succeeding in a Changing Economy

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

Sec. 1. 26 MRSA §1043, sub-§5, as corrected by RR 1991, c. 1, §35, is amended to read:

5. Benefit year. "Benefit year" means the one-year period beginning with the date with respect to which an insured worker files a request for determination of ~~his~~ the worker's insured status, and thereafter the one-year period beginning with the date with respect to which ~~he~~ the worker next files such a request after the end of ~~his~~ the worker's last preceding benefit year. If an insured worker files a request for determination of ~~his~~ the worker's insured status during a week in which one calendar quarter ends and another begins, the benefit year for applicable base period identity purposes ~~shall be~~ is deemed to begin on the first day of the new calendar quarter.

B. A dislocated worker, as defined in section 1196, subsection 1, enrolled in a training program approved under section 1192, subsection 6, 6-A or 6-B, 6-C, 6-D or 6-E who has exhausted ~~his~~ the worker's benefit year within 30 months of ~~his~~ the worker's enrollment in the training program, ~~shall be~~ is entitled to the product of ~~his~~ the worker's most recent weekly benefit amount multiplied by the number of weeks in which that person is in an approved training program, up to a maximum of 26 weeks, provided that no benefits may be paid under this paragraph to any person:

(1) Until the person has exhausted benefits for which that person is eligible under any unemployment insurance benefit program funded in whole or in part by the State Government or Federal Government; or

(2) Who is eligible for or who has exhausted, after the effective date of this paragraph, trade adjustment allowances as provided by the United States Trade Act of 1974, Title II, Chapter 2, Public Law 93-617, United States Code, Title 19, Section 2291, et seq., and any amendments or additions thereto, or a similar successor provision of that Act, except that any individual who was eligible for and received less than 26 weeks of benefits under the United States Trade Act may receive benefits for the number of weeks by which their benefits under that Act are less than 26 weeks; ~~or.~~

(3) ~~For a subsequent enrollment in any training program after his initial enrollment, following the effective date of this paragraph, and final termination of a training program approved under section 1192, subsection 6, 6-A or 6-B.~~

In the case of a combined-wage claim pursuant to the arrangement approved by the secretary in accordance with section 1082, subsection 12, the benefit year ~~shall be~~ is that applicable under the unemployment compensation law of the paying state.

Sec. 2. 26 MRSA §1191, sub-§4, as amended by PL 1987, c. 570, §2, is further amended to read:

4. Maximum amount of benefits. The maximum amount of benefits ~~which shall that may~~ that may be paid to any eligible individual with respect to any benefit year, whether for total or partial unemployment, ~~shall may~~ may not exceed the lesser of 26 times ~~his~~ the individual's weekly benefit amount or 33 1/3%, rounded to the nearest dollar, of ~~his~~ the individual's total wages paid for insured work during ~~his~~ the individual's base period, plus the supplemental weekly benefit for dependents payable under subsection 6.

A. If a dislocated worker, as defined in section 1196, subsection 1, who is in training approved under section 1192, subsection 6, ~~6-A or 6-B, 6-C, 6-D or 6-E~~ 6-C, 6-D or 6-E qualifies for additional benefits under section 1043, subsection 5, paragraph B, or exhausts ~~his~~ the worker's entitlement to benefits available to ~~him~~ the worker under this subsection, the maximum amount under this subsection ~~shall be~~ is the product of ~~his~~ the worker's most recent weekly benefit amount multiplied by the number of weeks in which ~~he~~ the worker thereafter attends an approved training program. No increase may be made under this paragraph, with respect to any benefit period, greater than 26 times the individual's weekly benefit amount.

(1) Benefits paid to an individual under this paragraph ~~shall may~~ may not be charged against the experience rating record of any employer,

but ~~shall~~ must be charged to the General Fund.

(2) No benefits may be paid under this paragraph to any person:

(b) Until the person has exhausted benefits for which ~~he~~ the person is eligible under any unemployment insurance benefit program funded in whole or in part by the State Government or Federal Government; or

(c) Who is eligible for or who has exhausted, after the effective date of this paragraph, trade adjustment allowances as provided by the United States Trade Act of 1974, Title II, Chapter 2, Public Law 93-617, United States Code, Title 19, Section 2291, et seq., and any amendments or additions thereto, or a similar successor provision of that Act, except that any individual who was eligible for and received less than 26 weeks of benefits under the United States Trade Act may receive benefits for the number of weeks by which their benefits under that Act are less than 26 weeks; ~~or.~~

(d) ~~For a subsequent enrollment in any training program after his initial enrollment, following the effective date of this paragraph, and final termination of a training program approved under section 1192, subsection 6, 6-A or 6-B.~~

Sec. 3. 26 MRSA §1192, sub-§6-D, as amended by PL 1995, c. 665, Pt. DD, §1 and affected by §12, is further amended to read:

6-D. Prohibition against disqualification of individuals in approved training. Notwithstanding any provisions of this chapter, the acceptance of training for opportunities available under ~~section~~ sections 2031 and 2033 is deemed to be acceptance of training with state approval under federal or state law relating to unemployment benefits.

Sec. 4. 26 MRSA §1196, sub-§1, ¶A, as enacted by PL 1985, c. 591, §5, is amended to read:

A. An individual who:

(1) Has been terminated or laid off from employment as a result of a reduction of operations at the individual's place of employment or who has received a notice of termination or layoff from employment;

(2) ~~Is eligible for or has exhausted his entitlement to unemployment compensation; and~~

(3) ~~Is unlikely to return to his previous industry or occupation;~~

Sec. 5. 26 MRSA §1196, sub-§2, ¶D, as enacted by PL 1985, c. 591, §5, is amended to read:

D. The success rate in placing trainees who receive benefits under those provisions; and

Sec. 6. 26 MRSA §1196, sub-§2, ¶E, as enacted by PL 1985, c. 591, §5, is amended to read:

E. The total cost of benefits paid under those provisions and the effect on the Unemployment Trust Fund-; and

Sec. 7. 26 MRSA §1196, sub-§2, ¶F is enacted to read:

F. The number of persons participating in training while receiving extended unemployment benefits under those provisions during the report year who have previously completed a training program while receiving extended unemployment benefits under those provisions, including the length of time between those enrollments.

Sec. 8. Review; report. The Commissioner of Labor shall review the unemployment insurance program established under the Maine Revised Statutes, Title 26, chapter 13 to determine factors that contribute to the State's low reciprocity rate relative to other states as determined by the United States Department of Labor, Office of Workforce Security, Division of Fiscal and Actuarial Services. For purposes of this section, "reciprocity rate" means the number of insured unemployed persons in regular unemployment insurance programs as a percent of the total unemployed persons. The commissioner shall report findings, including any recommendations to improve the unemployment insurance reciprocity rate, to the Joint Standing Committee on Labor by January 15, 2010. The Joint Standing Committee on Labor is authorized to introduce any legislation in response to this report to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 272

H.P. 675 - L.D. 973

An Act To Provide for the Safe Collection and Recycling of Mercury-containing Lighting

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

Sec. 1. 38 MRSA §1672 is enacted to read:

§1672. Mercury-added lamps

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

A. "Manufacturer" means a person who manufactures a mercury-added lamp and has a presence in the United States or a person who imports a mercury-added lamp manufactured by a person who does not have a presence in the United States.

B. "Mercury-added lamp" means an electric lamp to which mercury is intentionally added during the manufacturing process, including, but not limited to, linear fluorescent, compact fluorescent, black light, high-intensity discharge, ultraviolet and neon lamps.

C. "Municipal collection site" means a solid waste disposal facility, transfer station, storage facility or recycling facility at which mercury-added lamps from households are collected for recycling that is municipally owned or operated or operated by a regional association.

D. "Person" means any individual, corporation, partnership, cooperative, association, firm, sole proprietorship, government agency or other entity.

2. Mercury content standards. The following provisions govern mercury content standards.

A. The department shall adopt rules establishing mercury content standards for lamps sold or manufactured in the State on or after January 1, 2012. The standards must be based on mercury content standards for lamps established in California. If one or more categories of lamps are not covered by the mercury content standards established in California, the department may adopt standards minimizing the mercury content of lamps within those categories, including adoption of a no-mercury standard if a nonmercury alternative is available at a cost comparable to a mercury alternative. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

B. The rules adopted under paragraph A must provide that:

- (1) A manufacturer of mercury-added lamps sold or being offered for sale in the State shall prepare and, at the request of the department, submit within 28 days of the date of the request technical documentation or other information showing that the manufacturer's mercury-added lamps sold or offered for sale in the State comply with the rules. If the manufacturer of a mercury-added lamp being sold or offered for sale does not provide the documentation requested, that manufacturer may not be allowed to sell or offer for sale mercury-added lamps in the State; and
- (2) A manufacturer of mercury-added lamps sold or being offered for sale in the State shall

provide upon request a certification to a person who sells or offers for sale a mercury-added lamp of that manufacturer. The certification must attest that the mercury-added lamp does not contain levels of mercury that would result in the prohibition of that lamp being sold or offered for sale in the State. If the manufacturer of a mercury-added lamp being sold or offered for sale does not provide the certification requested, that manufacturer may not be allowed to sell or offer mercury-added lamps for sale in the State.

3. Mercury-added lamp purchasing. When making purchasing decisions on mercury-added lamps and ballasts, the Department of Administrative and Financial Services, in consultation with the department and the Public Utilities Commission, shall request information on mercury content, energy use, lumen output and lamp life from potential suppliers and shall issue specifications and make purchasing decisions that favor models at comparable cost with high energy efficiency, lower mercury content and longer lamp life. Information obtained on mercury content, energy use and lamp life must be made available by the Department of Administrative and Financial Services to other purchasers who purchase a large number of mercury-added lamps. This information must also be posted on the State's publicly accessible website.

4. Manufacturer recycling programs for household mercury-added lamps. Effective January 1, 2011, each manufacturer of mercury-added lamps sold or distributed for household use in the State on or after January 1, 2001 shall individually or collectively implement a department-approved program for the recycling of mercury-added lamps from households.

A. The recycling program required under this subsection must include:

(1) Convenient collection locations located throughout the State where residents can drop off their household lamps without cost, including but not limited to municipal collection sites and participating retail establishments;

(2) Handling and recycling equipment and practices in compliance with the universal waste rules adopted pursuant to section 1319-O, subsection 1, paragraph F and all other applicable requirements;

(3) Effective education and outreach, including, but not limited to, point-of-purchase signs and other materials provided to retail establishments without cost; and

(4) An annual report to the department on the number of mercury-added lamps recycled under the manufacturer's program, the estimated percentage of mercury-added lamps available

for recycling that were recycled under the program and the methodology for estimating the number of mercury-added lamps available for recycling, an evaluation of the effectiveness of the recycling program, recommendations for increasing the number of lamps recycled under the recycling program and an accounting of the costs associated with administering and implementing the recycling program.

B. A manufacturer required to implement a recycling program under this subsection shall submit its proposed recycling program for department review and approval. The department shall solicit public comment on the proposed program before approving or denying the program.

C. Beginning April 1, 2011, a manufacturer not in compliance with this section is prohibited from offering any mercury-added lamp for final sale in the State or distributing any mercury-added lamp in the State. A manufacturer not in compliance with this section shall provide support to retailers to ensure the manufacturer's mercury-added lamps are not offered for sale, sold at final sale or distributed in the State.

D. Beginning April 1, 2011, a retailer may not offer for final sale a mercury-added lamp produced by a manufacturer not in compliance with this section. The department shall notify retailers of the manufacturers of mercury-added lamps not in compliance with this section.

E. Beginning April 15, 2013, and biennially thereafter, the department shall calculate the percentage of mercury-added lamps recycled from households and report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on any modifications to the manufacturer recycling programs it intends to make to improve mercury-added lamp recycling rates and any recommendations for statutory changes needed to facilitate mercury-added lamp collection and recycling.

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 and implemented by the Public Utilities Commission.

5. Applicability. The requirements of this section do not apply to motor vehicles as defined in Title 29-A, section 101, subsection 42 or watercraft as de-

lined in Title 12, section 13001, subsection 28 or their component parts.

Sec. 2. Recycling program submission date for existing manufacturers. A manufacturer subject to the Maine Revised Statutes, Title 38, section 1672 and in existence on the effective date of this Act shall submit its proposed recycling program pursuant to Title 38, section 1672, subsection 4, paragraph B by January 1, 2010.

Sec. 3. Report on recycling of mercury-added lamps from businesses. The Department of Environmental Protection shall submit a report by January 1, 2010 to the Joint Standing Committee on Natural Resources on the recycling of mercury-added lamps from businesses, including, but not limited to, linear fluorescent lamps. The report must include:

1. An estimate of the number of mercury-added lamps recycled and the recycling rate for mercury-added lamps from businesses over each of the last 3 years;
2. A comprehensive strategy for improving lamp recycling rates;
3. Any legislation necessary to implement the strategy proposed in the report; and
4. The availability of nonmercury lamps to replace mercury-added lamps.

The Joint Standing Committee on Natural Resources may submit legislation to the Second Regular Session of the 124th Legislature to implement recommendations included in the report.

Sec. 4. Report on recycling of mercury-added lamps from households. The Department of Environmental Protection shall submit a report by January 1, 2010 to the Joint Standing Committee on Natural Resources on the recycling of mercury-added lamps from households pursuant to the Maine Revised Statutes, Title 38, section 1672. The report must include, but is not limited to:

1. An assessment of the costs of the manufacturer recycling programs for mercury-added lamps to manufacturers, consumers, municipalities and others;
2. After consultation with manufacturers of mercury-added lamps, recommendations for streamlining the recycling of mercury-added lamps from households; and
3. A review and assessment of education and outreach alternatives.

The Joint Standing Committee on Natural Resources may submit legislation to the Second Regular Session of the 124th Legislature to implement recommendations included in the report.

See title page for effective date.

CHAPTER 273

H.P. 62 - L.D. 73

An Act To Protect the Right To Use Solar Energy

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

Sec. 1. 30-A MRSA §3013 is enacted to read:

§3013. Solar energy devices; ordinances

A municipal ordinance, bylaw or regulation adopted after September 30, 2009 that directly regulates the installation or use of solar energy devices on residential property must comply with the requirements of Title 33, chapter 28-A. For the purposes of this section, "solar energy device" has the same meaning as in Title 33, section 1421, subsection 5.

Sec. 2. 33 MRSA c. 28-A is enacted to read:

CHAPTER 28-A

SOLAR RIGHTS

§1421. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Legal instrument. "Legal instrument" includes:

A. Municipal ordinances, bylaws or regulations that directly regulate the installation or use of solar energy devices on residential property;

B. Rules, bylaws or regulations of an association of property owners, including but not limited to a homeowners association, unit owners association or condominium owners association; and

C. Deed restrictions, restrictive covenants, declarations, contracts or similar binding agreements.

2. Residential property. "Residential property" means real property located in this State that is used for residential dwelling purposes.

3. Solar clothes-drying device. "Solar clothes-drying device" means a clothes line, drying rack or other equipment used for solar drying of clothing.

4. Solar collector. "Solar collector" means a device, structure or part of a device or structure that is designed and used to transform solar energy into thermal, chemical or electrical energy to meet the water heating, space heating, space cooling or electricity generation requirements of one residential dwelling.

5. Solar energy device. "Solar energy device" means a solar collector or solar clothes-drying device.

§1422. Policy

It is the policy of the State to promote the use of solar energy and to avoid unnecessary obstacles to the use of solar energy devices.

§1423. Use and installation of solar energy devices

1. Application. This section applies to a legal instrument adopted or created after September 30, 2009 that defines or limits the rights or privileges of owners or renters with respect to the use of residential property.

2. Right to install and use solar energy devices. Except as provided in subsections 3 and 4, a legal instrument subject to this section may not prohibit a person from installing or using:

A. A solar energy device on residential property owned by that person; or

B. A solar clothes-drying device on residential property leased or rented by that person.

3. Exception. A legal instrument subject to this section may prohibit the installation and use of solar energy devices on residential property in common ownership with 3rd parties or common elements of a condominium.

4. Reasonable restrictions. A legal instrument subject to this section may include reasonable restrictions on the installation and use of a solar energy device. For the purposes of this section, a reasonable restriction is any restriction that is necessary to protect:

A. Public health and safety, including but not limited to ensuring safe access to and rapid evacuation of buildings;

B. Buildings from damage;

C. Historic or aesthetic values, when an alternative of reasonably comparable cost and convenience is available; or

D. Shorelands under shoreland zoning provisions pursuant to Title 38, chapter 3, subchapter 1, article 2-B.

§1424. Limitation

This chapter does not supersede any existing authority of any entity to adopt and enforce any laws, rules or regulations on any matter other than the installation and use of solar energy devices on residential property.

See title page for effective date.
